

Part D: Land Use Zones

Downtown Zones

9. Downtown Zones

9.1 List of Applicable Zones

Downtown 1 (D.1)

The purpose of this zone is to permit a broad range of uses in a mix of highly compact development forms.

Downtown 2 (D.2)

The purpose of this zone is to permit a range of uses in areas of the downtown that were historically mostly residential with a mixture of housing styles. As land uses evolve, the predominant character of low-rise buildings that are residential in character is to be maintained.

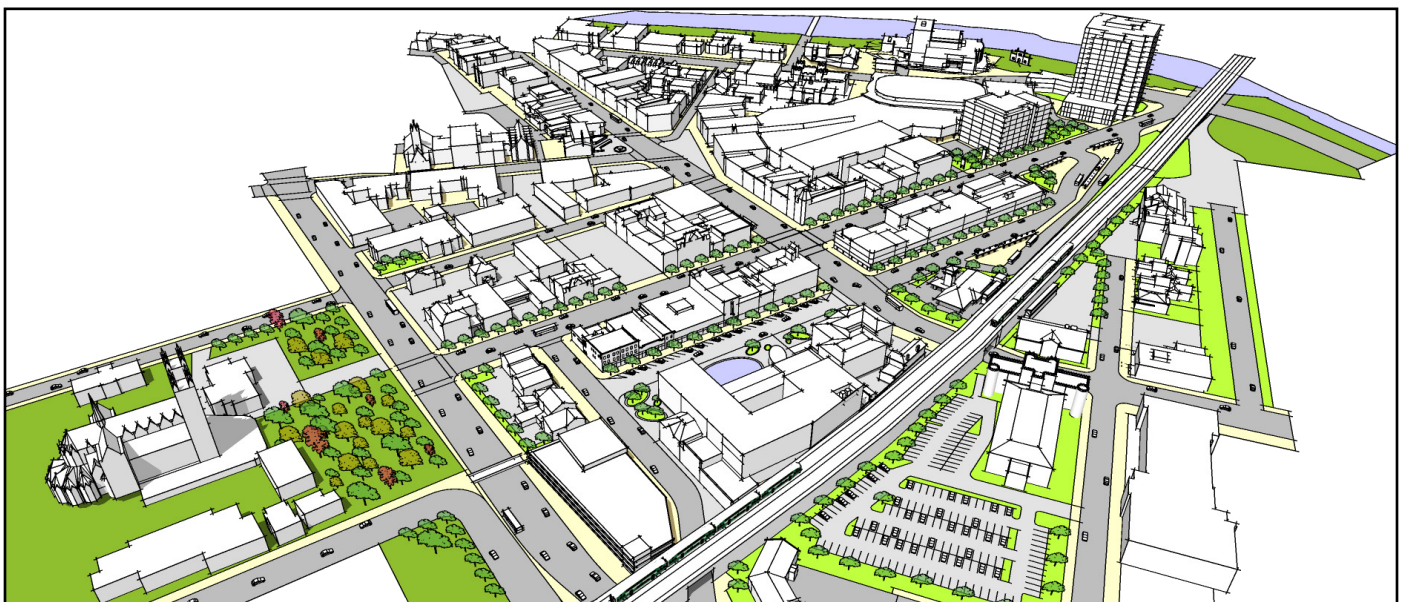
Downtown 3 (D.3)

The purpose of this zone is to permit significant civic, cultural and public institutions, other institutional uses and major office uses.

Downtown 3a (D.3a)

The purpose of this zone is to permit various components of Guelph Central Station and accessory uses.

Illustrative example



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9.2 Permitted uses

Uses permitted in the downtown **zones** are denoted by a “P” in the column applicable to that **zone** and corresponding with the row for a specific permitted **use** in Table 9.1, below:

Active **uses** refers to **uses** permitted in **active frontage areas** (9.3 (d)).

