

Special City Council Revised Meeting Agenda

Tuesday, December 5, 2023, 2:30 p.m.

Council Chambers

Guelph City Hall, 1 Carden Street

Changes to the original agenda are noted with an asterisk "*".

Special Council Meetings are live streamed at guelph.ca/live. Members of the public may delegate in person or by electronic participation.

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Pages

*1. Delegations to Item 3.1 Official Plan Amendment 80-Minister's Reversal of Provincial Modifications

Members of the public who have an interest in delegating to item 3.1 Official Plan Amendment 80-Minister's Reversal of Provincial Modifications may register up until 10:00 a.m. on Monday, December 4, 2023.

For more information please visit guelph.ca/delegate

2. Call to Order

2.1 Disclosure of Pecuniary Interest and General Nature Thereof

3. Items for Discussion

The following items have been extracted from Consent Agenda and will be considered separately. These items have been extracted either at the request of a member of Council or because they include a presentation and/or delegations.

*3.1 Official Plan Amendment 80 – Minister's Reversal of Provincial Modifications, 2023-459

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Presentation:

Krista Walkey, General Manager, Planning and Building Services
Melissa Aldunate, Manager, Policy Planning Urban Design

Delegations:

David Falletta

John Farley

Mike Labbe, Home Opportunities

Ed Newton, Kiwi Newton Group

Jeremiah Vanderlaan, Kiwi Newton Group

Hugh Handy, GSP Group

Correspondence:

Meghan Wong, Spanier Group

David Falletta, Bousfields Inc

Recommendation:

1. That Report 2023-459 including feedback outlined in Attachment 1 be submitted to the Ministry of Municipal Affairs and Housing as the comments from City Council on the modifications and proposed changes to Official Plan Amendment 80.
2. That staff be directed to work with Ministry of Municipal Affairs and Housing to retain modifications that are conformity related.
3. That staff be directed to prepare detailed cost estimates of additional costs incurred by the City as a result of the Provincial modifications to OPA 80 on April 11, 2023 and that any additional costs that have occurred since the Provincial announcement on October 23, 2023 and that they be submitted to the Province.
4. That staff be directed to submit comments as outlined in Report 2023-459 to the Ministry of Municipal Affairs and Housing on ERO Posting 019-7885 regarding the Planning Statute Law Amendment Act.

4. By-Laws

Resolution to adopt the By-laws (Councillor Caron).

Recommendation:

That By-law numbered (2023)-20862, be approved subject to Section 284.11 (4) of the Municipal Act.

***4.1 By-law Number (2023) - 20862**

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A by-law to confirm the proceedings of a meeting of Guelph City Council held December 5, 2023

5. Adjournment

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, December 5, 2023
Subject	Official Plan Amendment 80 – Minister’s Reversal of Provincial Modifications

Recommendation

1. That Report 2023-459 including feedback outlined in Attachment 1 be submitted to the Ministry of Municipal Affairs and Housing as the comments from City Council on the modifications and proposed changes to Official Plan Amendment 80.
 2. That staff be directed to work with Ministry of Municipal Affairs and Housing to retain modifications that are conformity related.
 3. That staff be directed to prepare detailed cost estimates of additional costs incurred by the City as a result of the Provincial modifications to OPA 80 on April 11, 2023 and that any additional costs that have occurred since the Provincial announcement on October 23, 2023 and that they be submitted to the Province.
 4. That staff be directed to submit comments as outlined in Report 2023-459 to the Ministry of Municipal Affairs and Housing on ERO Posting 019-7885 regarding the Planning Statute Law Amendment Act.
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Executive Summary

Purpose of Report

To provide information about the Minister of Municipal Affairs and Housing’s announcement about the reversal of the Minister’s decision on the City’s municipal comprehensive review Official Plan Amendment 80. This report provides staff recommendations for comments to be provided to the Ministry in response to the announcement. This report also responds to the ERO posting for Bill 150, the Planning Statute Law Amendment Act, 2023, that, if passed, would wind back provincial changes to official plans and official plan amendments.

Key Findings

On July 11, 2022, Council adopted Official Plan Amendment 80, the City’s municipal comprehensive review of the Official Plan. On April 12, 2023, the Minister approved OPA 80 with 18 modifications.

On November 2, 2023, the Minister proposed to bring forward legislation that, if passed, will bring into effect the official plans or official plan amendments as adopted by municipal council without provincial modifications, except for any

modifications that are necessary to protect matters of public health and safety, or which are required to align with legislation or regulations.

The Minister is inviting comments and information from municipalities about the modifications to Official Plans including proposed changes and updates that the municipality may support. Comments are also being requested on the Planning Statute Law Amendment Act, 2023 that if passed, would enact the Official Plan Adjustments Act, 2023 which would reverse the Minister's decisions on official plans.

With respect to the Minister's modifications to OPA 80, staff's detailed and summary comments are provided. Generally, staff support general modifications that are conformity related and request that a full public process be followed for site specific and area specific amendments.

Bill 150 was introduced on November 16, 2023, staff are supportive of the proposed legislation and ask for further shielding from appeals to the Ontario Land Tribunal of any potential future City initiated modifications to the Official Plan.

Strategic Plan Alignment

The City's Official Plan aligns with the City Building, Environment and People and Economy priority areas of the Strategic Plan. The Official Plan provides policies to support the provision of a full range and mix of housing options and densities; the protection of the natural environment; to grow Guelph's economy; and support renewal of Downtown.

Financial Implications

The reversal of the Minister's decision has impacts on human resources expended to implement OPA 80 as approved including the review of servicing needs for areas where growth levels were increased, updated mapping and Official Plan text resulting from the Minister's decision. A detailed cost estimate of this work and staff time will be sent to the Province for re-imburement.

The financial impact of OPA 80 was reported on in [Report 2022-225](#).

Report

Official Plan Amendment 80 and Provincial Approval Process

On July 11, 2022, Council adopted Official Plan Amendment 80, the City's municipal comprehensive review of the Official Plan, and submitted it to the Minister of Municipal Affairs and Housing for approval. On April 12, 2023, the Minister announced approval of OPA 80 with a posting on the Environmental Register of Ontario. Through the decision, 18 modifications were made to the Council adopted OPA 80 which included site and area specific modifications that resulted from comments submitted directly to the Ministry and not considered by staff or City Council during the public process for OPA 80.

The Minister's decision approved the City's land needs assessment, growth management policies and population and employment targets. The background supporting studies for OPA 80 demonstrated that the City has sufficient land available and designated to meet the projections and targets for 2051. The policies set out in OPA 80, including heights and densities and the land use schedule, represent good planning and support the achievement of the population and

employment targets within the servicing capacity that is planned for and available recognizing that Guelph is a ground water dependent community. OPA 80 as adopted by Council supports a balanced approach to land use planning which provides sufficient lands designated for housing, employment and services needed to support resident's daily lives based on a projected population of 208,000. The land needs assessment identified that abundant lands are designated for residential use to meet the housing needs for current and future residents however, the supply of employment lands is concerning with limited lands available toward the end of the forecast period.

On November 2, 2023, the Minister proposed to bring forward legislation that, if passed, will bring into effect the official plans or official plan amendments as adopted by municipal council without provincial modifications, except for any modifications that are necessary to protect matters of public health and safety, or which are required to align with legislation or regulations.

The Minister is inviting comments and information from municipalities about the modifications to Official Plans including proposed changes and updates that the municipality may support. Comments are to be received by December 7, 2023. The Minister provided 45 days for municipalities to submit information about the modifications to the official plans that were originally submitted to the Ministry, including:

1. Circumstances or projects where construction has already begun in relation to the official plan or official plan amendment decisions, particularly those projects that are directly reliant on the modifications made to the plan through the ministry's decision; and
2. If there are changes that the municipality would like to see made to the official plan, based on the modifications that the province had previously made, and which you support. Municipal feedback on the original official plan submitted to the province will be important to supporting its implementation.

Bill 150: An Act to enact the Official Plan Adjustments Act, 2023

On November 16, 2023, the Planning Statute Law Amendment Act, 2023 was introduced (see [ERO posting 019-7885](#)). This new Act, if passed, would wind back provincial changes to official plans and official plan amendments, except in circumstances where construction has begun or where doing so would contravene existing provincial legislation and regulations or for public health and safety. This includes winding back changes to urban boundaries while maintaining protections for the Greenbelt.

The proposed legislation if passed, would:

- reverse provincial decisions on Official Plans affecting 12 municipalities, comprising those issued on:
- approve the municipally-adopted Official Plans, retroactive to the date of the provincial approval;
- modify limited portions of the council-adopted Official Plans to address potential conflicts with legislation/regulations; and
- outline transition rules that would apply to applications made since the official plans were approved;
- introduce immunity provisions to help mitigate legal risk resulting from this legislation.

The Ministry is seeking input on both the legislation and potential implementation considerations associated with matters arising from the reversal of the official plan decisions.

Comments on Reversal of Provincial Decision on OPA 80

Circumstances or projects reliant on modifications

There are no circumstances or projects where construction has already begun that are reliant on the modifications to the Official Plan.

