

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, October 17, 2023
Subject	<b>Statutory Public Meeting Report 55 Baker Street, 152 and 160 Wyndham Street North Proposed Zoning By-law Amendment File: OZS23-008 Ward 2</b>

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## Recommendation

1. That the Statutory Public Meeting Report regarding a proposed Zoning By-law Amendment application submitted by GSP Group Inc., on behalf of Windmill Development Group Ltd., to permit the development of two 15-storey mixed-use towers containing 353 residential dwelling units with ground floor commercial, underground parking and a future stacked townhouse block on the lands municipally known as 55 Baker Street, 152 and 160 Wyndham Street North and legally described as Part of Burying Ground, and Part of Lane Through Burying Ground, Registered Plan 8, Closed by MS80255, Designated as Parts 5, 6 and 7 on Plan 61R-21815, Part of Burying Ground, Part of Lots 73 and 74, and Part of Lane at the Rear of Lots 73 and 74 (Known as Park Lane), Closed by CS31228; Registered Plan 8, Designated as Parts 1, 2, 3, & 4, Reference Plan 61R-21815; Subject to Easement over Part 2, 61R-21815 as in Instrument ROS557919 and Subject to Easement over Part 3, 61R-21815 as in Instrument ROS573090, City of Guelph, from Infrastructure, Development and Enterprise dated October 17, 2023 be received.

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## Executive Summary

### Purpose of Report

To provide planning information on the Zoning By-law Amendment application for the lands municipally known as 55 Baker Street, 152 and 160 Wyndham Street North to facilitate the development of two 15-storey mixed-use towers containing 353 residential dwelling units with ground floor commercial, underground parking and a future stacked townhouse block. This report has been prepared in conjunction with the Statutory Public Meeting for the application.

### Key Findings

Key findings will be reported in the future Infrastructure, Development and Enterprise Services recommendation report to Council.

## **Strategic Plan Alignment**

The review of this development application will align with the direction of Strategic Plan Priority "Sustaining our Future" to plan and design an increasingly sustainable city as Guelph grows. The review will include an assessment of its conformity with the policies of the City's Official Plan, which is the City's key document for guiding future land use and development. The review of this development application will align with the direction of the 2024-2027 Strategic Plan Priority "City Building", improving our housing supply.

## **Financial Implications**

Financial implications will be reported in a future Infrastructure, Development and Enterprise Services recommendation report to Council.

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## **Report**

### **Background**

An application for a Zoning By-law Amendment has been received for the subject lands from GSP Group Inc., on behalf Windmill Development Group Ltd., to facilitate the development of two 15-storey mixed-use towers containing 353 residential dwelling units with ground floor commercial, underground parking and a future stacked townhouse block. The application was received by the City on August 28, 2023 and deemed to be complete on September 20, 2023.

### **Location**

The subject lands are located on the south side of Woolwich Street between Baker Street and Wyndham Street North (see Attachment-1 Location Map and Attachment-2 Aerial Photograph). The subject lands are approximately 1.08 hectares in size and have frontage along Park Lane North, Baker Street, Wyndham Street North and Chapel Lane. The subject lands are currently vacant, with a portion under construction for the public library proposed as part of the Baker Street Redevelopment project.

Surrounding land uses include:

- To the north: a portion of Park Lane, beyond which is Woolwich Street and a mix of 1-2 storey commercial buildings, single detached residential, and apartment buildings;
- To the south: the future Guelph Central Public Library, and further across Chapel Lane is the Royal City Mission drop-in centre, Knox Presbyterian Church, and several commercial-residential mixed-use buildings;
- To the east: generally 2-3 storey buildings with ground floor commercial and residential or office uses above; and,
- To the west: commercial-residential mixed-use buildings typically ranging in height from 9-12 storeys along Baker Street.

### **Downtown Secondary Plan Land Use Designation and Policies**

The subject lands are designated as "Mixed Use 1" in the Downtown Secondary Plan. Permissible uses within this land use designation include retail and service uses, multiple unit residential buildings (such as apartments and townhouse dwellings) and institutional uses. The "Mixed Use 1" land use designation requires a

minimum floor space index (FSI) of 1.5 and encourages or requires the creation of active frontages by locating retail, service, and entertainment uses on the ground floor of buildings. Within this designation, the Zoning By-law establishes maximum and minimum setbacks from the street to help frame and animate adjacent streets. Further, to ensure a human-scale pedestrian realm, buildings taller than 4 storeys generally require a 3-6 metre setback from the front of the building fronting a public street. According to Schedule 'D' of the Downtown Secondary Plan, the subject lands has a split height designation that requires portions of the site to be developed as 3 to 15 storeys.

Details of the existing land use designation and policies are included in Attachment-3.

### **Existing Zoning**

The subject lands are currently zoned "Specialized Downtown 1" (D.1-29), according to Zoning By-law (1995)-14864, as amended, and "Site-specific Downtown 1" (D.1-22) according to Zoning By-Law (2023)-20790, as amended.

Details of the existing zoning are provided in Attachment-4 and Attachment-5.

