

# Attachment-9 Staff Review and Planning Analysis

## Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 (PPS) provides direction on matters of provincial interest related to land use planning and development. All decisions on planning applications are to be consistent with the PPS.

Section 2.1 “Planning for People and Homes” requires municipalities to plan for population and employment growth in accordance with provincial forecasts and to accommodate complete communities through an appropriate range and mix of land use and housing options. Policy 2.1.4 requires the City to provide for an appropriate range and mix of housing options and densities required to ensure it can accommodate at least 15 years of residential growth on lands that are suitably zoned.

Policy 2.1.6 requires planning authorities to support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, multimodal transportation choices, recreation, parks and open space, and other uses to meet long-term community needs.

In this context, the proposed mixed-use development represents an efficient use of serviced land by incorporating compact housing options and commercial uses, and by increasing housing options in an established neighbourhood with convenient access to transit and downtown community amenities.

Section 2.2 “Housing” requires municipalities to provide for an appropriate range and mix of housing options and densities to meet the projected needs of current and future residents. This is to be achieved by establishing and implementing minimum targets for affordable housing and permitting and facilitating a wide variety of housing options, including residential intensification of underutilized commercial and institutional sites for residential use [Policy 2.2.1 b)].

The proposed mixed-use development utilizes suitably zoned lands at an appropriate scale of intensification that could provide a range of housing options. The exact unit mix (of one, two, and possibly three bedroom units) is to be determined by the developer closer to building permit.

Section 2.3.1 provides General Policies for Settlement Areas, and notes that settlement areas should be the focus of growth and development.

Policy 2.3.1.1 identifies the focus of settlement area growth within strategic growth areas.

Policy 2.3.1.2 specifies that land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;
- b) Optimize existing and planned infrastructure and public service facilities;
- c) Support active transportation;
- d) Are transit-supportive, as appropriate; and
- e) Are freight-supportive

As indicated by the applicant, the proposed development will utilize existing municipal infrastructure and benefit from nearby community amenities. The proposed unit count represents an efficient use of the land within the Downtown. The proposal is close to existing bus routes, sidewalks, and bike lanes, as well as higher order transit via the

nearby Guelph GO station. Long term and short-term bicycle parking is provided to further encourage active transportation.

Section 2.4, Strategic Growth Areas (SGA), includes policies to identify and focus growth and development in strategic growth areas.

Policy 2.4.1.3(c) directs municipalities to permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form.

Policy 2.4.2.2(c) maintains that within major transit station areas on higher order transit corridors, planning authorities shall plan for a minimum density target of at least 150 residents and jobs combined per hectare for those that are served by commuter or regional rail.

Policy 2.4.2.3 encourages development and intensification within major transit station areas, where appropriate, by planning for land uses and built form that supports the achievement of minimum density targets, and by supporting the redevelopment of surface parking lots within major transit station areas, including commuter parking lots, to be transit-supportive and promote complete communities.

The proposed development is within the downtown area of the city, a Strategic Growth area and Major Transit Station Area (MTSA), and represents a complete community development by accommodating an appropriate mix of land uses, housing options, amenity spaces, access to transit and other uses to meet long-term needs. The proposal will replace an existing surface parking lot to a compact housing development with 401 units and commercial uses.

Section 2.9, Energy Conservation, Air Quality, and Climate Change, states planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through supporting the achievement of compact, transit-supportive, and complete communities.

The proposed compact development provides long-term community needs including commercial uses, housing options, and amenity space within the Downtown Area of the City, and is located near to a variety of transit options promoting sustainable and active transportation within the MTSA. The submitted Planning Justification Report lists a number of low-impact design practices to be included as part of the development of the lands.

Based on this review, the application is consistent with the Provincial Planning Statement (2024).

### **Downtown Secondary Plan**

The subject lands are designated as "Mixed Use 1" on Schedule C of 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.

Official Plan Amendment (OPA) 106 (Downtown Secondary Plan Heights Study), which was approved by Council on April 8, 2025 and subsequently approved by the Ontario Land

Tribunal (OLT) on August 25, 2025 changed the permitted height for the mixed-use tower portion of the site from a maximum height of 15 storeys to 24 storeys.

The applicant is proposing to develop the property with a 17-storey and 19-storey mixed-use towers with ground floor commercial and underground and podium parking, which are permissible uses and within the permitted height of the Downtown Secondary Plan.