Table 9.1 - Permitted uses in downtown zones

Permitted uses	D.1	D.2	D.3	D.3a	Active uses
Residential uses					
Additional residential dwelling unit	--	P ⁽¹⁾	--	--	--
Apartment building	P ⁽²⁾	P	--	--	--
Day care, private home	P ⁽²⁾	P	--	--	--
Duplex dwelling	--	P	--	--	--
Group home	P ⁽³⁾	P ⁽³⁾	--	--	--
Home occupation	P ⁽⁴⁾	P ⁽⁴⁾	--	--	--
Hospice	P ⁽²⁾	P	--	--	--
Live-work unit	P ⁽⁵⁾	P	--	--	--
Lodging house type 1	P ⁽³⁾	P ⁽³⁾	--	--	--
Long term care facility	P ⁽²⁾	P	--	--	--
Mixed-use building	P ^{(5) (6)}	P	--	--	--
Retirement residential facility	P ⁽²⁾	P	--	--	--
Semi-detached dwelling	--	P	--	--	--
Single detached dwelling	--	P	--	--	--
Townhouse, on-street	P ⁽²⁾⁽¹⁵⁾	P ⁽¹⁵⁾	--	--	--
Townhouse, rear access on-street	P ⁽²⁾⁽¹⁶⁾	P ⁽¹⁶⁾	--	--	--
Retail uses					
Agricultural produce market	P	P	P	P	P
Retail establishment	P	P ⁽⁷⁾	P ⁽⁷⁾	P ⁽⁷⁾	P
Service uses					
Artisan studio	P	P	P	--	--
Auction centre	P	--	--	--	P
Catering service	P	--	P	--	P--
Commercial entertainment	P ⁽⁸⁾	--	P	--	P
Day care centre	P	P	P	--	--
Financial establishment	P	P ⁽⁷⁾	P	--	P
Food vehicle	P ⁽¹³⁾	P ⁽¹³⁾	P ⁽¹³⁾	P ⁽¹³⁾	--
Micro-brewery	P ⁽⁹⁾	--	--	--	P

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Permitted uses	D.1	D.2	D.3	D.3a	Active uses
Micro-distillery	P ⁽⁹⁾	--	--	--	P
Nightclub	P ⁽⁹⁾	--	--	--	P
Restaurant	P ⁽⁸⁾	P ⁽⁷⁾	P ⁽⁷⁾	P ⁽⁷⁾	P
School, commercial	P	P	P	--	--
Service establishment	P	P ⁽⁷⁾	P ⁽⁷⁾	P ⁽⁷⁾	P
Taxi establishment	P	--	P	--	--
Tradesperson's shop	P	--	P	--	--
Veterinary service	P	P	--	--	--
Office uses					
Medical clinic	P	P	P	--	--
Office	P	P	P	--	--
Research establishment	P	--	P	--	--
Community uses					
Art gallery	P	P	P	--	P
Community centre	P	P	P	--	P
Conference and convention facility	P	--	P	--	--
Emergency shelter	P ⁽¹⁰⁾	--	--	--	--
Museum	P	P	P	--	P
Place of worship	P	P	P	--	--
Public hall	P ⁽⁸⁾	--	P	--	--
Recreation facility	P	--	P	--	P
School	P	P	P	--	--
School, post secondary	P	P	P	--	--
Transit terminal	P	--	P	P	--
Hospitality uses					
Bed and breakfast	P ⁽¹¹⁾	P ⁽¹¹⁾	--	--	--
Hotel	P	--	P	--	P
Other					
Accessory use	P	P	P	P	--
Occasional use	P ⁽¹²⁾	P ⁽¹²⁾	P ⁽¹²⁾	P ⁽¹²⁾	--
Outdoor display and sales area	P ⁽¹⁴⁾	P ⁽¹⁴⁾	P ⁽¹⁴⁾	P ⁽¹⁴⁾	--

Additional Regulations for Table 9.1:

1. In accordance with Section 4.12. Only permitted on a **lot** with a **single detached dwelling, semi-detached dwelling or on-street townhouse**.
2. Not permitted in **active frontage area**.
3. In accordance with Section 4.23 and 4.24.

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4. In accordance with Section 4.15.
5. In accordance with Section 9.4 (d).
6. In **active frontage areas, dwelling units** are not permitted in the cellar, **basement**, or on the **first storey**.
7. Maximum **gross floor area (GFA)** 500 m².
8. Where a **lot line** abuts a RL.1, RL.2, RL.3 or RM.5 **zone**, a **commercial entertainment, public hall** and **restaurant** shall not exceed a maximum 500 m² **gross floor area (GFA)**.
9. Where a **lot line** abuts a RL.1, RL.2 RL.3 or RM.5 **zone**, a **nightclub, micro-brewery** and **micro-distillery** shall not be permitted.
10. In accordance with Section 4.26.
11. In accordance with Section 4.15.3
12. In accordance with Section 4.17.
13. In accordance with Section 4.27.
14. In accordance with Section 4.19.
15. In accordance with Section 6.3.3.
16. In accordance with Section 6.3.4.