Commentary on Modifications

The following provides an overview of the Minister's modifications and staff's commentary and recommendation for each.

Policy and Secondary Plan Modifications

General and minor modifications: These modifications resulted in changes to references to ministries, tribunals or the GRCA; the addition of definitions; and new policy direction for parking and goods movement. One policy was modified to change the name Ontario Municipal Board to the Ontario Land Tribunal. Thirteen policies were modified to remove references to the Grand River Conservation Authority (GRCA), the Province, or Ministries. Three policies were modified to change references to Provincial Ministries and the GRCA to the Federal Department of Fisheries and Oceans (DFO). A policy in Chapter 5 (Transportation System) of the Official Plan was modified to include reference to establishing priority routes for goods movement to facilitate movement of goods into and out of employment areas and areas of significant commercial activity and to provide alternate routes to connect to the provincial network. A new policy was added that requires the City to amend its Zoning Bylaw to reduce minimum parking requirements for transit-supportive development within the Major Transit Station Area. Section 9.1.3 Urban Agriculture was modified to include reference within the objectives to maintaining and enhancing connections to the agri-food network within the agricultural system. Definitions of agricultural system and agri-food network were added to the Official Plan. The definition of heritage attributes was modified.

Staff Comment: No concerns with these modifications as they were made to align with legislation or current names or definitions and they represent good planning and are consistent with provincial policy direction.

Environmental policy modification: Policy 4.1.3.9.1 i) which provides criteria for the designation of significant wildlife habitat was modified to remove the reference to seasonal concentration areas and replaces it with deer wintering areas as identified by the Province.

Staff Comment: The City's policies identify many types of seasonal concentration areas in accordance with the Province's Significant Wildlife Habitat Technical Guide and the Province's Significant Wildlife Habitat Criteria Schedules for EcoRegion 6E. As noted, the intent of the policy was to ensure consistency with provincial legislation, and the policy as submitted is consistent with the Provincial Policy Statement (and the proposed Provincial Planning Statement), identifying and protecting a variety of Significant Wildlife Habitats. The Minister's modification removes the consideration of a variety of Significant Wildlife Habitat for consideration and protection through the Official Plan. Staff note that the modification is inconsistent with the PPS and is not reflective of provincial guidance

and creates inconsistencies within the Official Plan, including the Objectives and the content of Table 4.1, as a corresponding modification was not made to similar language through the approval. Therefore, staff are not supportive of this modification and feel that further discussion with Ministry staff is warranted and that the appropriate time to consider modifications to the natural heritage system policies would be during a City-initiated review of these sections of the Official Plan.

Service Commercial land use designation modification: The modification to these policies introduces new permitted uses into the land use designation. Office, warehouse and repair service uses have been explicitly permitted. The decision also introduced a policy requiring the application of Provincial guidelines to promote land use compatibility between these new uses and residential and sensitive land uses. Provincial guidelines include minimum separation distances, sound proofing, odour control, landscaping, and berming.

Staff comment: The review of the service commercial land use designation and associated policies within Section 9.4.6 of the Official Plan was not within the scope of OPA 80, was not considered by Council or the public, and no modifications to this section of the Official Plan were submitted to MMAH for their review or approval. Staff recommend that the policies not be modified at this time and that they be considered through a city-initiated review of commercial policies and land use permissions which includes a public process.

Special Policy Area modification: A new policy was added to the Official Plan that states that any changes or modifications to policies, land use designations or boundaries applying to the Special Policy Area must be approved by the Minister of Municipal Affairs and Housing and the Minister of Natural Resources and Forestry prior to the City approving any changes or modifications. The Special Policy Area is a Provincially regulated area where communities were historically developed within the floodplain and direction is provided for development/redevelopment.

Staff Comment: Staff agree with this direction that comprehensive study of the SPA is required prior to changes being made to land use permissions (including changes to heights and densities) in this area to protect health and safety due to flood hazard risk.

Downtown height schedule: The Minister's decision modified the height schedule for Downtown. With the exception of the Special Policy Area (SPA), the modified minimum height was 2 storeys and the modified maximum height was 23 storeys. Policy 11.1.7.2.1 which set out how the height schedule was established and how it recognizes the Basilica as a landmark and signature building was modified to delete these references. The policies stating that lower maximum heights may be established to maintain long views to the Basilica and within the Residential 1 Areas were deleted. However, the decision maintains the policy that establishes the protected views to the Basilica of Our Lady and maintains that all policies apply when considering maximum height.

Staff Comment: The downtown/urban growth centre consists of multiple land use designations and the height schedule was established through modelling, land economic analysis and engagement resulting in the tallest buildings being situated at the periphery of downtown. Through OPA 80, heights were increased by 2 storeys where density bonusing previously applied. The height and density permissions as set out in OPA 80 provided sufficient capacity to meet the increased density target of 200 persons and jobs per hectare by 2051 (where the City was

required to plan for a density target of 150 persons and jobs per hectare) and allowed for development over and above this target and planning horizon. A detailed review of the height schedule was not completed through OPA 80 because the growth management analysis (including Land Needs Assessment, Housing Analysis, Residential Intensification Study and Employment Study) demonstrated that changes to the land use schedule and height and density policies were not required to meet the A Place to Grow policy and density requirements. Changes to the height schedule are best addressed through a comprehensive review with consideration for the policy framework of the secondary plan, ongoing heritage conservation district studies (Downtown and Ward West), urban design guidelines and supporting studies. Proponents also have the ability to apply for site specific OPAs and may demonstrate appropriateness of changes to land use permissions through a complete application with supporting studies and opportunity for public consultation.

Staff reviewed potential for increases in height as a result of the Minister's April 2023 decision to support Engineering's Downtown Infrastructure Renewal servicing project and found that there are sites, albeit limited, that could potentially be considered for additional height based on site characteristics, surrounding land uses and policy conformity. Generally, areas south of the rail line may have the opportunity for increased height outside of the protected view corridors and SPA. However, a design review and update to modelling would be helpful in understanding impacts of increased height. Staff recommend that further discussions with Ministry staff be held to consider potential changes to the height schedule in appropriate areas of Downtown which will take into account infrastructure investments and that any identified modifications could be implemented through the Minister's approval process.

Guelph Innovation District Secondary Plan land use schedule: The land use schedule for the lands west of the Eramosa River has been modified to significantly reduce the area of employment designations and to expand the residential area and commercial mixed-use corridor within the secondary plan area. An additional park symbol has been added where lands were previously designated employment mixed use. A policy for the main street area has been modified to delete references to it as a transition between employment and residential areas. These changes result in the addition of approximately 8000 people and the loss of 26 hectares of employment land.

Staff Comment: Changes to the land use schedule have not been considered through a public process with supporting studies and were not contemplated through OPA 80 background studies and reports. Increases to residential lands are not required within the GID area to meet the City's population forecasts or housing unit requirements to the year 2051. The lands west of the Eramosa River and north of Stone Road are planned in the existing Official Plan to provide housing for 4,600 people.

The land use modifications conflict with the approval of the employment area designations on Schedule 1b of OPA 80 and with the policy framework set out in the GID Secondary Plan. It is unclear how the vision, objectives, and policies of the GID will be met with the revised land use schedule.

The reduction in employment lands could result in the loss of approximately 1500 - 2000 jobs. This reduction greatly impacts the City's supply of employment lands and the ability to meet projected employment. The change in type of employment to primarily mixed-use fundamentally changes the objective for the GID to serve predominately as the home of innovative, sustainable employment uses with an adjacent urban village connecting residential and compatible employment uses and to create a knowledge-based innovation cluster.

Changes to land use were not considered in relation to the Water Supply Master Plan given that the master plan indicated that supply is constrained and increasing population beyond 2051 projection could impact ability to supply water to meet demands of future residents and businesses of Guelph.

Staff do not recommend modifications to the land use schedule for the Guelph Innovation District Secondary Plan at this time. The Secondary Plan provides a process for consideration of land use changes, including height through the Block Plan process and associated Official Plan Amendment applications. It is appropriate for land use changes to be considered during the required Block Plan process when supporting studies are completed to allow for proper assessment of any proposed amendments. It is also appropriate for the protected employment area as identified on Schedule 1b of OPA 80 within the GID Secondary Plan area to be assessed during the next municipal comprehensive review (in approximately 5 years) when implications to the supply of employment lands can be appropriately assessed on a city-wide basis.

Staff support the reversal of the Minister's modifications to the GID land use schedule. The reversal ensures that the City has sufficient employment lands for the planning horizon to 2051 while maintaining the vision for a compact, mixed-use urban village with an opportunity to review as part of the next municipal comprehensive review.

Guelph Innovation District building heights schedule: The height schedule was significantly revised with the maximum height increasing to 18 storeys along Victoria Road South. Minimum heights for the main street and commercial mixed-use corridor have been reduced to 3 storeys from 4 storeys.

Staff Comment: As noted above, staff are not supportive of changes to the building heights schedule outside of the public process set out in the secondary plan which is through the Block Plan process and subsequent applications under the Planning Act including draft plan of subdivision and zoning amendment applications. Staff will work with the property owner as they initiate the planning process to look at potential increases in height through a planning application process.