### **Proposed Zoning By-law Amendment**

The purpose of the Zoning By-law Amendment application is to establish site-specific zoning regulations in Zoning By-law (1995)-14864, as amended, through a Specialized Downtown 1 (D.1-xx) Zone that proposes the following:

- To permit a building height of 15 storeys, whereas Section 6.3.2.3.1.1 of the Zoning By-law Defined Area Map 67 permits a building height of 3-6 storeys on a portion of the property.
- To permit a building height of 3-4 storeys on a small portion of the property, whereas Section 6.3.2.3.1.1 of the Zoning By-law Defined Area Map 67 permits a building height of 5-15 storeys.
- To permit a maximum exterior side yard of 17.5 metres in an Active Frontage Area, whereas Section 6.3.2.4.1.2 of the Zoning By-law requires the maximum exterior side yard to be 0 metres.
- To permit a floorplate ratio of 1:8:1 for the North Tower and 2:3:1 for the South Tower, whereas Section 6.3.2.1.2 of the Zoning By-law requires that the maximum floorplate of each storey of the building above the 8<sup>th</sup> storey not exceed a length to width ratio of 1.5:1.
- To permit a for a minimum stepback of 6 metres for all portions of the building above the 2<sup>nd</sup> storey when measured from the building face of the 1<sup>st</sup> storey facing a street, whereas Section 6.3.3.1.23.2.1 of the Zoning By-law requires a minimum stepback of 6 metres for all portions of the building above the 4<sup>th</sup> storey when measured from the building face of the 3<sup>rd</sup> storey facing a street.
- To permit a tower separation of 23 metres between any portion of a tower above the 12<sup>th</sup> storey of a building and any portion of another tower above the 12<sup>th</sup> storey, whereas Section 6.3.2.2.2 of the Zoning By-law requires that any portion of a tower above the 12<sup>th</sup> storey of a building shall be separated by a minimum of 25 metres from any portion of another tower above the 12<sup>th</sup> storey of any building, measured perpendicularly from the exterior wall at the 13<sup>th</sup> storey.
- To permit off-street parking to not be located on the same lot as the use requiring the parking whereas Section 4.13.1 of the Zoning By-law requires that

every off-street parking area be located on the same lot as the use requiring the parking.

- To permit a parking ratio of 0.75 parking spaces per dwelling unit, whereas Row 1 and Row 2 of Table 6.3.2.5.1 require a minimum of 1 parking space per dwelling unit.
- To permit a parking ratio of 0.5 parking spaces per dwelling unit for units that meet CMHC's definition of affordable housing, whereas Section 6.3.3.2.5.1 and Table 6.3.2.5.1 require 1 parking space per dwelling unit.
- To allow for an above-ground transformer to be within a sight line triangle, whereas Section 4.6.1 of the Zoning By-law requires that no building, structure, play equipment, statue or parked motor vehicle be located within the sight line triangle measured 9 metres from the point of intersection on a corner lot.

The applicant has also requested site-specific zoning regulations for the Comprehensive Zoning By-law (2023)-20790, as amended, through a Specialized Downtown 1 (D.1-xx) Zone that proposes the following:

- To permit stacked townhouses as a permitted use, whereas Table 9.1 and Section 18.14.24 (a) do not permit a stacked townhouse use.
- To permit a building height of 15 storeys, whereas Table 9.4 requires compliance with Schedule B-4 which shows a building height of 3-6 storeys on part of the site, and 5-15 storeys on another part;
- To permit a building height of 3-4 storeys, whereas Schedule B-4 of the Zoning By-law shows a building height of 5-15 storeys;
- To permit a minimum building height of 3 storeys over the 'Future Development' area of the site, whereas Section 9.3c(i) and Schedule B-4 require a minimum building height of 5 storeys.
- To permit the placement of a building with a maximum height of 15 storeys in an area where Section 9.3c(i) and Schedule B permits a park or open space.
- To permit a maximum exterior side yard of 17.5 metres in an Active Frontage Area, whereas Section 9.3(d)(i) of the Zoning By-law requires the exterior side yard setback to be 0.5 metres to 2 metres.
- To permit for a floorplate ratio of 1:8:1 for the North Tower and 2:3:1 for the South Tower, whereas Section 9.3(a)(ii) of the Zoning By-law requires that the maximum floorplate of each storey of a building above the 8<sup>th</sup> storey shall not exceed 1,000 square metres and shall not exceed a length to width ratio of 1:5:1.
- To permit a minimum stepback of 6 metres for all required portions of the building above the 2<sup>nd</sup> storey measured from the building face of the 1<sup>st</sup> storey facing the street, whereas Section 18.14.24(b)(i) requires a stepback of 6 metres for all required portions of the building above the 4<sup>th</sup> storey measured from the building face of the 3<sup>rd</sup> storey facing a street.
- To permit a minimum tower separation of 23 metres between any portion of the tower above the 12<sup>th</sup> storey of the building and any portion of another tower above the 12<sup>th</sup> storey of the building, whereas Section 9.3(b)(i) requires any portion of a tower above the 12<sup>th</sup> storey of a building to be separated by a minimum of 25 metres from any portion of another tower above the 12<sup>th</sup> storey of any building, measured perpendicularly from the exterior wall at the 13<sup>th</sup> storey.
- To permit off-street parking to not be located on the same lot as the use requiring the parking whereas Section 5.1(a) requires that every off-street parking area be located on the same lot as the use requiring the parking;