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9.3 Regulations for all downtown zones

(a) Built form

The following built form regulations apply to new **buildings** and/or additions constructed after July 24, 2017 in the downtown **zones**.

- (i) The maximum **floorplate** of the 7th and 8th **storeys** of a **building** shall not exceed 1,200 square metres.
- (ii) The maximum **floorplate** of each **storey** of a **building** above the 8th **storey** shall not exceed 1,000 square metres and shall not exceed a length to width ratio of 1:5:1.
- (iii) The minimum **stepback** shall be 3 metres and shall be required for all portions of a **building** above the 4th **storey**. **Stepbacks** shall be measured from the **building** face of the 3rd **storey** facing a **street**.

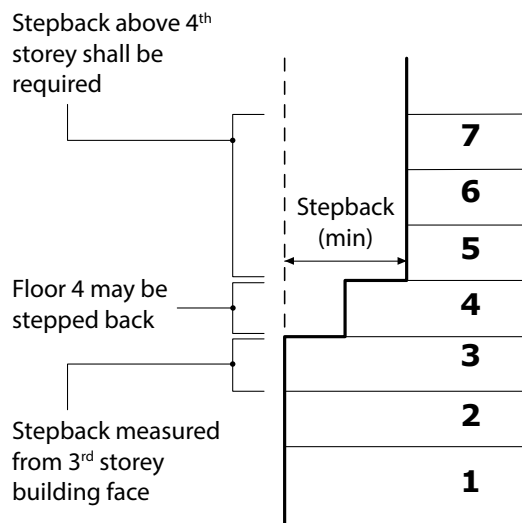
- (iv) Despite Section 9.3 (a) (iii), where a **lot** abuts Gordon Street or Wellington Street the minimum **stepback** shall be 3 metres and shall be required for all portions of a **building** above the 6th **storey**. **Stepbacks** shall be measured from the **building** face of the 3rd **storey** facing a **street**.

(b) Building tower separation

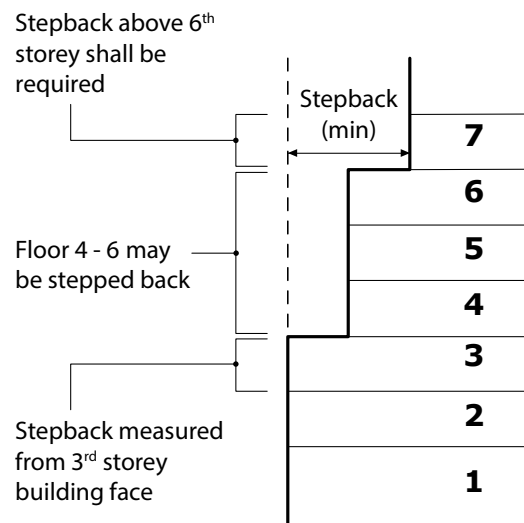
- (i) Any portion of a **tower** above the 12th **storey** of a **building** shall be separated by a minimum of 25 metres from any portion of another **tower** above the 12th **storey** of any **building**, measured perpendicularly from the exterior wall at the 13th **storey**.
- (ii) For any portion of a **tower** at or below the 12th **storey** of a **building**:
 - (A) A minimum **tower setback** of 6 metres is required from the **side lot line** and/or **rear lot line**;

Stepbacks

General stepback regulations



Stepbacks abutting Gordon Street or Wellington Street



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(B) Shall be separated by a minimum 12 metres from any portion of another **tower** at or below the 12th **storey** of any **building**, measured perpendicularly from the exterior wall of the **tower**.

(C) Despite Section 9.3(b)(ii)(A) and 9.3(b)(ii)(B), the **tower setback** may be reduced to a minimum of 3 metres from the **side lot line** and/or **rear lot line** if there are no windows to a **habitable room** on the facing wall of an existing abutting **building**.

(c) Building height

In addition to the provisions of 4.14, the following shall also apply:

- (i) The Downtown Height Overlay, Schedule B-4 establishes the minimum and maximum **building heights** in downtown **zones**.
- (ii) Minimum **building height** is not

applicable to **accessory buildings or structures**.

(iii) Section 4.14.4 is not applicable.

