

Attachment-3 Recommended Zoning, Regulations and Conditions

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

The following Zones are proposed on the subject lands as shown in the proposed zoning map for Zoning By-law (1995)-14864 in Attachment-7.

“Residential Single Detached” (R.1D) Zone

Permitted Uses

In accordance with the permitted Uses under Section 5.1.1 of By-law Number (1995)-14864, as amended.

Regulations

In accordance with Defined Area Map 30, Section 4, Section 5.1 of the By-law.

“Specialized Residential Townhouse” (R.3A-73) Zone

Permitted Uses

In accordance with the permitted Uses under Section 5.3.1.1 of By-law Number (1995)-14864, as amended.

Regulations

In accordance with Defined Area Map 30, Section 4.13.6, Section 5.3.2.2, Section 5.3.2.6, and Table 5.3.2 of the By-law, with the following exceptions and additions:

Maximum Density

Despite Section 5.3.2.6 and Table 5.3.2, Row 20, the maximum density of 81 units per hectare shall be permitted.

Minimum Lot Area

Despite Table 5.3.2, Row 3, a minimum lot area of 120 square metres per dwelling unit shall be permitted.

Minimum Interior Side Yard

Despite Section 5.3.2.2 and Table 5.3.2, Row 6, a minimum interior side yard of 3.0 metres shall be permitted.

Minimum Lot Frontage (Dawn Avenue)

Despite Table 5.3.2, Row 4, a minimum lot frontage of 11.0 metres shall be permitted along Dawn Avenue.

Private Amenity Area

Despite Sections 5.3.2.5.1, 5.3.2.5.2, and 5.3.2.5.3, a minimum private amenity area for stacked townhouses of 9.0 square metres per dwelling unit and specific regulations to clarify the location of private amenity areas shall be permitted.

Solid Waste Container Location

Despite Table 5.3.2, Row 14, and Section 4.9.1, in-ground solid waste containers shall be permitted to be located within the required 3.0 metre buffer strip.

Maximum Building Height

Despite Table 5.3.2, Row 9, a maximum building height of 4 storeys shall be permitted.

Maximum Number of Dwelling Units in a Row

Despite Table 5.3.2, Row 18, a maximum of 36 dwelling units in a row within a stacked townhouse shall be permitted.

Visitor Parking

Despite Section 4.13.6, a minimum visitor parking rate of 10% of the calculated total required number of parking spaces shall be permitted.

Severability Provision

The Uses and regulations of the R3.A-73 Zone shall continue to apply collectively to the whole of the lands zoned as R.3A-73, despite any future plan of condominium and/or severance.

Parking Space Dimensions

Notwithstanding Section 4.13.3.2.2, the minimum Parking Space dimension shall be 2.75 metres by 5.5 metres (excluding any obstructions) within a garage.

Visitor Parking

Notwithstanding Section 4.13.6, in addition to the requirements of Section 4.13.4.3, a minimum of 10% of the calculated total required number of parking spaces shall be provided for the use of visitors, provided a minimum of 15% of dwelling units contain both a driveway and individual garage. All visitor parking spaces shall be located above grade and clearly identified as being reserved for the exclusive use of visitors.

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

The following Zone is proposed on the subject lands as shown in the proposed zoning map for Zoning By-law (2023)-20790 in Attachment-8.

“Low Density Residential 2” (RL.2) Zone

Permitted Uses

In accordance with the permitted Uses under Section 6.2 of By-law Number (2023)-20790, as amended.

Regulations

In accordance with Section 6 of the By-law.

“Site-specific Medium Density Residential 6” (RM.6-26(PA)) Zone

Permitted Uses

In accordance with the permitted Uses under Section 6.2 and Table 6.1 of By-law Number (2023)-20790, as amended.

Regulations

In accordance with Section 4.9, Section 5.2.2, Section 5.5, Table 5.3, Section 5.8, Table 5.7, Section 5.9, Section 6.3.5, Table 6.17, Table 6.18, and Table 6.19 of the By-law, with the following exceptions and additions:

Minimum Lot Frontage (Dawn Avenue)

Despite Section 6.3.5 and Table 6.17 a), a minimum lot frontage of 11.0 metres along Dawn Avenue shall be permitted.

Interior Side Yard (Minimum)

Despite Table 6.18 c), a minimum interior side yard of 3.0 metres shall be permitted.

Solid Waste Container Location

Despite Section 4.9 a), Table 6.18 f), in ground solid waste containers shall be permitted within the required 3.0 metre buffer strip.

Private Amenity Area

Despite Section Table 6.18 and additional regulations 12 and 13, a minimum private amenity area for stacked townhouses of 9.0 square metres per unit and specific regulations to clarify the location of private amenity areas shall be permitted.

Exterior Side and Rear Yard from Private Street or Lot Line

Despite Table 6.19, an exemption for the RM.6-26(PA) zone from the minimum front, exterior side and rear yard setbacks from private streets back of curb or sidewalk or lot line shall be permitted.

Building Length

Despite Table 6.19 g), a maximum overall townhouse building length of 60.0 metres shall be permitted.