Site Specific modifications:

41-45 George Street: The Minister's decision removed the site-specific modification approved by City Council to change the land use designation for this site from High Density Residential to Medium Density Residential.

Staff Comment: Staff did not support City Council's decision to down-designate this property and request that the modification to Medium Density Residential be refused. Staff continue to recommend that the High Density Residential designation be maintained for this property because it is appropriate for this site; this site is a brownfield and the designation will help to realize remediation and redevelopment; future redevelopment is subject to zoning regulations; and the City's urban design

policies, guidelines and manuals apply to this site to ensure that redevelopment is appropriate and compatible.

230 Willow Road: The decision modified the land use designation of 230 Willow Road and part of 100 Ridgewood Avenue to High Density Residential from Low Density Residential.

Staff Comment: Staff are generally supportive of this land use designation change. However, the proposal to change the designation is appropriately considered through a site specific Official Plan Amendment with supporting studies demonstrating that high density residential could be accommodated on the site.

280 Clair Road West: The land use designation of 280 Clair Road West was amended from Industrial to High Density Residential and requires that Provincial guidelines to promote land use compatibility be followed and implemented through the Zoning Bylaw. This site is located within the provincially significant employment zone and protected employment area as identified on Schedule 1b of OPA 80.

Staff Comment: Staff are supportive of the reversal of this land use designation change. This property is adjacent to Denso Manufacturing and the Tim Horton's Distribution Centre, both major industrial facilities as well as a secure data centre. The PPS requires that "Major facilities (which includes manufacturing/industrial) and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures". In recent discussions with Denso Manufacturing, they have advised that they have expansion plans and support staff and the Province in maintaining the Industrial designation. They expect increased truck traffic and noise and have concerns with the impact of residential uses adjacent to their site. In order to consider permitting sensitive residential uses within the potential area of influence or minimum recommended setback distance of an industrial use, site-specific technical studies are required in accordance with the Province's Guideline D-6 to determine any compatibility issues which may prevent the encroachment of sensitive uses on established industrial uses or may be addressed through mitigation. To date, no studies have been completed with respect to the introduction of sensitive residential land uses at 280 Clair Road West.

The PPS is clear that sensitive land uses (which includes residential uses) should not be introduced to the detriment of industrial uses. Further, the PPS states that planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by sensitive land uses. Provincially significant employment zones are identified by the Province to provide opportunities to improve coordination between land use planning, economic development and infrastructure investments to support investment and job creation over the longer-term. These areas are to be protected for the purpose of long-term planning for job creation and economic development. Given the existing and planned industrial uses within the Provincially Significant Employment Zone which includes 280 Clair Road West, staff are not supportive of a change in land use from Industrial to High Density Residential for this property. The owner would need further discussion with the Province on the Provincially significant employment zone and how to amend those provincial instruments.

384 Crawley Road: The decision provided site-specific policies for 384 Crawley Road to specifically permit Industrial development and to require that nothing in the Official Plan prevent the construction of industrial buildings and ancillary buildings on this property. The decision set out the specific Official Plan policies that do not apply to this site. The Official Plan schedules for the Natural Heritage System were modified for 384 Crawley Road to remove features. The decision set out a maximum gross floor area of 160,000 square metres and height of 46 metres for the industrial building and required conveyance of a public road.

Staff Comment: Staff are supportive of the reversal of the land use designation and policy changes for 384 Crawley Road. Staff found the policy language introduced through the Minister's modifications to be challenging and contrary to the PPS and the Planning Act. City staff met with the landowner on a number of occasions and provided advice on the complete application requirements for a development application under the Planning Act and continue to recommend that a site-specific application is the appropriate process. Staff continue to be supportive of a development application process and this process was supported by a council resolution.

Considerations for Cost Implications

At the present time, cost estimations for staff time committed to implementing the Minister's decision on OPA 80 and responding to the reversal have not been developed. We request that the City's rights be reserved to submit costs at a future date.

Comments on Bill 150

Staff are supportive of the language proposed for Bill 150 which reverses the Minister's approval of OPA 80. Staff are also supportive of the inclusion of the revisions to the Downtown height schedule for the Special Policy Area and associated policy. Staff agree that a comprehensive study of the SPA is required prior to changes being made to land use permissions in this area to protect health and safety due to flood hazard risk.

Staff are also supportive of the immunity provisions which are proposed to help mitigate legal risk resulting from this legislation.

We have no concerns with the proposed transition provisions which would bring OPA 80 into effect as adopted by City Council as of April 11, 2023.

Financial Implications

The reversal of the Minister's decision has impacts on human resources expended to implement OPA 80 as approved including the review of servicing needs for areas where growth levels were increased through the Minister's decision.

The financial impact of OPA 80 was reported on in [Report 2022-225](#).

Consultations

An internal staff team consisting of staff from the following areas provided input to support the comments contained in this report: Economic Development and Tourism, Engineering, Environmental Services, Finance, Legal, and Intergovernmental Services.

Attachments

Attachment-1 City of Guelph feedback on Minister's reversal of Official Plan Amendment 80 decision

Attachment-2 [Minister's decision with respect to Official Plan Amendment 80](#)

Attachment-3 Official Plan Amendment 80 Minister's Reversal - Council Presentation

Departmental Approval

Krista Walkey, MCIP, RPP, General Manager, Planning and Building Services

Report Author

Melissa Aldunate, MCIP, RPP, Manager, Policy Planning

This report was approved by:

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Attachment 1

City of Guelph feedback on Minister's reversal of Official Plan Amendment 80 decision

City Council Report 2023-459 and the following provides the City of Guelph's feedback on the Minister's reversal of the decision to approve Official Plan Amendment 80 (OPA 80). Overall, staff are supportive of the reversal and the approval of OPA 80 as adopted by City Council. These comments address each of the 18 modifications in order as set out in the Minister's decision dated April 11, 2023.

Modifications and Comment

1. Modification to Section 1.3.1 and the Glossary to replace the term Ontario Municipal Board with the Ontario Land Tribunal.

Comment: No concerns.

2. Modifications to Section 4.1.1.7, 4.1.1.17, 4.1.2.4, 4.1.2.5, 4.1.2.7, 4.1.3.2.6, 4.1.3.2.7, 4.1.3.2.9, 4.1.3.2.10, 4.1.3.4.6, 4.1.4.2.2, 4.1.4.3.2, 4.1.4.4.3, to remove references to the provincial government or the Grand River Conservation Authority (GRCA).

Comment: No concerns.

3. Modification to Section 4.1.3.5.1, 4.1.3.5.2, 4.1.3.5.3 to remove references to MNDMNR (Ministry of Northern Development, Mines, Natural Resources and Forestry) and the GRCA and replace with the Federal Department of Fisheries and Ocean (DFO).

Comment: Further discussion required with Ministry staff to discuss rationale for this modification and the DFO's role in identifying fish habitat.

4. Modification to Section 4.1.3.9.1 bullet i) to delete reference to seasonal concentration areas. This modification also deleted references to the GRCA and MNDMNR and replaced with Province in Sections 4.1.3.9.5, 4.1.3.9.6, 4.1.3.9.7, 4.1.3.9.10.

Comment: Staff are not supportive of this modification to delete references to seasonal concentration areas as criteria for designation of significant wildlife habitat and note that further discussion with Ministry staff is warranted and that the appropriate time to consider modifications to the natural heritage system policies would be during a City initiated review of these sections of the Official Plan.

5. Modification to Sections 4.1.7.2.1 and 4.1.7.2.2 to delete reference to MNDMNR.

Comment: No concerns.

6. Modification to section 5.9.1 to include policy direction for establishing priority routes for goods movement.

Comment: No concerns. However, Chapter 5 Movement of People and Goods of the Official Plan was not within the scope of OPA 80 and will be comprehensively reviewed through a future City initiated Official Plan amendment and the policy addition would be appropriately considered at that time.

7. Modification to Section 9.1.3 b) to include objective to maintain and enhance connections to the agri-food network and agricultural system.

Comment: No concerns.

8. Modification to glossary to add terms agricultural system and agri-food network.

Comment: No concerns.

9. Modification to delete Item 114 of OPA 80 that changed the designation for 41-45 George Street.

Comment: Staff Agree with the Minister's decision to revert the designation of 41-45 George Street back to its former designation and not accept City Council's July 11, 2023 decision to down-designate the property. However, this was not supported by Council, further discussion with Ministry staff is required.

10. Modification to add a new Item 115 to OPA 80 to revise Section 9.4.6 Service Commercial to amend permitted uses.

Comment: Do not support the Minister's revisions to Section 9.4.6 as it was not within the scope of OPA 80 and would appropriately be considered through a City initiated review of commercial land use designations.

11. Modification to Schedule D Downtown Secondary Plan Building Heights to change the minimum and maximum heights, to delete portions of policy 11.1.7.2.2 and to delete portions of policy 11.1.7.7. Residential 1 Areas; and to add a new Section 11.1.4.5.5 to provide policy for reducing minimum parking requirements in the zoning bylaw.

