

# Attachment-4 Recommended Zoning Regulations and Conditions

## 3A – Zoning Regulations – By-law (1995)-14864

### Specialized High Density Apartment (R.4B-14(H)) Zone

A modified R.4B-14(H) zone is recommended to be applied to the subject lands in accordance with Section 4 (General Provisions), Section 6.2.2 and Table 6.2.2 of Zoning By-law (1995)-14864, as amended, with the following amended and additional site-specific regulations and exceptions:

#### Permitted Uses

Despite Section 5.4.1.2, the following **Uses** shall be permitted:

- **Apartment Building**
- **Restaurant**
- **Convenience Store**
- **Accessory Uses** in accordance with Section 4.23

#### Maximum Density

Despite Table 5.4.2, Row 5, the maximum net density shall be 311 units per hectare, together with a maximum of 1,150 bedrooms.

#### Minimum Front and Exterior Side Yard

Despite Table 5.4.2, Row 6, the minimum **Front** and **Exterior Side Yard** setback shall be 9 metres, with an exception along Gordon Street from Stone Road to a point of 85 metres south of Stone Road where the **Exterior Side Yard** setback shall be a minimum of 7.5 metres.

Despite the minimum **Front** and **Exterior Side Yard** setbacks, a minimum setback of 6.7 metres shall be required to the hypotenuse of the daylight triangle at the intersection of Gordon Street and Stone Road.

#### Off-Street Parking

Despite Section 4.13 and Table 5.4.2, Row 14 off-street parking shall be provided at a minimum rate of 0.54 **Parking Spaces** per **Dwelling Unit**, and in addition, a minimum of 15 visitor **Parking Spaces** shall be required.

#### Minimum Common Amenity Area

Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, a minimum **Common Amenity Area** of 5,600 m<sup>2</sup> shall be provided and aggregated into areas of not less than 50 m<sup>2</sup>.

#### Maximum Canopy Projection

Despite Table 4.7, Row 6, Canopies and Awnings shall be permitted to project up to a maximum of 5.9 metres into all **Yards**, provided that a minimum **Setback** of 0.9 metres shall be maintained from any **Lot Line**.

### **Maximum Patio Well Projection**

Despite Table 4.7, Patio Wells shall be **Setback** a minimum of 7.2 metres from any **Lot Line**.

For the purposes of the R.4B-14 Zone, a Patio Well shall be defined as an area which is located below **Finished Grade** but which is open to the air above, and which is for the use and enjoyment of residential occupants. A Patio Well may be considered as **Private Amenity Area** or **Common Amenity Area**, provided that appropriate access is provided for the intended function. A Patio Well shall not be considered as **Landscaped Open Space**.

### **Accessible Parking Spaces**

Despite Section 4.13.5.2, accessible **Parking Spaces** shall have the following minimum dimensions:

Type A = 3.4 m width x 5.5 m long

Type B = 2.4 m width x 5.5 m long

Each accessible **Parking Space** shall also have a minimum 2.0-metre-wide access aisle, which may be shared between two accessible **Parking Spaces**.

An even number of Type A and Type B **Parking Spaces** shall be provided, except that where an odd number is required the additional **Parking Space** may be a Type B **Parking Space**.

### **Minimum Bicycle Parking**

Bicycle Parking Spaces shall be provided in accordance with the following minimum requirements:

Residential Uses (min)

0.1 short-term bicycle parking spaces per unit

1.0 long-term bicycle parking spaces per unit

Commercial uses (min)

2 short-term bicycle parking spaces per commercial use

0.1 long-term bicycle parking spaces per 100 m<sup>2</sup> of commercial floor area, provided that a minimum of 2 long-term bicycle parking spaces shall be required.

If the calculation of bicycle parking spaces results in a fraction, the required parking space(s) shall be rounded up to the next higher whole number.

### **Landscaped Buffer Strip**

Despite Table 5.4.2, Row 15, where an R.4 Zone abuts any other Residential Zone or any Institutional, Park, Wetland, or Urban Reserve Zone, a minimum 6-metre-wide Landscaped Buffer Strip shall be developed.

### **Holding (H) Provision**

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the **City** related to the subject development.

Conditions:

1. That the Owner prepare a Noise Impact Study demonstrating appropriateness of any outdoor amenity areas, to the satisfaction of the General Manager of Planning Services.

## **3B – Zoning Regulations – By-law (2023)-20790**

### **“Specialized High Density Residential with Parking Adjustment Suffix and a Holding Provision” (RH.7-4 (PA)(H)) Zone**

The RH.7-4(PA)(H) zone is recommended to be applied to the subject lands in accordance with Part C (General Provisions and Parking), Section 6.3.9 and Tables 6.32-6.35 of Zoning By-law (2023)-20790, with the following site-specific regulations and exceptions:

#### **Permitted Uses**

Despite Table 6.1 (RH.7 **zone**), the following **uses** shall be permitted:

- **Apartment Building**
- **Restaurant**
- **Convenience Store**
- **Accessory Uses** in accordance with Section 4.21.