Surface Parking

Despite Section 5.2.2 a), surface parking shall be permitted to be located anywhere, provided it is setback 3.0 metres from any lot line.

Despite Section 5.2.2 c), surface parking shall be permitted to exceed 75% of the total required residential parking spaces.

Visitor Parking Spaces

Notwithstanding Section 5.5 (a) and Table 5.3, Row 17, the minimum parking rate shall be 1 space per dwelling unit, plus 0.1 visitor spaces per dwelling unit, provided a minimum of 15% of dwelling units contain both a driveway and individual garage.

Bicycle Parking

Notwithstanding Section 5.8, the following bicycle parking regulations shall apply:

- Bicycle Parking Spaces, Short Term, are required as set out in Section 5.8.
- Secure bicycle parking spaces are required at a minimum rate of 0.5 spaces per dwelling unit (where individual garages are not provided).
- Sections 5.8.1 and 5.8.2 do not apply to secure bicycle parking spaces.

Electric Vehicle Parking

Despite Section 5.9, the following electric vehicle parking regulations shall apply:

- A minimum 6.6% (11) of the total required surface parking spaces shall be electric vehicle parking spaces.
- A minimum 93.4% (154) of the total required parking spaces shall be designed electric vehicle parking spaces.

Severability Provision

The Uses and regulations of the RM.6-26(PA) Zone shall continue to apply collectively to the whole of the lands zoned as RM.6-26(PA), despite any future plan of condominium and/or severance.

3C – Proposed Conditions of Site Plan Approval

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

1. That the Owner/Developer shall apply to the City for site plan control in accordance with Section 41 of the Planning Act. The application shall include a detailed site plan, indicating the location of all buildings, landscaping, parking, traffic circulation, access, lighting, site servicing, grading and drainage on the lands to the satisfaction of the General Manager of Engineering and Transportation Services/City Engineer and the General Manager of Planning and Building Services.
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 conceptual site plan in Attachment-9 of Report 2024-45.
3. 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.
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 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 Owner/Developer.

- CLI ECA application package with all required documentation and fees for the extension of the municipal sanitary sewer on Dawn Avenue to the satisfaction of the City.
 - An updated traffic geometrics plan.
 - A Stormwater Management Report and plans certified by a Professional Engineer in accordance with the latest edition of the City's Development Engineering Manual (DEM) and the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual".
 - Detailed grading and drainage plan that reflects the issued stormwater management criteria for the site and is certified by a Professional Engineer.
 - Detailed site servicing plan as well as an erosion and sediment control plan that is certified by a Professional Engineer.
 - Detailed composite utility plan in accordance with the City's Development Engineering Manual.
 - A Detailed Noise Study certified by a qualified Professional Engineer in accordance with the City of Guelph Noise Control Guidelines.
 - A Section 59 Policy Applicability Review Form and Salt Management Plan in accordance with the Grand River Source Protection Policy CG-MC-29 to the satisfaction of the Risk Management Official.
 - Provide the "Due Diligence Environmental Review and Sampling Program - 42 & 48 Lowes Road West, 164, 174 & 182 Dawn Avenue, and 1563 to 1579 Gordon Street, Guelph, Ontario" letter report prepared for Reid's Heritage Homes by Stantec dated June 4, 2021 to the City for review.
 - A stamped plan and/or drawing(s) for the excavation and disposal of, and/or the construction of an engineered barrier over, the cadmium and lead impacted surface soil identified by Stantec at the Property must be submitted to the City prior to Site Plan approval, such as Stantec's proposed soil management plan.
6. The Owner/Developer shall complete an updated Tree Inventory and Preservation Plan consistent with the proposed development as determined through Site Plan.
 7. The Owner/Developer shall complete a Tree Compensation Plan, in addition to or included with standard landscaping requirements of a Landscape Plan, before any grading or tree removal. If sufficient space is unavailable on-site for all required compensation trees, cash-in-lieu compensation will be required.
 8. The Owner/Developer shall complete a final Functional Servicing Report and/or Hydrogeological Report based on the final development, as determined through Site Plan. The final water balance must be consistent with the water balance as approved through zoning.
 9. The Owner/Developer shall complete a dewatering plan, including appropriate mitigation and monitoring measures to protect the wetland during the proposed temporary dewatering.
 10. The Owner/Developer shall demonstrate conformance with the City's Bird-friendly Design Guidelines.
 11. The Owner/Developer shall obtain the Guelph.ca/environment Magnet from the City to distribute to all future residents.
 12. 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 (2022) 20717 or any successor thereof, prior to issuance of any building permits.

13. 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.

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.

14. The Owner/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 subdivision agreement to be registered on title:
- "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that 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 from Blocks D and E and Lot 8 that abut the City owned open space to the south.
 - "Purchasers and/or tenants of all lots or units are advised that a future public trail will be installed in close proximity to Blocks D and E and Lot 8 and that public access to this trail will occur from Dawn Avenue and Gordon Street.
15. That the collection of Education Development Charges is required prior to the issuance of a building permit(s).
16. In an effort to ensure children can walk safely to school or to a designated bus pickup point, the Board requests that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) be provided.
17. That the Owner/Developer shall to advise all 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 (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."