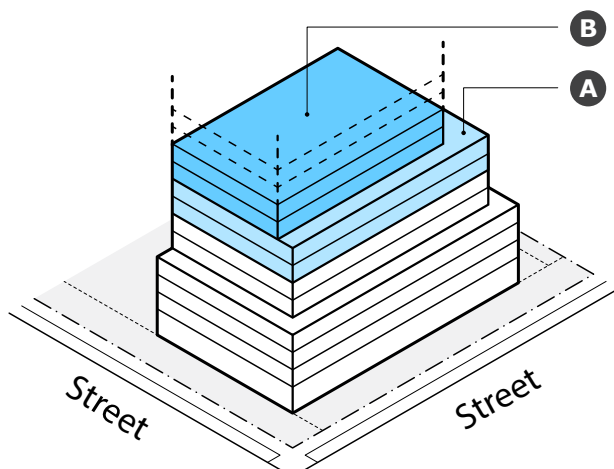
(iv) In addition to the Downtown Height Overlay, Schedule B-4, an **angular plane** establishes the maximum **building height** as follows:

Building heights shall not exceed an **angular plane** of 45 degrees from the minimum required **rear yard** or **side yard** of a downtown **zone** that abuts a **lot line** of a RL.1, RL.2, RL.3 or RM.5 **zone**, as measured from 10.5 metres above the average elevation of the grade at the **lot line**.

(d) Active frontage area

Despite Table 9.2, 9.3, 9.4, 9.8, 9.9 and 9.10, the following provisions apply to the **street line** or portion thereof, identified as **active frontage area** in accordance with Active Frontage Area Overlay, as shown on Schedule B-5. If the **active frontage area**

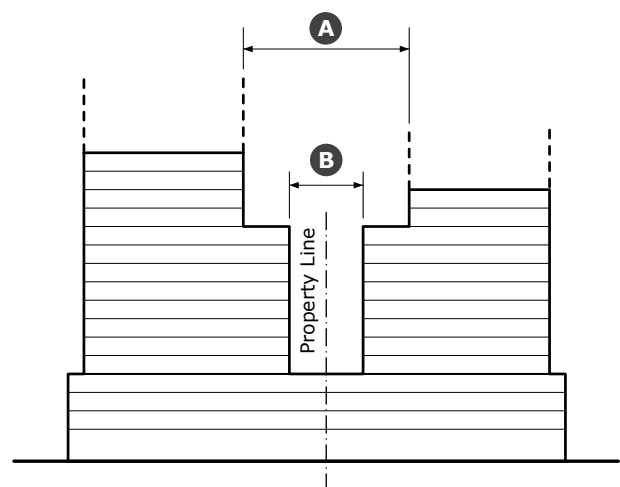
Maximum floorplate regulation



Maximum floorplate

- A** 7th & 8th **storeys** - 1,200 m²
- B** 9th & above **storeys** - 1,000 m²

Minimum building tower separation



- A** Above 12th **storeys** - 25 m
- B** Below 12th **storeys** - 12 m (6 m on both sides of the property line)

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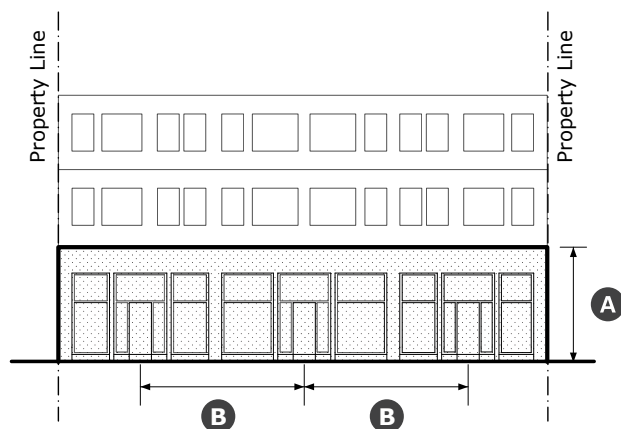
only applies to a portion of the **street line**, the regulations of Section 9.4 (d) shall only apply to that portion identified.


- (i) Where a **street line**, or portion thereof, identified as **active frontage area** exceeds 35 metres, the maximum **front yard** and/or **exterior side yard setback** shall be 0.5 metres for a minimum of 75% of the **street line**. The remaining 25% of the **street line** shall have a maximum **front yard** and/or **exterior side yard setback** of 2 metres.
- (ii) Where a **street line**, or portion thereof, identified as **active frontage area** is less than or equal to 35 metres, the maximum **front yard** and/or **exterior side yard setback** shall be 0.5 metres.
- (iii) Despite Section 9.3 (d) (i) and 9.3 (d) (ii), where a **lot** abuts Wellington

Street East between Gordon Street and Wyndham Street South the **building setback** shall be a minimum of 10 m from the Wellington Street East **street line**.

