

## **Attachment-3 Recommended Zoning Regulations and Conditions**

### **3A – Zoning Regulations**

The following zone is proposed on the subject lands as shown in the proposed zoning map in Attachment-6.

#### **“Specialized Residential Cluster Townhouse” (R.3A-69) Zone**

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

##### **Minimum Lot Frontage**

Despite Table 5.3.2, Row 4, the minimum lot frontage shall be 11 metres.

##### **Minimum Distance Between Buildings**

Despite Section 5.3.2.3.1, the distance between the exterior side face of one building and the exterior side face of another building, each of which contains windows to habitable rooms shall in no case be less than 12 metres.

### **3B – 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 prior to site plan approval the Owner/Developer shall grant to the City a road widening dedication of 5.182 metres along the frontage of the subject lands in accordance with the City’s Official Plan (section 5.13).
3. That prior to site plan approval, 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.
  - A Stormwater Management Report and plans certified by a Professional Engineer in accordance with the City’s Development Engineering Manual (DEM) and the latest edition of the Ministry of the Environment’s "Stormwater Management Practices Planning and Design Manual". The report and plans must be updated to demonstrate that the 1metre separation between the established seasonal high groundwater and the underside of the designed infiltration gallery is maintained.
  - An updated Hydrogeological Investigation report containing the updated one year of groundwater monitoring data on the site.
  - Updated Grading, Drainage and Servicing Plan prepared by a Professional Engineer for the site.

- A Detailed Erosion and Sediment Control Plan, certified by a Professional Engineer.
  - A Detailed Noise Study certified by a qualified Professional Engineer in accordance with the City of Guelph Noise Control Guidelines.
  - A Salt Management Plan in accordance with the City's Guidance Document for Proponents.
4. 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.
  5. That prior to site plan approval, the Owner/Developer shall provide the following to the satisfaction of the General Manager of Planning and Building Services:
    - An Environmental Impact Study (EIS) based on an approved Terms of Reference that demonstrates conformance with Official Plan Natural Heritage System policies and ensures there will be no negative impacts to protected features in relation to the proposed development. The EIS must consider all elements of the proposed development including stormwater management. Additionally, the EIS must consider relevant recommendations from the Clythe Creek Subwatershed Study.
    - A Tree Inventory and Preservation Plan undertaken by a qualified arborist in accordance with the requirements of the City's Tree Technical Manual.
    - A detailed Landscape Plan that includes streetscape, landscaping and tree compensation (as required) with native and non-invasive species.
    - Cash-in-lieu compensation for any trees to be removed that are regulated by the City's Private Tree By-law, are in fair to excellent condition, and cannot be compensated through proposed restoration plantings.
  6. 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.
  7. That the Owner/Developer shall be responsible for the cost of design and implementation of the Open Space Works and Restoration in accordance with the "Environmental Implementation Report" to the satisfaction of the Deputy CAO of Public Services. This shall include the submission of drawings and the administration of the construction contract up to the end of the warranty period completed by an Ontario Association of Landscape Architects (OALA) member for approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of the Open Space works and restoration for the City lands to the satisfaction of the Deputy CAO of Public Services.
  8. That the Owner/Developer shall be responsible for the cost of design and development of the demarcation of all lands conveyed to the City in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warranty period completed by an Ontario Association of Landscape Architect (OALA) member for

approval to the satisfaction of the Deputy CAO of Public Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Deputy CAO of Public Services.

9. 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.
10. 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.
11. That 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.
12. 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.
13. The Developer shall place the following notifications in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's site plan agreement to be registered on title:
  - "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that the abutting City owned lands may be fenced in accordance with the current standards and specifications of the City".
  - Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed onto City owned lands."
  - "Purchasers and/or tenants of all lots or units are advised that a public trail exists abutting or in close proximity to the units and that public access to this trail will occur along Grange Road."
14. 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.

15. 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.”