The proposed Zoning By-law Amendment is in conformity with the Downtown Secondary Plan.

### **Urban Design Master Plan**

The Downtown Secondary Plan identifies the Baker Street Property as a significant opportunity for redevelopment. A detailed Urban Design Master Plan (UDMP) was prepared in accordance with the policies of Section 11.1.8.5.1 of the Secondary Plan and addresses items generally relating to:

- a) location of public and/or private streets and laneways;
- b) location, size and configuration of parkland/open space on the site;
- c) location, uses and massing of buildings and their relationship to adjacent streets and open spaces;
- d) built form transitions to the surrounding community;
- e) shadow impacts;
- f) physical and visual connections to the immediate surroundings and broader downtown area;
- g) conceptual streetscape designs for internal streets and adjacent public streets to be improved;
- h) heritage attributes to be rehabilitated, conserved and retained in the proposed development;
- i) locations for heritage interpretation and/or public art;
- j) general location and lay-out of parking;
- k) provision of affordable housing; and
- l) environmental features and elements that support the Community Energy Plan and the sustainability policies of the Official Plan.

A revised UDMP for the proposed development was approved at the Council Planning Meeting held on November 12, 2025.

The current conceptual site plan is the combined product of the UDMP and consultation with City staff through two previously submitted site plan submissions and a prior Zoning By-law Amendment (ZBA) application. The current conceptual site plan proposes a 17-storey mixed-use tower on the northern portion of the site. The tower will contain 204 residential units with a mix of unit types from floors 3 to 17. Commercial space will be located on the ground floor facing onto the public right of ways. Parking will be provided via one level of parking underground and one level of parking within the second floor of the building podium.

On the southern portion of the site will be the 19-storey south tower. This tower will contain 197 units at a range of unit sizes. Residential and amenity space will be located on the first floor and floors 5 to 19. Podium parking is proposed on floors 2 to 4, with one additional underground parking level. The applicant is also proposing a potential commercial space on the ground floor next to the Library Urban Square.

A mix of indoor and outdoor amenity space is proposed, totalling over 1,000 square metres of amenity area for the residents of the development. Indoor amenity areas

include the podium bridge, ground floor of the south tower, and second floor of the north tower. Outdoor amenity areas include on the rooftop of the podium and podium bridge.

A total of 205 vehicular parking spaces is provided (including 4 type B accessible parking spaces) partially located underground and within the building podium. Bicycle parking is proposed at a rate of one indoor bicycle parking space per unit. Bicycle parking will be located in the underground parking garage and within a portion of the building at grade. Visitor bicycle parking is to be provided outdoors.

Two publicly accessible open spaces, Wyndham Urban Square and Library Urban Square, are proposed as part of the development. Wyndham Urban Square serves as the formal reception off Wyndham Street North and will include elevated planting beds, integrated seat walls, and landscaping adjacent to the east side of the North tower. Wyndham Urban Square is approximately 883 square metres in size. Library Urban Square is an extension of the library being built to the south of the site, to include seating and landscaping, and is 690 square metres in size.

A main thoroughfare, Baker Court, will act as a connecting path for pedestrians, cyclists, and vehicles entering the site. The court will provide pedestrian connections to the urban squares, with paving materials aimed at creating a pedestrian oriented space. Vehicular traffic through the court will access the proposed podium parking and loading areas.

The site design conforms to the urban design policies of the Downtown Secondary Plan.

## **Review of Proposed Zoning**

The purpose and effect of the Zoning By-law Amendment is to permit specialized regulations that would facilitate the proposed development of two, 17-storey and 19-storey mixed-use towers containing 401 residential dwelling units with ground floor commercial, underground parking and podium parking. Apartments and commercial uses are permitted within the existing zoning of the 2023 Zoning By-law.

Site-specific zoning regulations have been requested by the applicant and staff have also confirmed that an exemption to the sight line triangle regulation is not required. The site-specific regulations approved by Council in 2023 are being brought forward as they are still applicable to the site layout. The site-specific requests secure the development layout with and ensure the site is developed in accordance with the approved revised Urban Design Master Plan.

The following site-specific regulations have been requested as detailed in Attachment-3 of this report.

### **Building Height**

The applicant has requested that the maximum building height be 24 storeys outside of the Protected View Corridor. This will update the zoning provision to be in conformity with OPA 106, which was approved August 25, 2025 thereby permitting 24 storeys for the site. The proposal is for two mixed-use towers that will measure 17 and 19 storeys in height. The proposal will not utilize the full maximum height of 24 storeys while providing increased density to accommodate more residential units in an area with ample amenities and transit opportunities.