#### **Maximum density**

Despite Table 6.32, the maximum density shall be 311 units per net hectare, provided that there shall be a maximum of 1,150 bedrooms.

#### **Minimum front yard and exterior side yard**

Despite Table 6.33, A, the minimum front and exterior side yard setback shall be 9 metres, with an exception along Gordon Street from Stone Road to a point of

85 metres south of Stone Road where the exterior side yard setback shall be a minimum of 7.5 metres.

Despite the minimum front and exterior side yard setbacks, a minimum setback of 6.7 metres shall be required to the hypotenuse of the daylight triangle at the intersection of Gordon Street and Stone Road.

### **Off-street parking**

Despite Section 2.8 and Table 5.3, Row 2 off-street parking shall be provided at a minimum rate of 0.54 parking spaces per dwelling unit, and in addition, a minimum of 15 visitor Parking Spaces shall be required.

### **Minimum common amenity area**

Despite Table 6.34, a minimum common amenity area of 5,600 m<sup>2</sup> shall be provided and aggregated into areas of not less than 50 m<sup>2</sup>.

Additional regulations (2), (3), and (4) shall continue to apply.

### **Maximum canopy projection**

Despite Table 4.7.1, A and B, canopies and awnings shall be permitted to project up to a maximum of 5.9 metres into all yards, provided that a minimum setback of 0.9 metres shall be maintained from any lot line.

### **Accessible Parking Spaces**

Despite Section 5.7(b)(i), accessible Parking Spaces shall have the following minimum dimensions:

- Type A = 3.4 m width x 5.5 m long
- Type B = 2.4 m width x 5.5 m long

Each accessible Parking Space shall also have a minimum 2.0-metre-wide access aisle, which may be shared between two accessible Parking Spaces.

An even number of Type A and Type B Parking Spaces shall be provided, except that where an odd number is required the additional Parking Space may be a Type B Parking Space.

### **Minimum bicycle parking spaces**

Despite Table 5.7, bicycle parking spaces shall be provided in accordance with the following minimum requirements:

Residential Uses (min)

- 0.1 short-term bicycle parking spaces per dwelling unit, 2 spaces minimum

- 1.0 long-term bicycle parking spaces per dwelling unit, 2 spaces minimum

Commercial uses (min)

- 2 short-term bicycle parking spaces per use
- 0.1 long-term bicycle parking spaces per 100 m<sup>2</sup> of GFA, provided that a minimum of 2 long-term bicycle parking spaces shall be required.

If the calculation of bicycle parking spaces results in a fraction, the required parking space(s) shall be rounded up to the next higher whole number.

### **Landscaped Buffer Strips**

Despite Table 6.33, D, a minimum 6-metre-wide landscaped buffer strip is required adjacent to interior side and rear lot lines.

### **Holding (H) Provision**

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development.

Conditions:

1. That the Owner prepare a Noise Impact Study demonstrating appropriateness of any outdoor amenity areas, to the satisfaction of the General Manager of Planning Services.

### **3C – 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. The Developer shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan, indicating the location of the building, building design, landscaping, parking, traffic circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning and Building Services and the General Manager of Engineering and Transportation Services/City Engineer, prior to any construction or grading on the lands.
2. 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 the preparation and implementation of such studies, plans and reports shall be borne by the Developer.
  - a. An updated "Gordon Street Widening and Pavement Marking Plan"
  - b. A Stormwater Management Report and plans certified by a Professional Engineer (P.Eng) in accordance with the City's Development Engineering

- Manual (DEM) and the latest edition of the Ministry of Environment's, "Stormwater Management Practices Planning and Design Manual";
- c. Detailed Grading, Drainage and Servicing Plan certified by a Professional Engineer for the site.
  - d. A Detailed Noise Study certified by a qualified Professional Engineer in accordance with the City of Guelph Noise Control Guidelines.
  - e. A Phase 2 ESA as well as proof of RSC Filing and MECP acknowledgement.
3. The developer shall complete an updated Arborist Report and Tree Management Plans, 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-site and 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.
  4. The developer shall complete a Tree Compensation 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.
  5. The developer shall provide Cash in Lieu compensation for any tree to be removed that are regulated by the City's Private Tree Bylaw, are in fair to excellent condition, and cannot be compensated through proposed restoration plantings on site.
  6. 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.
  7. 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 s. 42 of the Planning Act and in accordance with the City's Parkland dedication By-law (2022) 20717 or any successor thereof, prior to issuance of any building permits.
  8. 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 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.

9. 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.