Comment: Do not support the Minister's revisions to the Downtown height schedule to introduce a maximum height of 23 storeys. The growth management analysis (including Land Needs Assessment, Housing Analysis, Residential Intensification Study and Employment Study) demonstrated that changes to the land use schedule and height and density policies were not required to meet the A Place to Grow policy and density requirements. Changes to the height schedule are best addressed through a comprehensive review with consideration for the policy framework of the secondary plan, ongoing heritage conservation district studies (Downtown and Ward West), urban design guidelines and supporting studies. Proponents may apply for site specific OPAs and may demonstrate appropriateness of changes to land

use permissions through a complete application with supporting studies and opportunity for public consultation.

No concerns with the addition of the policy addressing parking minimums. A City initiated zoning amendment to reduce parking regulations was considered and approved at the September 26, 2023 City Council meeting and is now under appeal to the OLT.

12. Addition of new Item 116 to modify the land use designation of 230 Willow Road and part of 100 Ridgewood Avenue.

Comment: While the change in land use designation is generally supportable, it is appropriately considered through a site specific Official Plan Amendment with supporting studies demonstrating that high density residential could be accommodated on the site.

13. Modification to Schedule B: Guelph Innovation District Secondary Plan Land use to change the land use designations west of the Eramosa River, and modification add new items 97.1 and 97.2 to amend policy 11.2.4.8 Main Street and Policy 11.2.6.1.8 b).

Comment: Do not support revisions to the land use schedule for the Guelph Innovation District Secondary Plan. Changes to the land use schedule have not been considered through a public process with supporting studies and were not contemplated through OPA 80 background studies and reports. Increases to residential lands are not required within the GID area to meet the City's population forecasts or housing unit requirements to the year 2051. The land use modifications conflict with the approval of the employment area designations on Schedule 1b of OPA 80 and with the policy framework set out in the GID Secondary Plan. It is unclear how the vision, objectives and policies of the GID will be met with the revised land use schedule. It is appropriate for land use changes to be considered during the Block Plan process and development applications when supporting studies are completed to allow for proper assessment of any proposed amendments through a public process.

14. Modification to add a new item 97.3 and 97.4 to amend Schedule C Guelph Innovation District Secondary Plan Built Form Elements and policy 11.2.6.3.2.4 e)

Comment: As noted above for modification 13.

15. Modification to create new Items 117 through 126 to add a new policy 9.13.3.13 384 Crawley Road and to modify Schedule 2, 3, 4, 4a, 4b, 4c, 4d, 4e and 6 to allow for industrial development without consideration for any policies of the Official Plan.

Comment: Do not support site specific land use amendments through Ministry modification and agree with the reversal of this modification. The appropriate process is a Planning Act application with public consultation as the changes are in conflict with the PPS and Planning Act.

16.Modification to Schedule 2 Land Use Plan to include revisions made by the Minister's modifications.

Comment: Do not support the Minister's modifications to Schedule 2 as per comments on individual modifications.

17.Modification to create a new Item 127 to include a new policy 4.4.1.37 for the Special Policy Area

Comment: No concerns with the addition of this policy to ensure that land use planning decisions have the approval of the appropriate Ministries.

18.Modification to create new Items 128 and 129 to change Schedule 2 Land Use and add a new policy 9.13.3.14 to change the land use designation of 280 Clair Road West.

Comment: Do not support the site specific land use designation change that would introduce sensitive residential land uses into an industrial area within a protected employment area and Provincially Significant Employment Zone. Agree with the Minister's proposal to reverse this land use change.

Circumstances or projects reliant on modifications

There are no circumstances or projects where construction has already begun that are reliant on the modifications to the Official Plan.

General Comments

OPA 80 as adopted by Council, supports a balanced approach to land use planning which provides sufficient lands designated for housing, employment and services needed to support resident's daily lives based on a projected population of 208,000.

The Minister's proposed modifications would increase the City's forecasted population by approximately 8,000 to 10,000 by the year 2051 without consideration for the City's ability to service the additional population. Particularly concerning is that changes to land use were not considered in relation to the Water Supply Master Plan given that the City is ground water dependent. The master plan indicated that supply is constrained and increasing population beyond the 2051 projection (208,000 residents) could impact ability to supply water to meet demands of future residents and businesses of Guelph.

DECISION

With respect to Official Plan Amendment 80
for the City of Guelph
Subsection 17(34) and Section 26 of the *Planning Act*

I hereby approve, as modified, all of Official Plan Amendment 80 for the City of Guelph as adopted by By-law No. 2022-20731, subject to the following modifications, with additions in **bold underline** and deletions in **~~bold strikethrough~~**:

1. Part B to By-law (2022)-20731, is modified by creating new Items 2.1 and 99.1 as follows:

ITEM 2.1: Section 1.3.1 Interpretation is modified as follows:

The Plan must be read in its entirety as a comprehensive policy framework to be used in land use evaluation and decision making by Council, committees appointed by Council, Boards and Commissions having jurisdiction within the City, and by staff and the public, including the **Ontario Land Tribunal** ~~Ontario Municipal Board~~.

ITEM 99.1: The Glossary of Acronyms is modified as follows:

~~OMB Ontario Municipal Board~~
OLT Ontario Land Tribunal

2. Part B, Item 22 to By-law (2022)-20731, is modified as follows:

Section 4.1.1.7 is modified as follows:

The final width of *established buffers* may be greater than the *minimum buffers* identified on Table 4.1 and shall be established through an *EIS* or *EA*, approved by the City ~~in consultation with the Grand River Conservation Authority (GRCA) and/or the provincial government where applicable.~~

Section 4.1.1.17 is modified as follows:

Boundaries of *natural heritage features and areas* that make up the Natural Heritage System shown on Schedules 2, 3, 4, and 4A-E and shall be delineated using the criteria for designation and the most current information, and are required to be field verified and staked as part of an *EIS* or *EA*, to the satisfaction of the City, ~~in consultation with the provincial government and/or the Grand River Conservation Authority (GRCA), as applicable.~~

Part B, Item 24 to By-law (2022)-20731, is modified as follows:

Section 4.1.2.4 is modified as follows:

City infrastructure, *where essential* and authorized under an *EA*, may be permitted within the Natural Heritage System, where the *EA* demonstrates to the satisfaction of

the City, in consultation with ~~the GRCA, the provincial government and/or~~ the federal government, as applicable, that:

Section 4.1.2.5 is modified as follows:

If, through the preparation and review of a *development* application, it is found that *natural heritage features and areas* have not been adequately identified or new information has become available, the applicant may be required by the City to prepare a *scoped EIS* of the *natural heritage features and areas*, and *functions* in consultation with the City, ~~and where appropriate the provincial government and the GRCA.~~

Section 4.1.2.7 is modified as follows:

Permitted *development* and *site alteration* within and/or adjacent to *natural heritage features and areas* (as outlined in Sections 4.1.3 and 4.1.4) shall be required to demonstrate, through an *EIS* or *EA* to the satisfaction of the City, in consultation with ~~the GRCA, the provincial government and/or~~ the federal government, as applicable, that there will be no *negative impacts* on the *natural heritage features and areas* to be protected, or their *ecological* and *hydrologic functions*.

Part B, Item 25 to By-law (2022)-20731, is modified as follows:

Section 4.1.3.2.6 is modified as follows:

Buffers to a provincially and regionally significant Earth Science *ANSI* will be determined through an *EIS* or *EA* to the satisfaction of the City ~~and the provincial government.~~

Section 4.1.3.2.7 is modified as follows:

Development and *site alteration* may be permitted *adjacent* to a provincially and regionally Significant Earth Science *ANSI* where it has been demonstrated, through an *EIS* or *EA*, to the satisfaction of the City ~~and the provincial government~~, that there will be no *negative impacts* on the geological features, or the interpretative and scientific value for which the *ANSI* was identified.

Section 4.1.3.2.9 is modified as follows:

Buffers to provincially and regionally significant Life Science *ANSI*'s will be determined through an *EIS* study to the satisfaction of the City ~~and the provincial government.~~

Section 4.1.3.2.10 is modified as follows:

Development and *site alteration* may be permitted adjacent to a provincially and regionally Significant Life Science *ANSI* where it has been demonstrated, through an *EIS* or *EA*, to the satisfaction of the City ~~and the provincial government~~, that there will be no *negative impacts* on the *natural heritage features and areas* or on their *ecological functions* for which the *ANSI* was identified.

Part B, Item 27 to By-law (2022)-20731, is modified as follows:

Section 4.1.3.4.6 is modified as follows:

In addition to the General Permitted Uses of Section 4.1.2, the following additional uses may be permitted within the *established buffers to Significant Wetlands*, subject to the requirements of 4.1.2.8, where it has been demonstrated through an *EIS* or *EA*, to the satisfaction of the City, ~~in consultation with the GRCA and/or the provincial government~~, that there will be no *negative impacts* on the *Significant Wetland* or its *ecological and hydrologic functions*:

Part B, Item 35 to By-law (2022)-20731, is modified as follows:

Section 4.1.4.2.2 is modified as follows:

Development and site alteration may be permitted within *Other Wetlands* in accordance with the underlying designation where it has been demonstrated, to the satisfaction of the City, ~~and the GRCA and/or the provincial government where appropriate~~, through an *EIS* or *EA*, that the wetland does not meet one or more of the criteria in 4.1.4.2.1.

