

The Corporation of the City of Guelph

By-law Number (2023) - 20864

A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects 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 (File# OZS23-008).

WHEREAS Section 34(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

The Council of the Corporation of the City of Guelph enacts as follows:

1. By-law Number (1995)-14864, as amended, is hereby amended by transferring lands 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 and municipally known as 55 Baker Street, 152 and 160 Wyndham Street North from the existing "Specialized Downtown 1" (D.1-29) Zone to a new "Specialized Downtown 1" Zone, to be known as the D.1-33 Zone, in the City of Guelph Zoning By-law (1995)-14864, as amended.
2. By-law Number (1995)-14864, as amended is hereby further amended by deleting the D.1-29 Zone pertaining to 152, 160 Wyndham Street North and 55 Baker Street, in Section 6.3.3.1.23 in its entirety.
3. Section 6.3.3.1, of By-law Number (1995)-14864, as amended, is hereby further amended by adding a new subsection 6.3.3.1.33:

6.3.3.1.33: D.1-33
152, 160 Wyndham Street North and 55 Baker Street
as shown on Defined Area Map 36 of Schedule "A" of this **By-law**.

6.3.3.1.33.1: Permitted Uses
In accordance with the permitted **Uses** in the D.1 **Zone** of Table 6.3.1.1 of By-law Number (1995)-14864, as amended and the following additional **Use** is permitted:

- **Parking Facility**

- 6.3.3.1.33.2: Regulations
In accordance with Defined Area Map 67 and regulations of Section 6.3.2 of the **By-law**, with the following exceptions and additions:
- 6.3.3.1.33.2.1: Minimum and Maximum **Building Height**
Despite Defined Area Map 67, a maximum **Building Height** of 15 **Storeys** is permitted for the mixed-use towers where Defined Area Map 67 shows a **Building Height** of 3-6 **Storeys** and a Proposed Park and Open Space.
- Despite Defined Area Map 67, a minimum **Building Height** of 3 **Storeys** is permitted where Defined Area Map 67 shows a **Building Height** of 5-15 Storeys and a Proposed Park and Open Space.
- 6.3.3.1.33.2.2: Maximum **Exterior Side Yard**
Despite Section 6.3.2.4.1.2 and Defined Area Map 65, the maximum **Exterior Side Yard** shall be 17.5 metres in an **Active Frontage Area**.
- 6.3.3.1.33.2.3: **Floorplate Ratio**
Despite Section 6.3.2.1.2, a **Floorplate** ratio of 1:8:1 for the North Tower and 2:3:1 for the South tower of the mixed-use towers shall be permitted.
- 6.3.3.1.33.2.4: Minimum **Stepback**
Despite any other provisions in this **By-law**, a minimum **Stepback** of 6 metres shall be permitted for all portions of the **Building** above the 2nd **Storey** when measured from the **Building** face of the 1st **Storey** facing a **Street**.
- 6.3.3.1.33.2.5: Minimum **Tower Separation**
Despite Section 6.3.2.2.2, a minimum tower separation of 23 metres shall be permitted between any portion of a tower above the 12th **Storey** of a building and any portion of another tower above the 12th **Storey**.
- 6.3.3.1.33.2.6: Off-Street Parking
Despite Table 6.3.2.5.1, a minimum of 0.75 **Parking Spaces** per residential **Dwelling Unit** is required.
- Despite any other provision in this **By-law**, a minimum of 0.5 **Parking Spaces** per residential **Dwelling Unit** shall be permitted for any **Dwelling Unit** that meets Canada Mortgage and Housing Corporation's definition of affordable housing.
- Despite Table 6.3.2.5.1, **Uses** in Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, do not require off-street parking.
- 6.3.3.1.33.2.7: Compact Vehicle **Parking Spaces**
Despite Section 4.13.3.2, a maximum of four (4) **Parking Spaces** for compact vehicles measuring 2.75 metres by 4.8 metres shall be permitted.
- Despite Section 4.13.3.2, a maximum of four (4) **Parking Spaces** for compact vehicles measuring 2.6 metres by 5.7 metres shall be permitted.
- 6.3.3.1.33.2.8: Payment-in-Lieu of Visitor Parking
Required visitor parking may be provided through an agreement with the City that provides for payment-in-lieu of parking.

6.3.3.1.33.2.9: Sight Line Triangle

Despite Section 4.6.1, an above-ground transformer shall be permitted to be located within a sight line triangle measured 9 metres from the point of intersection at Baker Street and Park Lane North.

6.3.3.1.33.2.10: Severability Provision

The **Uses** and regulations of the D.1-33 **Zone** shall continue to apply collectively to the whole of the lands zoned as D.1-33, despite any future severance or condo registration.

4. Schedule "A" of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 36 and substituting a new Defined Area Map 36 attached hereto as Schedule "A".

Passed this twelfth day of December, 2023.

Schedules:

Schedule A: Defined Area Map 36

Cam Guthrie, Mayor

Stephen O'Brien, City Clerk