

Attachment-4 Recommended Zoning Regulations and Conditions

4A – Zoning Regulations

The following zone is proposed on the subject property as shown in the proposed zoning map in Attachment-7.

“Specialized Residential Cluster Townhouse” (R.3A-68) Zone

In addition to the regulations set out in Section 5.3.2 – “Residential Cluster Townhouse (stacked townhouses)” (R.3A) Zone of Zoning By-law (1995)-14864, as amended, the following specialized regulation will apply:

Location of Parking Spaces

Despite Section 4.13.2.2, every parking space shall be a minimum of 1 metre from the south property line.

4B – Proposed Conditions of Site Plan Approval

The following conditions are provided as information to Council and will be imposed through site plan approval, pursuant to Section 41 of the Planning Act:

1. That the Owner/Developer shall apply to the City for site plan approval in accordance with Section 41 of The Planning Act. The application shall include submitting detailed site plan, indicating such items as proposed servicing, grading and drainage, erosion and sediment control, access, parking and traffic circulation to the satisfaction of the General Manager of Planning and Building Services and the General Manager/City Engineer. Such plans shall be certified by a Professional Engineer. All applications for a building permit shall be accompanied by a plan that shows that the proposed building, grading and drainage is in conformance with the approved overall drainage and grading plan.
2. That the Owner/Developer commits and agrees that the details of the layout and design for the development of the subject lands shall be generally in accordance with the current conceptual site plan in Attachment 9 of Decision Report 2022-xx.
3. That the Owner/Developer acknowledges and agrees that ensuring the suitability of the land from an environmental engineering perspective, for the proposed use(s) is the responsibility of the Owner/Developer.
4. That prior to site plan approval and prior to any construction or grading on the lands, the Owner/Developer shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer. The cost related to preparation and implementation of such studies, plans and reports shall be borne by the Owner/Developer:
 - i. A Stormwater Management Report and plans certified by a Professional Engineer in accordance with the City’s Guidelines and the latest edition of the Ministry of the Environment’s "Stormwater Management Practices Planning and Design Manual". The seasonal high groundwater elevation with four seasons of data, is to be verified with the submission of a Hydrogeological Assessment prior to final site plan approval. This information will confirm if the basement floor elevation as proposed can meet the requirements of the Development Engineering Manual which indicates a separation of 0.5m from the seasonal high elevation.
 - ii. A Grading, Drainage and Servicing Plan prepared by a Professional Engineer for the site.

4B – Proposed Conditions of Site Plan Approval (continued)

- iii. A detailed Erosion and Sediment Control Plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.
 - iv. A Construction Traffic Access and Control Plan for all phases of servicing and building construction.
 - v. A Detailed Noise Study certified by a qualified Professional Engineer in accordance with the City of Guelph Noise Control Guidelines.
 - vi. A Salt Management Plan in accordance with the City's Guidance Document for Proponents.
5. That the Owner/Developer shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in all plans, studies and reports submitted.
 6. That the Owner/Developer shall obtain a site alteration permit in accordance with City By-law (2016)-20097 to the satisfaction of the General Manager/City Engineer if grading or earthworks is to occur prior to site plan approval.
 7. That prior to any construction or grading on the lands, the Owner/Developer shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
 8. That prior to any construction or grading on the lands, the Owner/Developer shall obtain written permission from the affected landowners for any proposed grading or servicing works outside of the subject lands.
 9. That the Owner/Developer shall pay to the City the actual cost of the design and construction including the new driveway entrances and required curb cut and/or curb fill. Furthermore, prior to approval of the plans and prior to any construction or grading on the lands, the Owner/Developer shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cut and/or curb fill.
 10. That the Owner/Developer shall grade, develop, and maintain the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Owner/Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
 11. That the Owner/Developer shall ensure that any existing domestic wells as well as all boreholes and monitoring wells installed for environmental, hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
 12. That prior to demolition of the existing house, the Owner/Developer shall locate the position of any existing sanitary sewer, storm sewer, water service laterals and septic systems serving the existing houses. The Owner/Developer shall be responsible for the entire cost of removing the existing service laterals from the said lands satisfactory to the City, and removal of any existing septic systems satisfactory to the City.

4B – Proposed Conditions of Site Plan Approval (continued)