- (iv) The minimum **first storey height** shall be 4.5 metres.
- (v) The minimum number of **active entrances** to the **first storey** on the **front yard** and/or **exterior side yard building** façade shall be 1 for every 15 metres of **street line** or portion thereof identified as **active frontage area**, but shall not be less than 1. For the purposes of calculating the minimum number of **building** entrances required, any fraction of a **building** entrance shall be rounded to the next highest whole number.
- (A) **Active entrances** shall be at or within 0.2 metres above or below **finished grade**.

Active frontage area regulation



- A** Min first storey height
- B** Min number of active entrances and location of active entrance at grade
-  Min 50% of surface area transparent window or active entrances

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(vi) A minimum of 50% of the surface area of the **first storey** façade, measured from the **finished grade** up to a height of 4.5 metres, facing a **street, public** or public square must be comprised of a **transparent window** and/or **active entrances**.

(vii) Despite Table 9.1, the **uses** identified in the active **uses** column in Table 9.1 with a “P” shall occupy a minimum of 60% of the **street line**. Where an existing **building** occupies less than 60% of the **street line**, the **uses** identified in the active **uses** column in Table 9.1 with a “P” shall occupy all portions of a **building** of the **first storey** immediately abutting a **street line**.

(viii) A **driveway, non-residential** is prohibited at grade or in the **first storey** of a **lot** or **building** for the first 6 metres of the depth measured in from the **street line**.

Despite this provision, where the entirety of a **lot’s street** frontage is included in the **active frontage area**, a maximum of 1 **driveway** shall be permitted perpendicular to the **street line** within the **active frontage area** in accordance with all other requirements of this **by-law**.

(e) Licensed Establishments

The following regulations shall apply within the area outlined on the Downtown Licensed Establishment Overlay, as shown on Schedule B-7.

(i) For purposes of Section 9.3 (e), the following terms shall have the corresponding meanings:

Floor area means the total **floor area** of all space within a **building used** in

relation to a **licensed establishment**, measured between the interior faces of the outside walls or where no outside walls exist between the common walls, but not including exits and vertical service space.

(ii) The maximum **floor area** of a **licensed establishment** is 230 square metres.

(iii) **Licensed establishments** shall not be permitted adjacent to or above a residential **use** within a **building** or a directly adjoining **building**.

(iv) No openings and no access for any person including exits and corridors are permitted between **licensed establishments**, except corridors, with a minimum width of 5 metres, which may serve more than one **licensed establishment** provided the **licensed establishments** are separated from each other by at least 5 metres.