Part B, Item 36 to By-law (2022)-20731, is modified as follows:

Section 4.1.4.3.2 is modified as follows:

Development and site alteration and essential linear infrastructure may be permitted in accordance with the underlying designation within all or part of a *Cultural Woodland* and its *established buffer*, subject to the requirements of 4.1.2.8 and 4.1.2.9, where it has been demonstrated through an *EIS* or *EA*, to the satisfaction of the City, ~~in consultation with the GRCA and/or the provincial government where appropriate~~, that the *woodland* or part thereof does not meet the criteria in 4.1.4.3.1.

Part B, Item 38 to By-law (2022)-20731, is modified as follows:

Section 4.1.4.4.3 is modified as follows:

Development, site alteration and essential linear infrastructure may be permitted within all or portions of the *Habitat for Significant Species* and any *established buffers*, subject to the requirements of 4.1.2.8 and 4.1.2.9, and where it has been demonstrated through an *EIS* or *EA*, to the satisfaction of the City, ~~and the GRCA and/or the provincial government where appropriate~~, that there will be no *negative impacts* on the *habitat* or its *ecological functions*.

3. Part B, Item 28 to By-law (2022)-20731, is modified as follows:

Section 4.1.3.5.1 is modified as follows:

Cold and Cool Water *Fish Habitat* as identified by the Federal Department of Fisheries and Oceans (DFO) Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNR)/GRCA and a 30 metre *minimum buffer*.

Section 4.1.3.5.2 is modified as follows:

Warm water and undetermined *Fish Habitat* as identified by the DFO
~~MNDMNR/GRCA~~ and a 15 metre *minimum buffer*.

Section 4.1.3.5.3 is modified as follows:

Permanent and *intermittent streams*, as identified by the City and/or the DFO
~~MNDMNR/GRCA~~ and a 15 metre *minimum buffer*.

4. Part B, Item 32 to By-law (2022)-20731, is modified as follows:

Section 4.1.3.9.1, bullet i) is deleted and replaced as follows:

~~i) seasonal concentration areas, including deer wintering and waterfowl
overwintering areas identified by the MNDMNR MNR; deer wintering areas as
identified by the Province;~~

Section 4.1.3.9.5 is modified as follows:

In addition to the General Permitted Uses of Section 4.1.2, the following additional uses may be permitted within Significant Wildlife Habitat (including *Ecological Linkages*) and its *established buffers*, subject to the requirements of 4.1.2.8 and 4.1.2.9, where it has been demonstrated through an *EIS* or *EA*, to the satisfaction of the City, ~~in consultation with the GRCA and/or MNDMNR where appropriate~~, with consideration for the ~~MNDMNR's~~ Province's technical guidance that there will be no *negative impacts* to the Significant Wildlife Habitat or to its *ecological functions*:

Section 4.1.3.9.6 is modified as follows:

The extent of the *habitat* and *buffers* for Significant Wildlife Habitat will be established through an *EIS* or *EA*, to the satisfaction of the City, ~~in consultation with the GRCA where appropriate~~, with consideration for the ~~MNDMNR's~~ Province's technical guidance, and the local and regional context.

Section 4.1.3.9.7 is modified as follows:

Additional areas of Significant Wildlife Habitat (i.e., in addition to those areas shown on Schedule 4 and Schedule 4E, including *Ecological Linkages*) may be identified through an *EIS* or *EA* based on consideration for the ~~MNDMNR's~~ Province's technical guidance.

Section 4.1.3.9.10 is modified as follows:

In addition to the General Permitted Uses of Section 4.1.2 and the policies in 4.1.3.9.5, the following uses may be permitted within *Ecological Linkages*, subject to the requirements under 4.1.2.9, where it has been demonstrated through an *EIS* or *EA* to the satisfaction of the City, ~~and in consultation with the GRCA where appropriate~~, with consideration for the ~~MNDMNR's~~ Province's technical guidance that the functionality and connectivity of the *Ecological Linkage* will be maintained or enhanced:

5. Part B, Item 41 to By-law (2022)-20731, is modified as follows:

Sections 4.1.7.2.1 and 4.1.7.2.2 are hereby amended as follows:

4.1.7.2.1 Deer wintering habitat for the safety of deer and residents, will be monitored and addressed, as appropriate, ~~in conjunction with the MNDMNR~~.

4.1.7.2.2 The City ~~in consultation with the MNDMNR~~ will explore the development of a deer management program.

6. Part B to By-law (2022)-20731, is modified by creating new Item 53.1 as follows:

ITEM 53.1: Section 5.9.1 is modified as follows:

The City will coordinate with the Province, Wellington County and neighbouring municipalities on the planning and design of an efficient goods movement system that minimizes community and traffic impacts. This includes establishing priority routes for goods movement, where feasible, to facilitate the movement of goods into and out of employment areas and other areas of significant commercial activity and to provide alternate routes connecting to the provincial network.

7. Part B to By-law (2022)-20731, is modified by adding new item 60.1 as follows:

ITEM 60.1: Section 9.1.3 b) is modified as follows:

To support a local food system including the cultivation of food within the urban environment and to maintain and enhance the functional and economic connections to the Agri-food Network within the Agricultural System.

8. Part B, Item 98 to By-law (2022)-20731, is modified as follows:

The following glossary terms are added or amended as follows and incorporated into the glossary in the appropriate alphabetic order:

Aggricultural System means:

The system mapped and issued by the Province, comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components: 1. An agricultural land base comprised of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous productive land base for agriculture; 2. An agri-food network which includes infrastructure, services, and assets important to the viability of the agri-food sector.

Agri-food Network means:

Within the Agricultural System, a network that includes elements important to the viability of the agri-food sector such as regional infrastructure and transportation

networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.

Heritage attributes means:

The principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a *protected heritage property*). ~~In relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.~~

9. Part B, Item 114 to By-law (2022)-20731, is deleted and replaced as follows:

~~ITEM 114: The purpose of Item 114 is to change the designation of 41-45 George Street from high density residential to medium density residential in accordance with City Council direction. Schedule 2 Land Use Plan is hereby amended in accordance with the area specific map for 41-45 George Street attached hereto. Part B, Area specific map for 41-45 George Street to By-law (2022)-20731, is deleted in its entirety.~~

10. Part B to By-law (2022)-20731, is modified by creating new item 115 as follows:

ITEM 115: Section 9.4.6 Service Commercial is modified as follows:

8. Where office, warehouse, and repair service uses are proposed in proximity to residential or other *sensitive land uses*, the City shall use Provincial guidelines to require appropriate planning measures that will promote land use *compatibility* between these land use types. Measures that can assist in enhancing *compatibility* include but are not limited to minimum separation distances, sound proofing, odour and particulate control, landscaping and berming. Such measures will be implemented through means of the *Zoning By-law*, *Site Plan Control*, and/or the use of urban design guidelines.

Permitted Uses

~~89.~~ The following uses may be permitted within the Service Commercial designation subject to the applicable provisions of this Plan:

- i) service commercial uses; ~~and~~
- ii) complementary uses such as small-scale offices, convenience uses, institutional and commercial recreation or entertainment uses; ~~and~~
- iii) office, warehouse (entirely within a building), and repair service (entirely within a building) uses, subject to the land use compatibility considerations of policy 9.4.6.8.

~~910.~~ Complementary uses may be permitted provided they do not interfere with the overall form, function and development of the specific area for *service commercial* purposes.

11. Part B, Item 93 to By-law (2022)-20731, is modified as follows:

Schedule D Downtown Secondary Plan Minimum and Maximum Building Heights is modified in accordance with the hereby amended by changing the maximum heights in the legend from 8 storeys to 10 storeys, from 10 storeys to 12 storeys, and from 12 storeys to 14 storeys in accordance with the amended modified Schedule D attached hereto.

Part B, By-law (2022)-20731, is modified by creating new items 93.1, 93.2, and 93.3 as follows

ITEM 93.1: Section 11.1.7.2 General Built Form and Site Development Policies is modified as follows:

11.1.7.2.1

~~Schedule D identifies building height ranges to be permitted within the Downtown Secondary Plan Area. In general, the predominant mid-rise built form of Downtown shall be maintained with taller buildings restricted to strategic locations, including gateways that act as anchors for key streets. Taller buildings in these locations will have minimal direct impacts to existing neighbourhoods and the historic core of Downtown, and they will be outside protected public view corridors. In the height ranges contained on Schedule D, the lower number represents the minimum height in storeys for buildings and the higher number represents the maximum permitted height in storeys. The maximum heights recognize the Church of Our Lady's status as a landmark and signature building; it is the general intent that no building Downtown should be taller than the elevation of the Church. Exemptions from minimum height requirements may be permitted for utility and other buildings accessory to the main use on a site.~~
Within the Downtown Secondary Plan, the minimum building height is 2 storeys and the maximum building height is 23 storeys, subject to the policies of this Plan and the protected public view corridor and Special Policy Area building heights identified on Schedule D.