Staff support the increase in maximum building height.

### **Floorplate Ratio**

The current permissions for floorplate ratio were approved through the Zoning By-law Amendment in December 2023. Since then, modifications have been made to the

design of the building. As such, a further amendment is requested to the floorplate ratio to the effect of: to permit a floorplate ratio of 1.9:1 for the North Tower whereas Section 18.14.30.2.3 permits a length to width ratio of 1.8:1 for the North Tower.

The purpose of the floorplate ratio regulation is to avoid buildings that are overly long and bulky. The original proposal required an amendment to the Zoning By-law regulation because it proposed a very thin building which impacted the length to width ratio despite the width of the building being reasonably sized. The same principle applies to the current proposal, however, now the North Tower is even thinner due to the removal of one residential unit from the eastern end of the floorplate, thus requiring a further amendment to the length to width ratio regulation.

The proposed development maintains the design intention to provide a slim building that responds to the unique shape of the site. The northern portion of the site is narrow resulting in a slim, elongated floorplate. The impact of the building length is reduced through its curve in the northeast direction, and through the proposed articulation of its facade. Such interventions ensure that the building will be designed in such a way that the floorplate ratio modifications will not negatively impact the pedestrian experience.

Staff support this site-specific regulation request.

### **Exterior Facades**

A small portion of the site is identified within the Exterior Finishes Overlay Schedule B-6 of the Zoning By-law. Regulation 9.4.2(a)(i) requires that:

- a) All visible walls of any building within the Downtown Exterior Finishes Overlay, as shown on Schedule B-6 shall be constructed of transparent glass and coursed masonry and/or such materials which replicate coursed masonry as specified in Section 9.4.2(a)(i).
- i) Exterior facades: Coursed masonry and/or materials which replicate coursed masonry (except plain, uncoloured concrete).

The proposed amendment is as follows:

- That 9.4.2 (a)(i) not apply to the site, or only apply to the podium of any building within the Downtown Exterior Finishes Overlay as shown on Schedule B-6 for the site.

The revised UDMP outlines the design intention of the buildings which the proposed development must adhere to. As discussed in the UDMP, the scale and material palette of the new buildings will respect the character of the Downtown's historic fabric and surrounding buildings. The podium in particular speaks to the masonry heritage of the city. Masonry will be used on the entirety of the podium. An Exterior Insulation and Finishing System ("EIFS") is proposed for the tower portions of the building.

The zoning regulation requires that masonry or such materials which replicate coursed masonry be used for all visible walls of any building within the Downtown Finishes Overlay. The use of masonry materials on the podium provides for the high-quality enduring look consistent with the historic buildings Downtown and makes for an attractive street wall at the ground level and perceived building as a pedestrian or as one drives past the building. EIFS on the tower portion will be relatively unperceived at the pedestrian scale and will complement the podium elements of the buildings.

While building materials play a role in the aesthetics of a building, other design choices also impact the visual aspect of a building, such as colour variation within a material, recess and articulation of the building, and so on. The UDMP as well as the Site Plan Approval process ensures the building will be designed to meet the City's objectives for

the Downtown despite the proposed amendment seeking relief from the prescriptive regulation that encompasses the entire building including the tower portion.

Staff recommend that 9.4.2 (a)(i) only apply to the podium of any building within the Downtown Exterior Finishes Overlay as shown on Schedule B-6 for the site.

### **Bicycle Parking Space and Aisle Dimensions**

There are more compact and innovative bike storage options that do not meet the dimensions outlined in the Zoning By-law regulations available on the market and currently in use in other municipalities. These options are currently being explored by Windmill and the development team and have not yet been decided at present time. The applicant has requested the following site-specific regulation:

- That regulations 5.8.1 (a)(iii), and 5.8.2 of the Zoning By-law not apply.

Both regulations prescribe minimum bicycle parking space dimensions. The provision of secure, weather-proof bike parking ensures residents will have access to active transportation options. The proposed development achieves this by providing bike parking for residents at a ratio of 1 space per unit, as required by the Zoning By-law.

Relief from 5.8.1 (a)(iii) and 5.8.2 allows for the design and product selection of the bike lockers to be confirmed and approved at the Site Plan or Building Permit stage. From a planning perspective, adequate bike parking will still be provided for residents.