- To permit a minimum depth of 0.2 metres between the grade and the structure for an underground parking structure located in accordance with 5.2.4(a) and located below a required landscape open space area or buffer strip, whereas Section 5.2.4(b) of the Zoning By-law requires a minimum depth of 1.2 metres between the grade and the structure for an underground parking structure located in accordance with 5.2.4 (a) and located below a required landscape open space area or buffer strip.
- To permit a parking ratio of 0.75 parking spaces per dwelling unit, whereas Row 1 and Row 2 of Table 5.4 require a minimum of 1 parking space per dwelling unit.
- To permit a parking ratio of 0.5 parking spaces per dwelling unit for units that meet CMHC's definition of affordable housing, whereas Table 5.4 Rows 1 and 2 of the Zoning By-law require a ratio of 1 parking space per dwelling unit including live-work units.
- To permit an accessible parking rate of 2 accessible parking spaces plus an additional 0.74% with all Type B accessible parking spaces, whereas Table 5.5, Row 4 requires a rate of 2 accessible parking spaces plus an additional rate of 2% with an equal amount of Type A and Type B accessible parking spaces.
- To permit a minimum width of a parking aisle providing two-way access to be 6.0 metres, whereas Section 5.3.1(e) requires the minimum width of a parking aisle providing two way access to be 6.5 metres.
- To permit compact parking spaces of 2.75 metres by 4.8 metres, whereas the Zoning By-law permits parking spaces for compact vehicles to have a minimum size of 2.4 metres by 5.5 metres.
- To permit an above-ground transformer to be within a sight line triangle, whereas Section 4.6.1 of the Zoning By-law requires that no building, structure, play equipment, statue, swimming pool, hot tub or parked motor vehicle be located within the sight line triangle measured 9 metres from the point of intersection on a Corner Lot.

Details of the proposed zoning are provided in Attachment-6 and Attachment-7

### **Proposed Development**

The applicant is proposing two 15-storey mixed-use towers with ground floor commercial space with underground parking and a future development area featuring stacked townhouses. A total of 353 residential units are proposed across the two towers, and 529 square metres of commercial space on the ground level of the towers.

Within the North Tower, 179 residential units are proposed, consisting of 110 one-bedroom units, 68 two-bedroom units, and 1 three-bedroom unit. Within the South Tower, 129 one-bedroom and 45 two-bedroom units are proposed.

There are a total of 267 parking spaces for residents of the towers provided underground.

The proposed conceptual site plan is included in Attachment-8.

### **Supporting Documents**

The following information was submitted in support of the applications and can be found on the City's website under 'Current Development Applications':

- Planning Justification Report, prepared by GSP Group Inc., dated August 2023;

- Baker District Parking Study Addendum, prepared by WSP, dated August 2023; and,
- Conceptual Site Plan, prepared by DTAH Architects Limited, dated August 2023;

## **Staff Review**

The review of this application will address the following:

- Evaluation of the proposal for conformity and consistency with the Planning Act;
- Evaluation of the proposal for conformity and consistency with Provincial policy and legislation, including the 2020 Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluation of the proposal's conformity with the Official Plan and Downtown Secondary Plan;
- Evaluation of the proposal's conformity with Zoning By-law (1995)-14864 and Zoning By-law (2023)-20790, including the review of the proposed zoning amendments and the review of requested specialized zoning regulations;
- Review of the overall layout, built form, parking and pedestrian connections;
- Review how the proposed development addresses applicable sections of the Community Energy Initiative update;
- Review of supporting documents submitted in support of the application; and,
- Address all comments and issues raised during the review of the application.

Once the application is reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise with a recommendation will be considered at a future meeting of Council.

## **Financial Implications**

Financial implications will be reported in the future staff recommendation report to Council.

## **Consultations**

A combined Notice of Complete Application and Public Meeting was mailed on September 21, 2023 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. Notice of Public Meeting was also advertised online in Guelph Today and the City's webpage on September 21, 2023. Notice of the application has also been provided by signage on the subject lands and all supporting documents submitted with the application have been posted on the City's website.

## **Attachments**

Attachment-1 Location Map and 120 metre Circulation

Attachment-2 Aerial Photograph

Attachment-3 Downtown Secondary Plan Land Use Designation and Policies

Attachment-4 Existing Zoning, Zoning By-law (1995)-14864

Attachment-5 Existing Zoning, Zoning By-law (2023)-20790

Attachment-6 Proposed Zoning, Zoning By-law (1995)-14864

Attachment-7 Proposed Zoning, Zoning By-law (2023)-20790

Attachment-8 Proposed Conceptual Site Plan

Attachment-9 Staff Presentation for Public Meeting

**Departmental Approval**

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