11.1.7.2.2

~~Notwithstanding Schedule D, the Zoning By-law may establish maximum building heights lower than those shown in order to maintain the protected long views to the Church of Our Lady, as generally identified in Schedule D. The Zoning By-law shall more precisely define the protected views and shall be amended, where appropriate, to reflect the location and scope of the views identified in Schedule D.~~

ITEM 93.2: Section 11.1.7.7 Residential 1 Areas is modified as follows:

11.1.7.7.2

~~Notwithstanding Schedule D, the Zoning By-law may establish maximum building heights less than the maximum shown on Schedule D of 3 storeys in Residential 1 Areas to ensure new development is compatible with the surrounding neighbourhood.~~

ITEM 93.3: A new Section 11.1.4.5.5 is created as follows:

11.1.4.5.5

The City shall amend its Zoning By-law to reduce minimum parking requirements for transit-supportive development within the Major Transit Station Area.

12. Part B of By-law (2022)-20731, is modified by creating new Item 116 as follows:

ITEM 116: Schedule 2 Land Use Plan is modified by designating 230 Willow Road and part of 100 Ridgewood Avenue as High Density Residential in accordance with the area specific map attached hereto.

13. Part B, Item 97 to By-law (2022)-20731, is modified as follows:

~~The purpose of Item 97 is to amend Schedule B: Guelph Innovation District Secondary Plan Land Use in accordance with the land uses on Schedule 2 of the Official Plan which implemented the City's Commercial Policy Review OPA 69. The Service Commercial designation at the southwest corner of the intersection of York Rd and Watson Pkwy is redesignated to Commercial Mixed-use Centre and properties at the southeast corner of the intersection of York Road and Victoria Road South are redesignated to Commercial Mixed-use Centre.~~

Schedule B: Guelph Innovation District Secondary Plan Land Use is hereby amended modified in accordance with the ~~amended~~ modified Schedule B attached hereto.

Part B to By-law (2022)-20731, is modified by creating new Items 97.1 and 97.2 as follows:

ITEM 97.1: Section 11.2.4.8 Main Street is modified as follows:

1. A Main Street has been identified on the extension of College Avenue East into the site. ~~The Main Street will function as a transition area between the lands designated Residential to the north and the Employment Mixed-Use 1 lands designated to the south.~~ The *Main Street area* will accommodate a range of transportation options but should be considered a "pedestrian and transit priority street" and shall generally be designed and built in accordance with the standards outlined in Table 1 and in accordance with the Main Street policies of the Official Plan.

ITEM 97.2: Policy 11.2.6.1.8 b) is modified as follows:

Generally providing a single loaded local road on the table lands adjacent to the Natural Heritage System ~~in the Mixed-use Employment area on the west side of the River~~ to allow public access to views of the Eramosa River;

14. Part B to By-law (2022)-20731, is modified by creating new Items 97.3 and 97.4 as follows:

ITEM 97.3: Schedule C Guelph Innovation District Secondary Plan Built Form Elements is modified in accordance with the modified Schedule C attached hereto.

ITEM 97.4: Policy 11.2.6.3.2.4 e) is modified as follows:

Building heights shall contribute to a continuous street wall that has a minimum height of ~~four~~ 3 storeys as shown on Schedule C.

15. Part B to By-law (2022)-20731, is modified by creating new Items 117 through 126 as follows:

ITEM 117: A new policy 9.13.3.13 for 384 Crawley Road is created as follows:

13. 384 Crawley Road

Notwithstanding the policies of the Industrial designation, the maximum gross floor area shall be 160,000 square metres and the maximum building height shall be 46 metres.

Nothing in this Plan shall prevent the construction of industrial buildings and ancillary buildings, landscaping and any related works, including without limitation:

i) **Policies 4.1.2.5, 4.1.3.3, 4.1.3.4, 4.1.3.6, 4.1.3.8, 4.1.3.9, 4.1.4.4, and 4.1.6.1.**

The alignment of the future planned public road shall be determined by the City in consultation with the proponent. The conveyance of the future planned public road may be secured through a site plan agreement or consent agreement.

ITEM 118: Schedule 2 Land Use is modified in accordance with the area specific land use map for 384 Crawley Road attached hereto.

ITEM 119: Schedule 3: Development Constraints is modified in accordance with the area specific Schedule 3 map for 384 Crawley Road attached hereto.

ITEM 120: Schedule 4: Natural Heritage System is modified in accordance with the area specific Schedule 4 map for 384 Crawley Road attached hereto.

ITEM 121: Schedule 4a: Natural Heritage System - ANSIs and Wetlands is modified in accordance with the area specific Schedule 4a map for 384 Crawley Road attached hereto.

ITEM 122: Schedule 4b: Natural Heritage System - Fish Habitat and Permanent & Intermittent Streams is modified in accordance with the area specific Schedule 4b map for 384 Crawley Road attached hereto.

ITEM 123: Schedule 4c: Natural Heritage System - Significant Woodlands is modified in accordance with the area specific Schedule 4c map for 384 Crawley Road attached hereto.

ITEM 124: Schedule 4d: Natural Heritage System - Significant Valleylands & Significant Landform is modified in accordance with the area specific Schedule 4d map for 384 Crawley Road attached hereto.

ITEM 125: Schedule 4e: Natural Heritage System - Significant Wildlife Habitat & Habitat for Significant Species is modified in accordance with the area specific Schedule 4e map for 384 Crawley Road attached hereto.

ITEM 126: Schedule 6: Open Space System - Trail Network is modified in accordance with the area specific Schedule 6 map for 384 Crawley Road attached hereto.

16. Part B, Item 103 to By-law (2022)-20731, is modified as follows:

Schedule 2 Land Use Plan is ~~hereby amended~~ modified in accordance with the modified Schedule 2 map attached hereto. ~~area specific maps attached hereto and to update the legend with the revised land use designation names.~~

17. Part B to By-law (2022)-20731, is modified by creating new Item 127 as follows:

ITEM 127: A new policy 4.4.1.37 is created as follows:

37. Within the Special Policy Area as identified on Schedule 3 and Schedule C of this Plan, any change or modification to policies, land use designations or boundaries applying to the Special Policy Area lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the City approving such changes or modifications.

18. Part B to By-law (2022)-20731, is modified by creating new Items 128 and 129 as follows:

ITEM 128: Schedule 2 Land Use Plan is modified by designating 280 Claire Road West as High Density Residential in accordance with the area specific map attached hereto.

ITEM 129: A new policy 9.13.3.14 is created as follows:

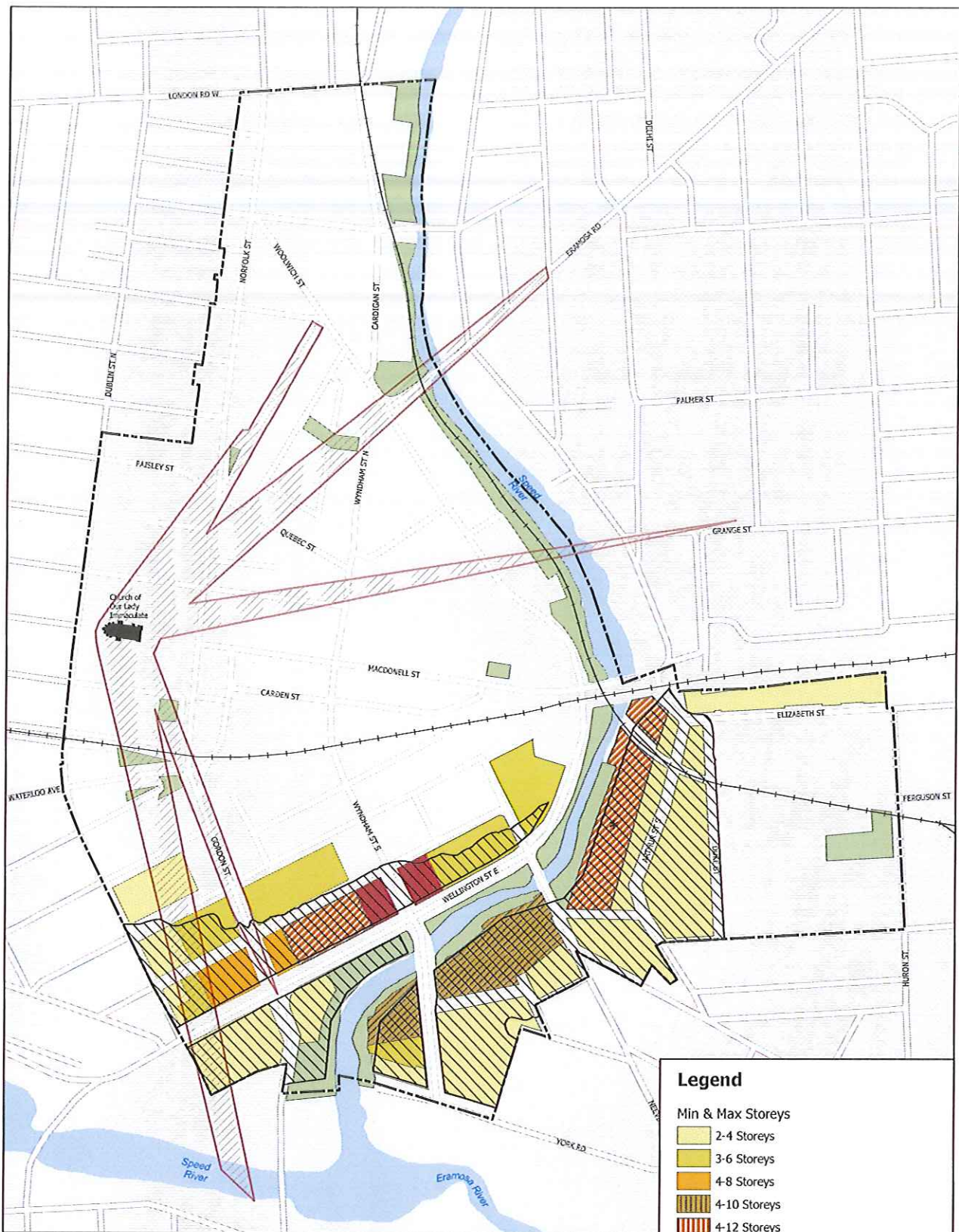
14. 280 Claire Road West

Notwithstanding the High Density Residential designation, the uses, heights and densities permitted under the Medium Density Residential designation of this Plan are also permitted on the property. The City shall use provincial guidelines and the policies of this Plan to implement appropriate planning measures to promote land use compatibility. Measures that can assist in enhancing compatibility include but are not limited to minimum separation distances, sound proofing, odour and particulate control, landscaping and berming. Such measures will be implemented through means of the Zoning By-law, Site Plan Control, and/or the use of urban design guidelines.

Dated at Toronto this 11th day of April, 2023.



Hannah Evans
Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing



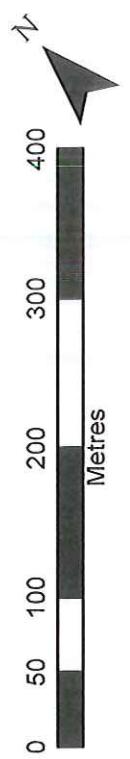
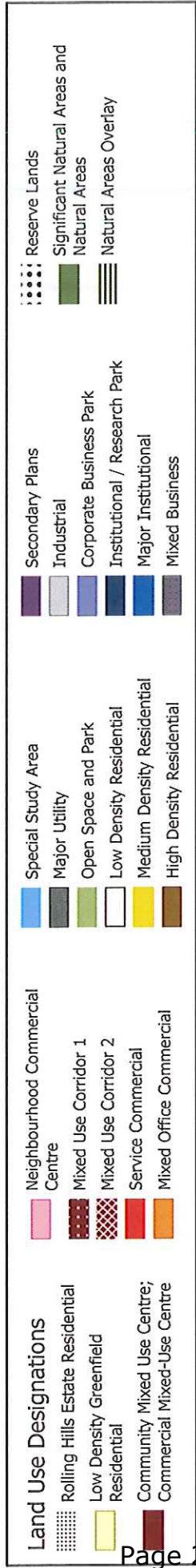
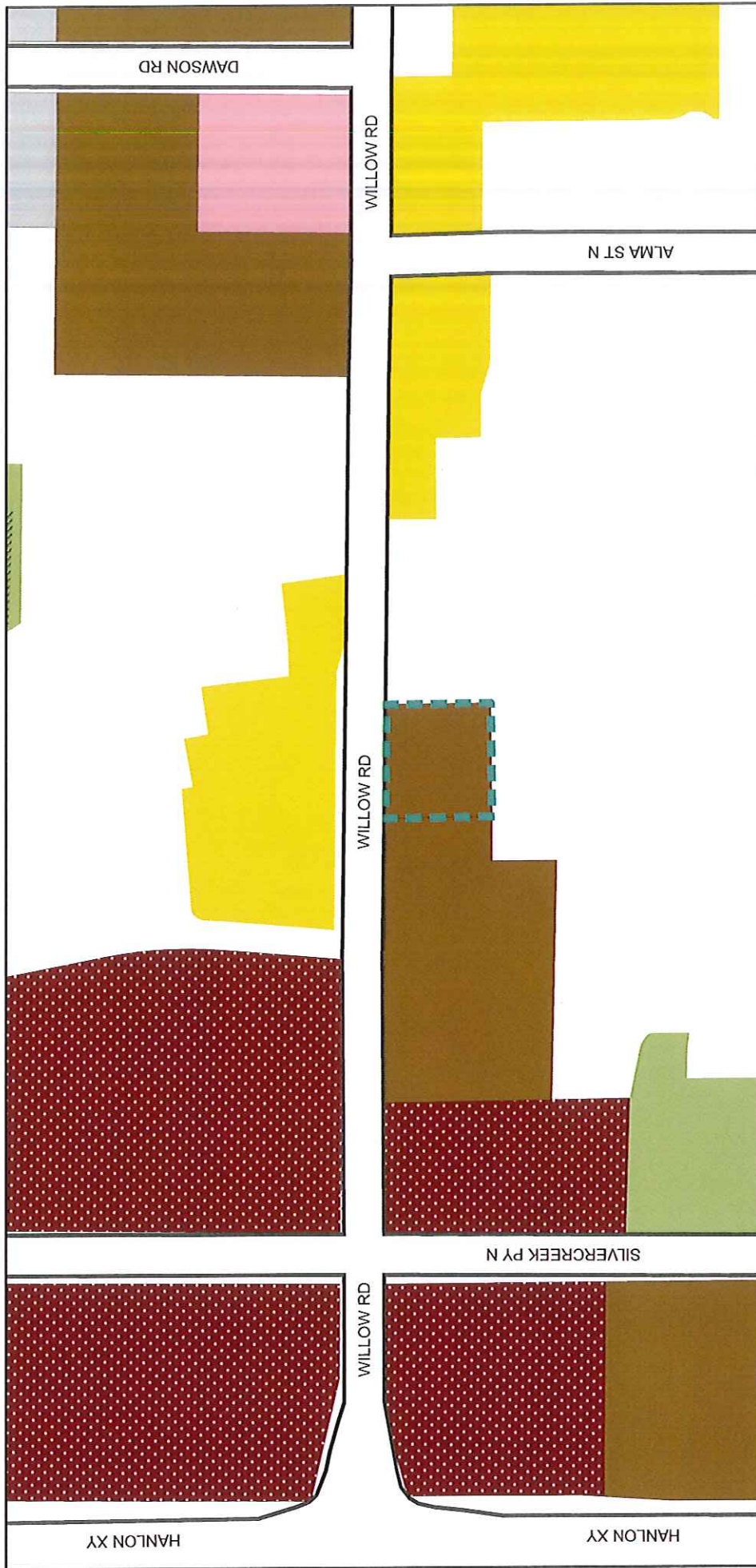
**City of Guelph Official Plan
 Schedule D:
 Downtown Secondary Plan
 Protected Public View Corridor and
 Special Policy Area Building Heights**

Legend

- Min & Max Storeys
 - 2-4 Storeys
 - 3-6 Storeys
 - 4-8 Storeys
 - 4-10 Storeys
 - 4-12 Storeys
 - 6-18 Storeys
- Parks & Open Space - existing & proposed
- Protected public view corridor
- Boundary of the Secondary Plan Area
- Railway
- Streets
- * See policy 11.1.7.11.10
- Special Policy Area