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Downtown 1 (D.1) Zone

9.4 Lot and building regulations

9.4.1 Downtown 1 (D.1) zone

(a) Lot regulations

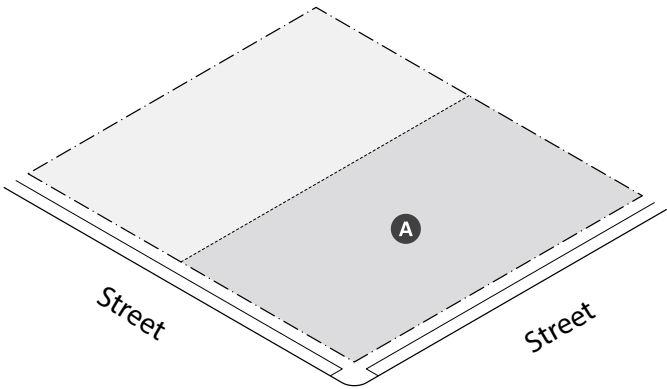


Table 9.2: D.1 zone lot regulations	
A Lot area (min)	N/A

(b) Setback regulations

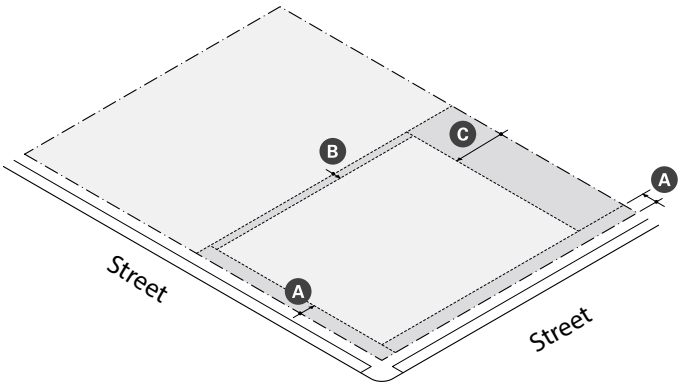


Table 9.3: D.1 zone setback regulations	
A Front yard or exterior side yard (min)	0 m ⁽¹⁾ Section 4.6 is not applicable
B Front yard or exterior side yard (max)	4 m ⁽²⁾
C Interior side yard (min)	0 m ⁽³⁾
D Rear yard (min)	0 m ⁽⁴⁾
Buffer strip (min)	Where a D.1 zone abuts a RL.1, RL.2, RL.3, institutional, park or natural heritage system zone , a 3 m wide buffer strip is required adjacent to the lot line abutting such zone

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Downtown 1 (D.1) Zone

(c) Building regulations

Building height in accordance with the Downtown Height Overlay, Schedule B-4

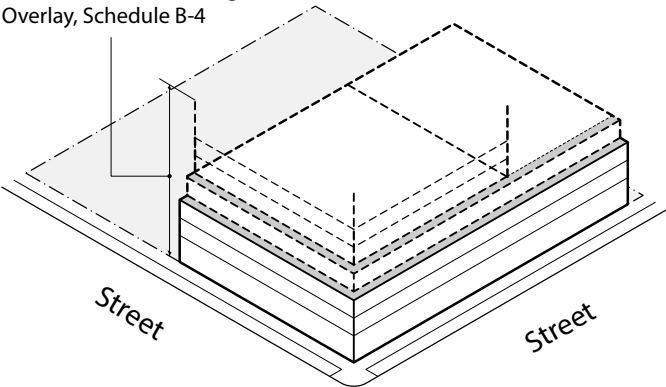



Table 9.4: D.1 zone building regulations	
Building height (min & max)	In accordance with Section 9.3(c)
 Building stepbacks (min)	In accordance with Sections 9.3(a)(iii) and 9.3(a)(iv)
Floor space index (FSI) (min)	1.5, except on properties fronting onto Elizabeth Street where the minimum FSI is 1.0

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Downtown 1 (D.1) Zone

Additional Regulations for Tables 9.2 - 9.4:

1. The following exceptions apply:
 - a. Where a **lot line** abuts a public **lane**, the minimum **setback** shall be 1 m from the **lot line**.
 - b. Where a **dwelling unit** occupies the **first storey** of a **building**, that portion of the **building** shall have a minimum **setback** of 3 m from the **street line**.
2. The following exception applies:
 - a. Within **active frontage areas**, the maximum **front yard** and the maximum **exterior side yard** shall be in accordance with Section 9.3(d).
3. The following exceptions apply:
 - a. Where a **lot line** abuts a public **lane**, the minimum **setback** shall be 1 m from the **lot line**.
 - b. Where a **lot line** abuts a RL.1, RL.2, RL.3 **zone**, the minimum **setback** shall be 3 m on the abutting side.
 - c. Where a **buffer strip** is required, the **setback** shall not be less than the minimum **buffer strip** width.
4. The following exceptions apply:
 - a. Where a **lot line** abuts a public **lane**, the minimum **setback** shall be 1 m from the **lot line**.
 - b. Where a **lot line** abuts a RL.1, RL.2 RL.3 **zone**, the minimum **setback** shall be 7.5 metres on the abutting side.
 - c. Where a **buffer strip** is required, the **setback** shall not be less than the minimum **buffer strip** width.

9.4.2 Exterior finishes (D.1)

Despite the provisions of this or any other by-law for the **City**, the following shall apply:

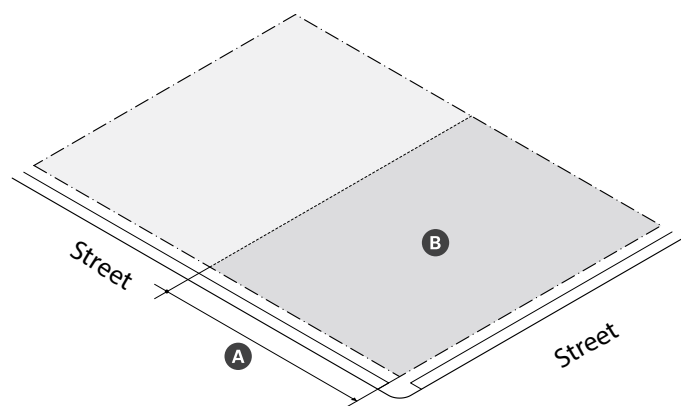
- (a) All visible walls of any **building** within the Downtown Exterior Finishes Overlay, as shown on Schedule B-6 shall be constructed of transparent glass and coursed masonry and/or such materials which replicate coursed masonry as specified in Section 9.4.2(a)(i).
 - (i) Exterior facades
Coursed masonry and/or materials which replicate coursed masonry (except plain, uncoloured concrete).
 - (ii) Exterior facade trim
All of the material permitted for exterior facades as well as plain, uncoloured concrete elements, wood and metal.
- (b) All windows of any **building** existing within the D.1-1 **zone** on the date of the passing of this **by-law**, or any predecessor thereof, shall be of transparent glass only.
- (c) No exterior walls of a **building** constructed of natural stone within the D.1-1 **zone** shall be defaced in any manner or covered, in whole or in part, with paint, stucco, metal, or other cladding material.
- (d) No window openings of any **building** existing within the D.1-1 **zone** on the date of the passing of this **by-law**, or any predecessor thereof, shall be closed up with any material except transparent glass.
- (iii) In addition, where a **building** is located on the corner of any **street** shown on the Downtown Exterior Finishes Overlay, Schedule B-6, the provisions of Section 9.4.2 (a) shall apply to the **building** wall or walls facing onto the crossing **street**.

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Downtown 2 (D.2) Zone

9.4.3 Downtown 2 (D.2) zone

(a) Lot regulations



(b) Setback regulations

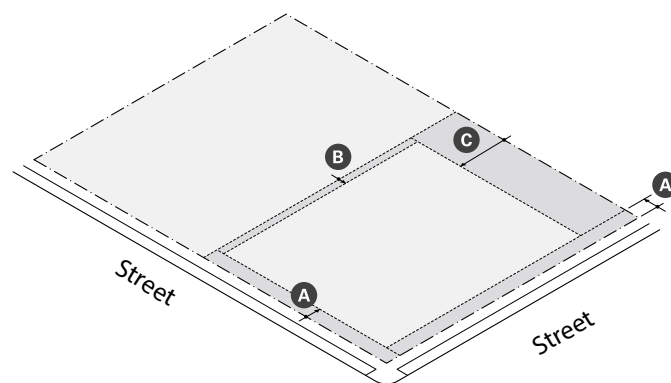


Table 9.5: D.2 zone lot regulations

A Lot frontage (min)	12 m
B Lot area (min)	370 m ²

Table 9.6: D.2 zone setback regulations

A Front yard or exterior side yard (min)	The minimum front yard or exterior side yard shall be the average of the setbacks of the adjacent property or where the average of the setbacks of the adjacent properties cannot be determined, the minimum setback shall be 3 meters ⁽¹⁾⁽²⁾
B Interior side yard (min)	1.5 m ⁽³⁾
C Rear yard (min)	10 m ⁽¹⁾
Buffer strip (min)	Where a D.2 zone abuts a RL.1, RL.2, RL.3, institutional, park or natural heritage system zone , a 3 m wide buffer strip is required adjacent to the lot line abutting such zone

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Downtown 2 (D.2) Zone

(c) Building regulations

Building height in accordance with the Downtown Height Overlay, Schedule B-4

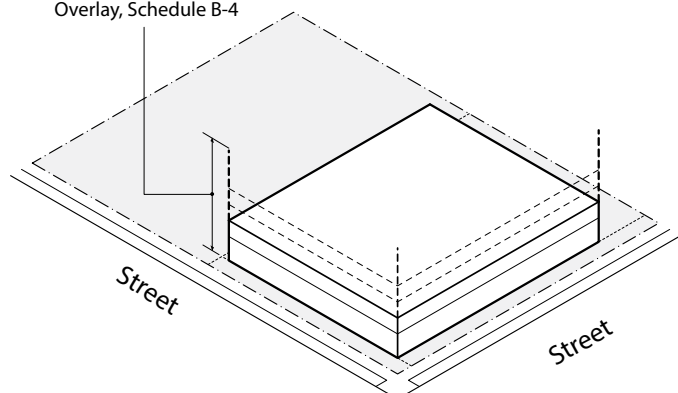


Table 9.7: D.2 zone building regulations

Building height (min & max)	In accordance with Section 9.3(c)
Floor space index (FSI) (min)	1.5, except on properties fronting onto Elizabeth Street where the minimum FSI is 1.0

