

Attachment 4: Recommended Zoning, Regulations and Conditions

Part A - Proposed Conditions:

The following conditions are provided as information to Council and will be imposed through a development agreement and/or site plan approval with the City, and may be registered in an agreement on title for the subject lands.

1. The Developer shall submit to the City, in accordance with Section 41 of The *Planning Act*, a fully detailed site plan, indicating but not limited to, the location of the building, building design, landscaping, tree inventory and preservation, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and the General Manager/City Engineer, prior to any construction, site alteration or grading on the lands.
 - a. The Developer shall commit and agree that the details of the layout and design for the development of the subject lands shall be generally in conformance with the development concept plan and renderings attached as Attachments 9 and 10 to the September 12, 2022 Infrastructure, Development and Enterprise Report Number 2022-271.
 - b. The Developer shall implement the recommendations of the Urban Design and Sustainability Brief, dated September, 2021, by Weston Consulting to the satisfaction of the General Manager of Planning and Building Services.
2. The Developer shall grant to the City a road widening dedication of 5 metres along the frontage of the subject lands on Arkell Road in accordance with the City's Official Plan (section 5.13).
3. The Developer shall grant to the City a daylight road widening at the intersection of Arkell Road and Gordon Street in accordance with the City's Official Plan (section 5.13). The size of the lands will be determined during detailed review of the formal Site Plan.
4. The 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.
 - a. A Stormwater Management report 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".
 - b. One year of groundwater monitoring at various locations across the site to explore appropriate locations for the infiltration gallery(s) with the required separation from the seasonal high groundwater table and in accordance with the City's Development Engineering Manual (DEM).
 - c. Detailed Grading, Drainage and Servicing Plan prepared by a Professional Engineer.

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- d. A detailed Erosion and Sediment Control Plan, certified by a Professional Engineer.
 - e. An updated Site Plan showing a single lane exit at the Gordon Street access.
 - f. A detailed Noise Study in accordance with the City's Noise Control Guidelines.
 - g. A salt management plan
5. The Developer shall demonstrate that permanent dewatering will be avoided through building design that takes into account the Ontario Building Code requirement for a foundation drain.
 6. The Developer shall maximize opportunities for runoff reduction and provide an update of the associated water balance.
 7. The Developer shall demonstrate conformance with the City's Bird-friendly Design Guidelines.
 8. That prior to site plan approval, the 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.
 9. The 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 Section 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. Prior to the issuance of the first building permit, the 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 Section 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. Notwithstanding the foregoing, if the narrative appraisal provided by the applicant 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. The collection of Development Charges is required prior to the issuance of a building permit(s).
 13. The Developer shall advise all purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease:

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- a. "In order to limit liability, public school buses operated by the Service de transport de Wellington-Dufferin Student Transportation Services (STWDSTS), 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."

Part B – Zoning Regulations:

That the Zoning By-law Amendment application be approved and that City staff be instructed to prepare the necessary amendment to Zoning By-law (1995)-14864, as amended, to transfer the subject lands from the "Urban Reserve" Zone to the following:

Proposed Zoning: "Specialized Neighbourhood Commercial Zone with Holding Provision" – NC-12(H)

In accordance with Section 4 (General Provisions) and Section 6.2 of Zoning By-law (1995)-14864, as amended, with the following site-specific exceptions:

Permitted Uses

Despite Section 6.2.1.1, the following additional use shall also be permitted:

- **Micro-Brewery or Brew Pub**

Side Yard

- Despite Table 6.2.2, Row 5, the minimum Exterior Side Yard shall be 5 metres.
- Despite Table 6.2.2, Row 6, the minimum Side Yard shall be 10 metres.

Building Height and Angular Plane

- Despite Table 6.2.2, Row 8, the maximum Building Height shall be 8 storeys.
- Building height shall not exceed a 47-degree Angular Plane projected from the Gordon Street centreline right-of-way.

Net Density

- Maximum residential net density shall be 172.4 units per hectare.

Gross Floor Area

- Despite Table 6.2.2, Row 10, the maximum Gross Floor Area shall be 11,000 square metres.
- A minimum 524 square metres of Gross Floor Area shall be exclusively devoted to commercial uses.

Common Amenity Area

- A minimum 2,200 square metres or 20 square metres per dwelling unit of common amenity shall be provided, whichever is less.

Building Length

- No building shall exceed a maximum length of 75 metres.

Surface Parking Length

- No surface off-street parking area shall exceed a maximum length of 33 metres, inclusive of drive-aisles.

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Holding Provision (H)

Purpose:

To ensure that the development of the lands does not proceed until the Owner has met certain conditions to the satisfaction of the City of Guelph.

Holding Provision Condition:

1. The Developer/Owner shall obtain approval from the City Engineer/General Manager of Engineering and Transportation Services with respect to the availability of adequate sanitary sewer capacity prior to final site plan approval.