

Attachment-4 Recommended Zoning, Regulations and Conditions

4A – Zoning Regulations – By-law (2023)-20790

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

While uses permitted with the RM.5 and RM.6 Zones are in effect, certain regulations associated with the RM.5 and RM.6 Zones remain under appeal and are not yet in effect. To address this, the amending By-law will include all regulations for these Zones of Zoning By-law (2023)-20790, as amended, that are under appeal, to bring site-specific zoning into force in a manner consistent with the intent of Zoning By-law (2023)-20790, as amended.

The following specialized zoning regulations are requested for the “Site-specific Medium Density Residential 5 with a Parking Adjustment Suffix” (RM.5-xx(PA)) Zone (on-street townhouses):

Permitted Uses

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

Regulations

In accordance with Table 6.10, Table 6.11, 6.12, Table 6.13 and Table 5.2 of the By-law, with the following exceptions and additions:

Minimum Lot Area

Despite Table 6.10, Row A, a minimum lot area of 145 square metres per unit is required.

Minimum Rear Yard

Despite Table 6.11, Row D, a minimum rear yard of 6.28 metres is required.

Maximum Width of Attached Garage

Despite Table 5.9, Row 3, the maximum permitted width of an attached garage is 56% of the lot frontage.

The following specialized zoning regulations are requested for the “Site-specific Medium Density Residential 6 with a Parking Adjustment Suffix” (RM.6-xx(PA)) Zone (apartments):

Permitted Uses

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

Regulations

In accordance with Section 3, Table 6.28, Table 6.29, Table 6.30, Table 6.31, and Table 5.2 of the By-law, with the following exceptions and additions:

Front Lot Line

Despite Section 3, Gordon Street shall be recognized as the front lot line for zoning purposes.

Maximum Density

Despite Table 6.28, Row A, a maximum density of 155 units per hectare shall be permitted.

Angular Plane

Despite Table 6.31, Row B, and Section 4.14.4(a)(i), an angular plane of 48 degrees shall be permitted.

Rooftop Mechanicals

Despite Section 4.14.5 (b), rooftop mechanicals can be setback 0 metres from the rear edge of the building facing the parking area.

Minimum Common Amenity Area

Despite Table 6.30, Row D, a minimum common amenity area of 16 square metres per dwelling unit is required.

Buffer Strip

Despite Table 6.29, Row D, the following regulations apply to a buffer strip:

- i. A buffer strip along the rear lot line adjacent to the townhouse blocks and around the perimeter of surface parking lots of 2.5 metres shall be permitted.
- ii. A buffer strip can be located within common amenity areas.
- iii. A buffer strip adjacent to the interior lot line shared with the RM.5-3(PA) Zone is not required.

Parking Space Setback

Despite Section 5.2.2 (a), parking spaces located within 2.5 metres of a lot line shall be permitted.

Structured Parking Depth Between Grade and Structure

Section 5.2.4(b) does not apply.

Short Term Bicycle Parking Space Location

Section 5.8(b)(i) shall not apply.

4B – 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 lands shall be generally in accordance with the current conceptual site plan in Attachment-9 of Decision Report 2024-296.
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 of Guelph.

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 address comments outlined in the memo from Engineering and Transportation Services dated May 13, 2024.
6. That prior to site plan approval, site alteration or tree removal, the Owner/Developer shall provide the following to the satisfaction of the General Manager of Planning and Building Services:
 - An updated Tree Inventory and Preservation Plan.
 - An updated Arborist Report and Tree Management Plans that include the long-term protection of the trees on adjacent properties, with consideration to achieving a wider buffer and integration of appropriate design changes may be required and pre, during and post-construction mitigation and monitoring of private and neighbouring trees.
 - A detailed Landscape Plan that includes streetscape, landscaping and tree compensation with native and non-native species.
 - Cash-in-lieu compensation for any trees in far to excellent condition to be removed that cannot be compensated through proposed restoration plantings.
 - A construction and monitoring plan for erosion and sediment control measures, tree preservation and establishment of landscaping/compensation plantings.
 - A letter of credit to cover the City approved cost estimate for the construction monitoring plan.
7. That prior to the issuance of any building permits, 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.
8. 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.
9. 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.
10. That prior to site plan approval, the Owner/Developer shall develop the elevations including materials and colours, provide rooftop mechanical screening details, provide architectural details, finalize landscaping materials and provide the Sustainable Development Checklist.

11. That prior to site plan approval, the Owner/Developer shall contact the Upper Grand District School Board to address the School Board's comments dated May 30, 2022 regarding signage and notification to purchasers.
12. That prior to site plan approval, the Owner/Developer shall contact Canada Post to address Canada Post comments dated May 12, 2022.