

# The Corporation of the City of Guelph

## By-law Number (2023) - 20865

A by-law to amend By-law Number (2023)-20790, as amended, known as the Comprehensive 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 (2023)-20790, 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 "Site-specific Downtown 1" (D.1-22) Zone to a new "Specialized Downtown 1" Zone, to be known as the D.1-28 Zone, in the City of Guelph Comprehensive Zoning By-law (2023)-20790, as amended.
2. By-law Number (2023)-20790, as amended is hereby further amended by deleting the D.1-22 Zone pertaining to 152, 160 Wyndham Street North and 55 Baker Street, in Section 18.14.24 in its entirety.
3. Section 18.14, of By-law Number (2023)-20790, as amended, is hereby further amended by adding a new subsection 18.14.30:  
18.14.30:            D.1-28  
                         152, 160 Wyndham Street North and 55 Baker Street  
                         as shown on Map 36 of Schedule "A" of this **By-law**.  
  
18.14.30.1:        Permitted Uses  
                         In accordance with the permitted **Uses** under the D.1 **Zone** in  
                         Table 9.1 and the following additional **Uses** are permitted:
  - **Parking Facility**

- **Stacked Townhouse**

- 18.14.30.2: Regulations  
In accordance with Sections 9.3 and 9.4 of the **By-law**, with the following exceptions and additions:
- 18.14.30.2.1: Minimum and Maximum **Building Height**  
Despite Section 9.3c(i), Table 9.4 and Schedule B-4, a maximum **Building Height** of 15 **Storeys** for the mixed-use towers is permitted in this **Zone**, where Schedule B-4 shows a maximum Building Height of 3-6 Storeys and a Proposed Park and Open Space.  
  
Despite Section 9.3c(i), Table 9.4 and Schedule B-4, a minimum **Building Height** of 3 **Storeys** is permitted in this **Zone** where Schedule B-4 shows a **Building Height** of 5-15 Storeys and a Proposed Park and Open Space.
- 18.14.30.2.2: Maximum **Exterior Side Yard**  
Despite Section 9.3(d)(i), the maximum **Exterior Side Yard** shall be 17.5 metres in an **Active Frontage Area**.
- 18.14.30.2.3: **Floorplate Ratio**  
Despite Section 9.3(a)(ii), a floorplate ratio of 1:8:1 for the North Tower and 2:3:1 for the South tower shall be permitted.
- 18.14.30.2.4: Minimum **Stepback**  
Despite any other provision 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**.
- 18.14.30.2.5: Minimum **Tower Separation**  
Despite Section 9.3(b)(i), a **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**.
- 18.14.30.2.6: Off-Street Parking  
Despite Table 5.4, a minimum of 0.75 **Parking Spaces** per residential **Dwelling Unit** is required plus 0.05 visitor **parking spaces** per **Dwelling Unit**.  
  
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 5.4, **Uses** in Rows 4, 5, 6, 7, 8 and non-residential **Uses** in Row 2, do not require off-street parking.
- 18.14.30.2.7: Accessible **Parking Spaces**  
Despite Table 5.5, Row 4, an accessible parking rate of 2 **Accessible Parking Spaces** plus an additional 0.74% of all Type B **Accessible Parking Spaces** shall be permitted.
- 18.14.30.2.8: Minimum **Parking Aisle Width**  
Despite Section 5.3.1(e), a **Parking Aisle** with a minimum width of 6.0 metres to provide two-way access shall be permitted.  
  
Despite Table 5.6, Additional Regulation 2(i), an accessible parking access aisle with a minimum width of 1.9 metres with an obstruction shall be permitted.

18.14.30.2.9: Compact Vehicle **Parking Spaces**  
Despite Section 5.3.3(b), a maximum of four (4) **Parking Spaces** for compact vehicles measuring 2.75 metres by 4.8 metres shall be permitted.

Despite Section 5.3.3(b), a maximum of four (4) **Parking Spaces** for compact vehicles measuring 2.6 metres by 5.7 metres shall be permitted.

18.14.30.2.10: 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.

18.14.30.2.11: Minimum **Structure Grade**  
Despite Section 5.2.4(b), 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** shall be permitted.

18.14.30.2.12: **Rooftop Mechanicals**  
Despite any other provision in this **By-law**, Section 4.14.5 shall not apply.

18.14.30.2.13: **Stair Exit Structure**  
Despite any other provision in this **By-law**, the north exit stair **Structure** that connects to the underground parkade is permitted in the **Front Yard**.

18.14.30.2.14: **Severability Provision**  
The uses and regulations of the D.1-28 **Zone** shall continue to apply collectively to the whole of the lands zoned as D.1-28, 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

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**Cam Guthrie, Mayor**

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**Stephen O'Brien, City Clerk**