

Attachment-3 Recommended Zoning Regulations and Conditions

3A – Zoning Regulations

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

“Specialized Neighbourhood Shopping Centre” (NC-?) Zone

Permitted Uses:

In addition to the permitted uses set out in Section 6.2.1.1, of Zoning By-law (1995)-14864, as amended, the following additional uses are permitted:

- **Convenience Store**
- **Car wash, Automatic** in accordance with regulations of 6.2.2.3

Prohibited Uses:

- **Dwelling Units**

Regulations:

In addition to the regulations set out in Section 6.2.2 – “Neighbourhood Shopping Centre” (NC) Zone of Zoning By-law (1995)-14864, as amended, the following specialized regulations will apply:

Enclosed Operations

Section 6.2.2.3.4 shall apply to a Car wash, Automatic Use in the “Specialized Neighbourhood Shopping Center” (NC-?) Zone.

Waiting Spaces Per Bay

Despite Section 4.13.4.2, a minimum of eight (8) stacking/waiting spaces for the single-bay Car wash, Automatic Use are required.

Loading Space Requirements

Despite Section 4.14, a loading space is not required.

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 a 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 property shall be generally in accordance with the current conceptual site plan in Attachment-7 of Decision Report 2023-21.
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:
 - 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", which addresses the quantity and quality of stormwater discharge from the Site together with a monitoring and maintenance program for the stormwater management facility to be submitted.
 - The Owner/Developer agrees to collect and obtain groundwater monitoring data to determine the seasonal high groundwater elevation, if required by the City.
 - A Detailed Noise Report shall be submitted and shall be completed in accordance with the City's noise guidelines.
 - A 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 that indicates the means whereby erosion will be minimized, and sediment maintained on-site throughout grading and construction.
 - A construction traffic access and control plan for all phases of servicing and building construction.
 - A salt management plan in accordance with the Grand River Source Protection Policy CG-CW-29.
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 the plans, studies and reports outlined above.
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. Furthermore, the Owner/Developer shall provide a qualified environmental inspector, satisfactory to the General Manager/City Engineer, to inspect the Site during all phases of development and construction including grading, servicing, and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.
8. 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).
9. That the Owner/Developer shall prepare and implement a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan be borne by the Owner/Developer.
10. That the Owner/Developer shall pay to the City the actual cost of construction of municipal services within the City's right-of-way including such items as sanitary, water and storm laterals, driveways, curb cuts and/or curb fills, sidewalk. Prior to approval of the plans, the Owner/Developer shall pay to the City the estimated cost

of the construction of municipal services as determined by the General Manager/City Engineer.

11. That the Owner/Developer agrees that prior to final site plan approval, to grant any necessary servicing easements in favour of the adjacent lands currently using or draining into the existing watermain, sanitary and storm sewer.
12. 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.
13. That the Owner/Developer shall ensure that any private water supply wells, boreholes, monitoring wells and septic systems are decommissioned in accordance with O. Reg. 903.
14. That the Owner/Developer shall construct new buildings at such an elevation that the lowest level of the buildings can be serviced with a gravity connection to the sanitary sewer.
15. 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.
16. That the Owner/Developer shall obtain approval of the General Manager/City Engineer with respect to the availability of adequate water supply and sewage treatment capacity.
17. That prior to site plan approval, the Owner/Developer shall submit a Noise Impact Study report in accordance with Guelph Noise Control Guidelines to the satisfaction of the General Manager /City Engineer.
18. That the Owner/Developer shall service, grade, develop and maintain the Site in accordance with the plans that have been approved by the City through the site plan approval. The Owner shall have the Professional Engineer who designed the servicing certify to the City that they supervised the construction of the servicing and that the as-built servicing is functioning properly as designed. The Owner shall have the Professional Engineer who designed the site grading and drainage submit an as-built grading and drainage plan to the City.
19. That the Owner/Developer shall provide the City with a drainage certificate from an Ontario Land Surveyor or a Professional Engineer certifying that the fine grading and sodding/vegetation of the Site is complete, and that the elevation of the building foundation(s) and the grading of the Site is in conformity with the approved grading and drainage plan. Any variance from the approved plans has received the prior approval of the City Engineer.
20. That 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 approved by the City and that it is functioning properly.
21. That the Owner/Developer shall provide the City with a certificate from a Professional Engineer certifying that the sanitary sewers, building drains, building sewers, building storm drains, building storm sewers, watermains, water distribution system, hydrants, catch basins, roadways, driveways, parking areas and sidewalks that are to become part of the common facilities and areas, are in good repair, free from defects and functioning properly.
22. That the Owner/Developer shall provide assurance of proper operation and maintenance of the Stormwater management facility, and oil-grit-separator (OGS) unit(s) through site plan agreement.
23. That the Owner/Developer agrees to maintain logs for perpetual cleaning / maintenance of oil-grit-separator (OGS) unit(s), Stormwater management facility, and infiltration galleries, as applicable, and agrees to submit the maintenance log

for audit purposes to the City and other agencies upon request through the site plan agreement.

24. 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.
25. That the Owner/Developer must submit UST removal documentation (including confirmatory soil sampling results) for City's records and reference.
26. 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.
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. That 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.
30. 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, provide architectural details, and finalize landscaping materials.