Additional Regulations for Tables 9.5 - 9.7:

1. In accordance with Section 4.6 and Section 4.22.
2. Where a **lot line** abuts a public **lane**, the minimum **setback** may be reduced to 1 m from the **lot line**.
3. Where the D.2 **zone** abuts an RL.1, RL.2, RL.3, institutional, park or natural heritage system **zone** the minimum **side yard** shall be 3 m on the abutting side.

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Downtown 3 (D.3) and Downtown 3a (D.3a) Zones

9.4.4 Downtown 3 (D.3) and downtown 3a (D.3a) zones

- (a) Lot regulations
- (b) Setback regulations

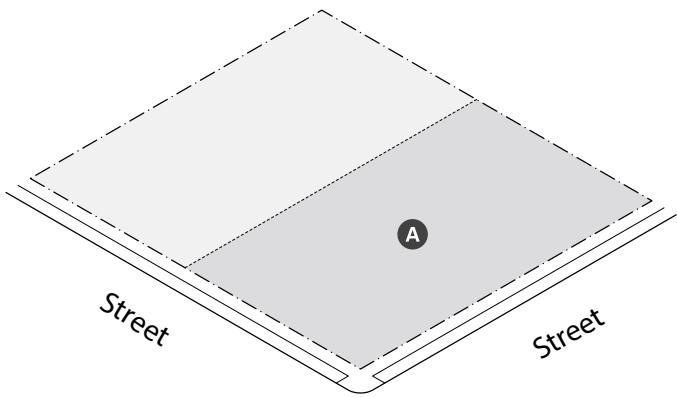


Table 9.8: D.3 and D.3a zone lot regulations	
A Lot area (min)	N/A

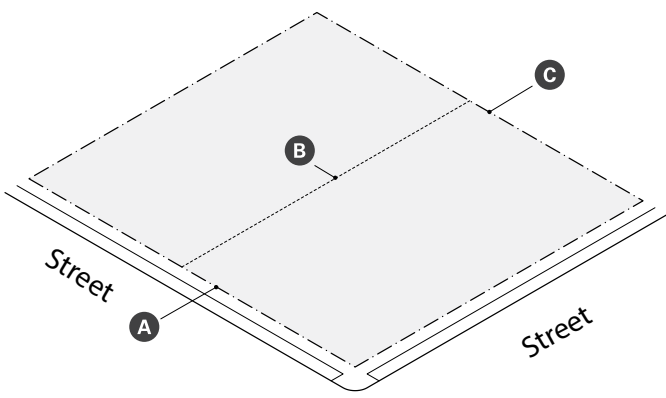


Table 9.9: D.3 and D.3a zone setback regulations	
A Front yard or exterior side yard (min)	0 m Section 4.6 is not applicable
B Interior side yard (min)	0 m
C Rear yard (min)	0 m

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Downtown 3 (D.3) and Downtown 3a (D.3a) Zones

(c) Building regulations

Building height in accordance with the Downtown Height Overlay, Schedule B-4

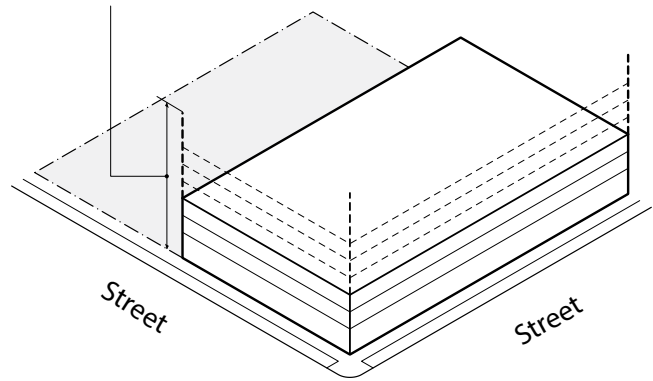


Table 9.10: D.3 and D.3a zone building regulations

Building height (min & max)	In accordance with Section 9.3(c)
Floor space index (FSI) (min)	1.5, except on properties fronting onto Elizabeth Street where the minimum FSI is 1.0