13. That prior to site plan approval and following decommissioning of the old watermain (200mm diameter CI WM) located on the subject property currently servicing the Wellington Catholic District School Board (WCDSB), the Owner/Developer shall request from the City a full and final release of easement registered as CS59628 from title, at no expense to the City. The existing 200mm cast iron watermain would be decommissioned and removed from the subject property only after the new water service/ separate private hydrant connection has been constructed and is functional on the WCDSB property to the satisfaction of the General Manager/City Engineer.
14. That the Owner/Developer shall be responsible for construction co-ordination and to pay the actual cost of constructing, installing a new 50mm diameter water service and separate private hydrant connection onto the Wellington Catholic District School Board property. Furthermore, prior to site plan approval, the developer shall apply and pay to the City the estimated cost of the 50mm diameter water service and separate private hydrant connection within the right-of-way as part of the Plumbing Permit, as determined by the General Manager/City Engineer.
15. That the Owner/Developer shall pay to the City the actual cost of constructing, installing or removal of any service laterals, required and furthermore, prior to site plan approval, the Owner/Developer shall pay to the City the estimated cost of the service laterals, as determined by the General Manager/City Engineer.
16. That the Owner/Developer acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
17. That the Owner/Developer shall stabilize all disturbed soil within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches).
18. That the Owner/Developer shall make satisfactory arrangements with Guelph Hydro/Alectra and phone and cable providers for the servicing of the lands as well as provisions for any easements and/or rights-of-way for their plants.
19. That the Owner/Developer shall make satisfactory arrangements with Union Gas for the servicing of the lands as well as provisions for any easements and/or right-of-way for their plant, prior to site plan approval and prior to any construction or grading on the lands.
20. That the Owner/Developer shall retain a Professional Engineer, licensed in the Province of Ontario, to verify that any of the proposed works within the municipal right-of-way meet or exceed all horizontal and vertical separation distances required by the affected utilities (hydro, telecommunications, gas etc.). Prior to final site plan approval, all above ground and subsurface infrastructure utilities are to be located and any necessary relocations are identified on the site servicing plan. All associated costs relating to utility relocations shall be at the expense of the Owner/Developer.
21. That the Owner/Developer shall pay the estimated and the actual cost for decommissioning and removal of any services as determined by the General Manager/City Engineer.

4B – Proposed Conditions of Site Plan Approval (continued)

22. That the Owner/Developer shall retain a Professional Engineer, licensed in the Province of Ontario, to prepare an on-site engineering works cost estimate using the City's template. The estimate is to be certified by the Professional Engineer. The Owner/Developer shall provide the City with cash or letter of credit security for the on-site engineering works in an amount satisfactory to the City. The Owner/Developer shall pay the engineering on-site works inspection fee to the satisfaction of the City.
23. That the Owner/Developer shall enter into an agreement with the City, to be registered on title, satisfactory to the City Solicitor which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
24. That prior to site plan approval, the Owner/Developer shall demonstrate to the satisfaction of the General Manager of Planning and Building Services a commitment to incorporate features into the development that will implement recommendations of the City's Community Energy Initiative (CEI) and the overall goal of becoming a net zero carbon community by 2050.
25. That prior to the issuance of site plan approval, written confirmation shall be received from the General Manager of Environmental Services or his or her designate that the proposed development is in conformance with By-law (2011)-19199, or any successor thereof, known as the Waste Management By-law. Further, the Owner/Developer agrees and commits to employ a three-stream waste collection system with considerations and opportunities developed in their Waste Management Plan that would facilitate the transition to City collection at some point in the future.
26. That as part of the site plan approval process the Owner/Developer shall develop the elevations including materials and colours, provide rooftop mechanical screening details and provide architectural details.
27. That the Owner/Developer shall be responsible for payment in lieu of conveyance of parkland to the City to the satisfaction of the Deputy CAO of Public Services or their designate, pursuant to s. 42 of the Planning Act and in accordance with the City's Parkland dedication By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to issuance of any building permits.
28. That prior to the issuance of the first building permit, the Owner/Developer shall provide to the Deputy CAO of Public Services or their designate, a satisfactory narrative appraisal report prepared for The Corporation of the City of Guelph for the purposes of calculating the amount for payment in lieu of conveyance of parkland pursuant to s.42 of the Planning Act. The value of the land shall be determined as of the day before the day the first building permit is issued. The narrative appraisal report shall be prepared by a qualified appraiser who is a member in good standing of the Appraisal Institute of Canada, and shall be subject to the review and approval of the Deputy CAO of Public Services or their designate.
29. Notwithstanding the foregoing, if the narrative appraisal provided by the Owner/Developer is not satisfactory to the Deputy CAO of Public Services or their designate, the City, acting reasonably, reserves the right to obtain an independent narrative appraisal for the purposes of calculating the amount for payment in lieu of conveyance of parkland.

4B – Proposed Conditions of Site Plan Approval (continued)

30. That the Owner/Developer shall complete an updated Tree Inventory and Preservation Plan satisfactory to the General Manager of Planning and Building Services, prior to any grading, tree removal or Site Plan Approval. The updated plan will include:
- a. The long-term protection of the trees on adjacent properties, with consideration to achieving a wider buffer and integration of appropriate design changes as may be required;
 - b. Pre, during and post construction mitigation and monitoring of private and neighbouring trees.
31. That the Owner/Developer shall complete an updated Compensation Planting Plan, in addition to or included with, standard landscaping requirements of a Landscape Plan, satisfactory to the General Manager of Planning and Building Services, prior to any grading, tree removal or Site Plan Approval. Should space not be available for compensation trees on site, an alternative site and/or cash-in-lieu compensation will be provided.
32. That the Owner/Developer shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, Development Charges in accordance with the City of Guelph Development Charges By-law (2019)-20372, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of building permits.
33. That the Owner/Developer shall agree in the site plan agreement/condominium declaration that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) is provided to allow children to walk safely to school or to a designated bus pickup point.
34. That the Owner/Developer agrees in the site plan agreement/condominium declaration to advise purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease:
- “In order to limit liability, public school buses operated by the Service de transport de Wellington-Dufferin Student Transportation Services, or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point.”