Staff support this request.

### **Community Energy Initiative Update (2019) and Climate Change**

Section 4.7 of the Official Plan contains policies on Community Energy. Policy 4.7.4.1 of the Official Plan indicates that the City will utilize the development approvals process, such as site plan control, to ensure that new residential development includes sustainable design features.

The Developer has indicated that they will be including a number of energy efficiency measures within the proposed development consistent with the City's Community Energy Initiative (CEI) 2019 update. These initiatives proposed by the Developer will contribute to the City meeting its goal to become a net zero community by 2050. The Developer has provided a letter summarizing how their proposal addresses the CEI update (2019), and it is included in Attachment-10.

### **Affordable Housing Strategy**

The City's Affordable Housing Strategy (AHS) sets an annual city-wide 30% target for housing that is affordable with the goal of ensuring that affordable housing is included in the range and mix of housing provided for all households across the city. The goals and objectives of the AHS have also been incorporated into the Official Plan in Section 7.2 (Affordable Housing). These policies are intended to encourage and support the development of affordable housing throughout the city by planning for a range of housing types, forms, tenures and densities and have been applied to the review of this proposed residential development application.

Implementing the City's affordable housing target is largely dependent upon designating a suitable amount of land and density for residential use, including mixed use developments. There is a high correlation between the City's growth management policies and the ability to meet both growth management and affordable housing targets. Apartment units represent the vast majority of residential units that are below the affordable benchmark price, as identified in the AHS.

The proposed development includes a total of 401 residential units in the form of apartment units. Based on this proposed housing form, it is anticipated that this development will contribute to the achievement of the affordability housing targets set for the City. This actual contribution will be measured as the units are rented or sold. The applicant has indicated a target of 30% of the residential units to be affordable housing units.

However, it is also noted that how much of any given development may be affordable cannot be assessed at the time of zoning approval, understanding that this would only be known when the first sale or rental price is established. For this reason, the measurement on the actual achievement of affordable housing targets is done on the basis of what has been constructed and then sold or rented in the previous year. The City's annual Affordable Housing Reports prepared over the past few years have indicated that the City has been meeting affordable housing targets.

### **Municipal Services and Infrastructure**

Policy 6.1.3 of the Official Plan requires all new development to be on full municipal services, including sanitary sewers, water supply, stormwater management and transportation networks. Through a separate application in 2023 to remove a holding symbol (H32) from the site, engineering staff have confirmed that the development can be supported by full municipal services and that sufficient capacity is available. Comments from Engineering are included in Attachment-11.

### **Parking**

Due to provincial changes made through Bill 185, which received Royal Assent on June 6, 2024, off-street parking is no longer required for the subject lands as they are located within a major transit station area, however, the proposed development will include approximately 205 vehicle parking spaces within one level of underground parking and podium parking.

### **Park and Trail Development**

Park and Trail Development recommend payment in lieu of conveyance of parkland.

Prior to the issuance of a building permit, payment in lieu of parkland conveyance will be required in accordance with the Planning Act s.42, City of Guelph Official Plan Policy 7.3.5.6 and the City of Guelph Parkland Dedication By-law (2022) – 20717, as amended by Bylaw (2024) – 20860, or any successor thereof.

The rate of payment in lieu of parkland conveyance will be the greater of 5% of the equivalent of Market Value of the land, or 1 hectare per 1000 dwelling units: up to a maximum of 10% of the equivalent market value of the land (for sites under 5 ha).

For this development the 1 hectare per 1000 dwelling unit rate will apply. The payment in lieu of parkland dedication amount is calculated at the equivalent market value of 10% of the land. It is unlikely that the proposed quantity of affordable units will impact the rate of parkland dedication required. This will be confirmed prior to the issuance of a building permit as part of the permit review.

Comments from Parks Planning are included in Attachment-11.

### **Comments Received on the Application**

Land use planning questions and issues raised by Council at the public meeting in response to the application that were not discussed in detail earlier in this analysis are summarized and responded to below. No members of the public spoke at the November 12, 2025 Statutory Public Meeting.

**Three-bedroom Units** – a question was asked regarding why no three-bedroom units are included in the proposed development. The Zoning By-law does not regulate number of bedrooms and the exact mix of bedrooms and units are not finalized at the zoning approval stage. Staff and the applicant have discussed the addition of three-bedroom units and the applicant has indicated this is a possibility that will be explored later in the process.