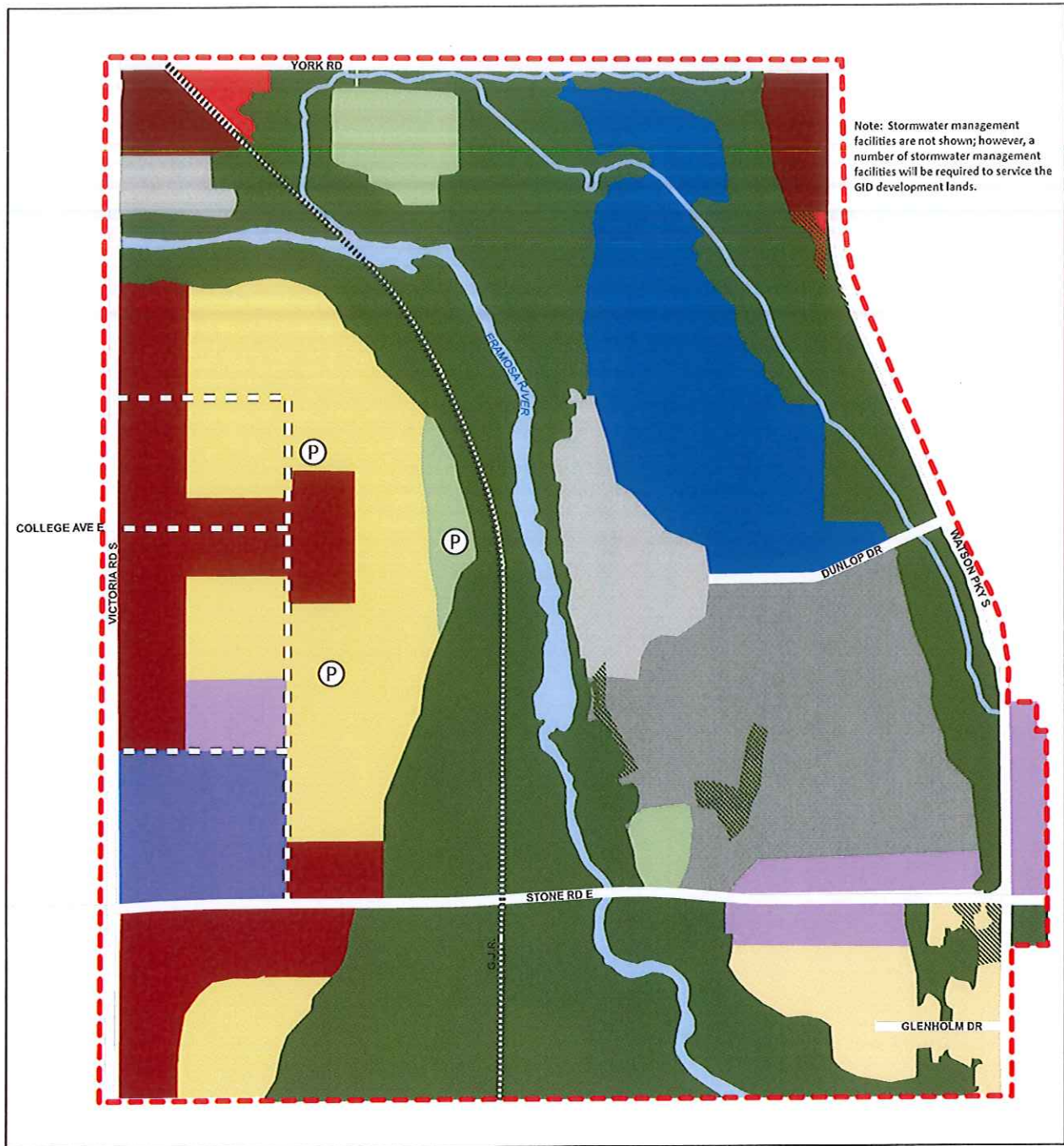
230 Willow Road

Modified Land Use Designations



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Community Services I&T Cluster
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**City Of Guelph
Official Plan
Schedule B (Modified):
Guelph Innovation District
Secondary Plan
Land Use**

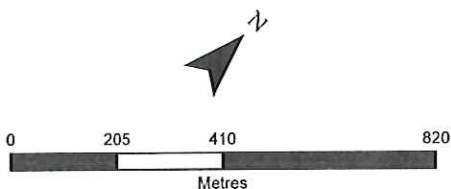
Legend

Land Use Designations

- Open Space and Park
- Glenholme Estate Residential
- Residential
- Mixed-Use Commercial Centre
- Mixed-use Corridor (GID)
- Employment Mixed-use 1
- Employment Mixed-use 2
- Major Utility
- Industrial
- Adaptive Re-use
- Service Commercial
- Significant Natural Areas & Natural Areas

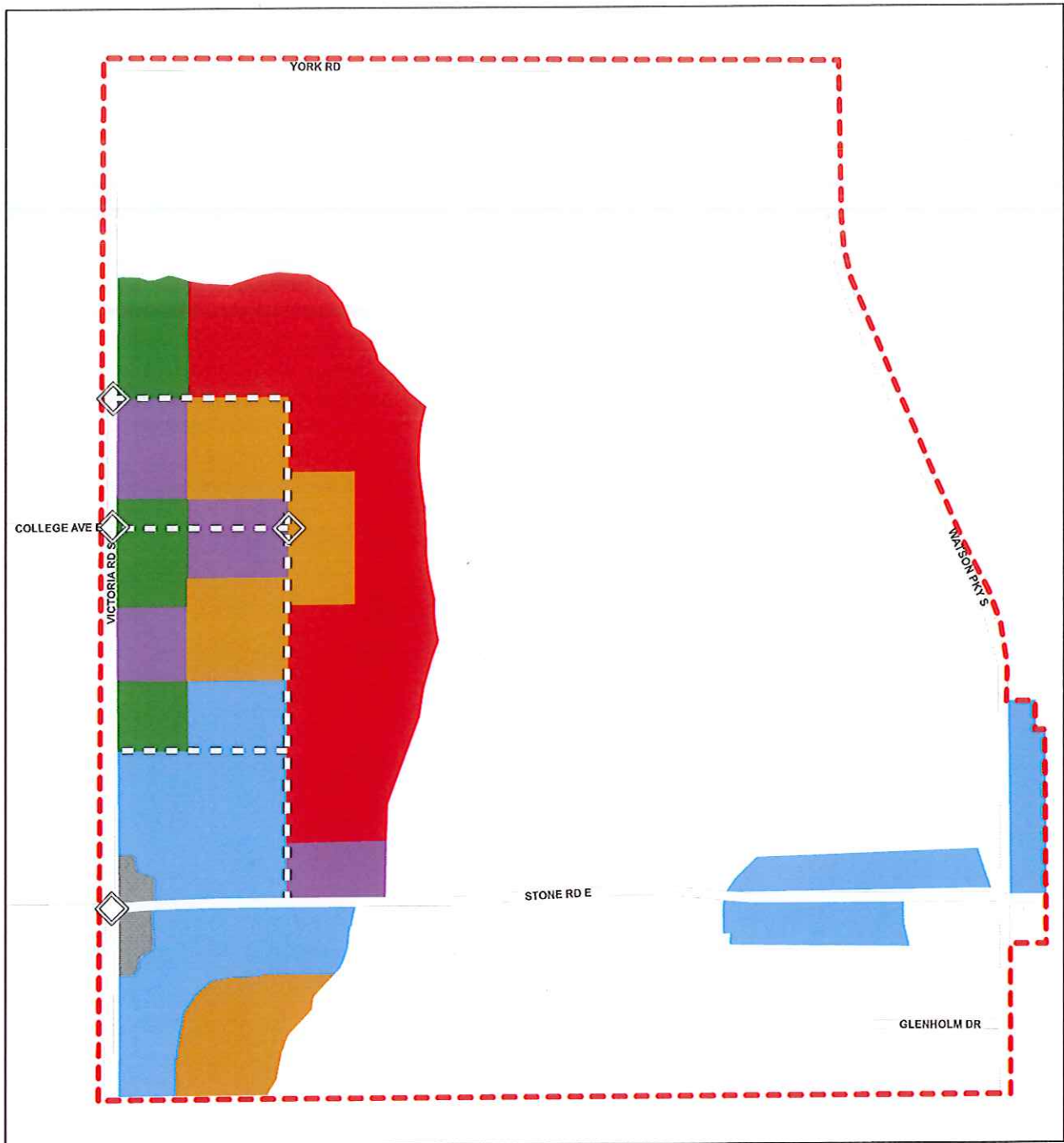
Infrastructural Framework

- Natural Areas Overlay
- Secondary Plan Boundary
- City Streets
- Future City Streets
- Existing Rail
- Waterbody
- P Proposed Park



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I+IT Community Services Cluster



**City of Guelph
 Official Plan
 Schedule C (Modified)
 Guelph Innovation District
 Secondary Plan
 Built Form Elements**

Legend

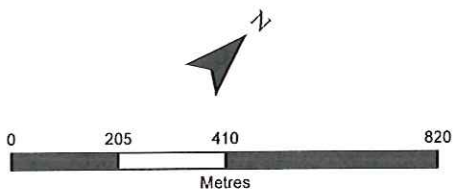
Building Heights

- 2 min - 6 max Storeys
- 2 min - 10 max Storeys
- 4 min - 10 max Storeys
- 9m min - 6 max Storeys

Proposed Additional Heights

- 3 min - 12 max Storeys
- 3 min - 18 max Storeys

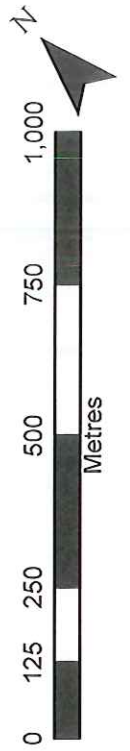
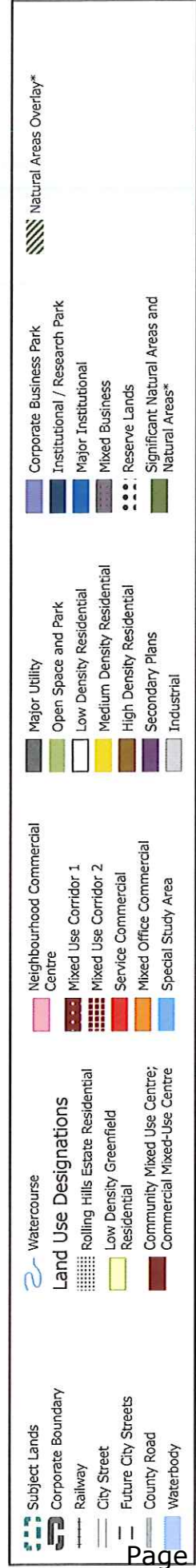
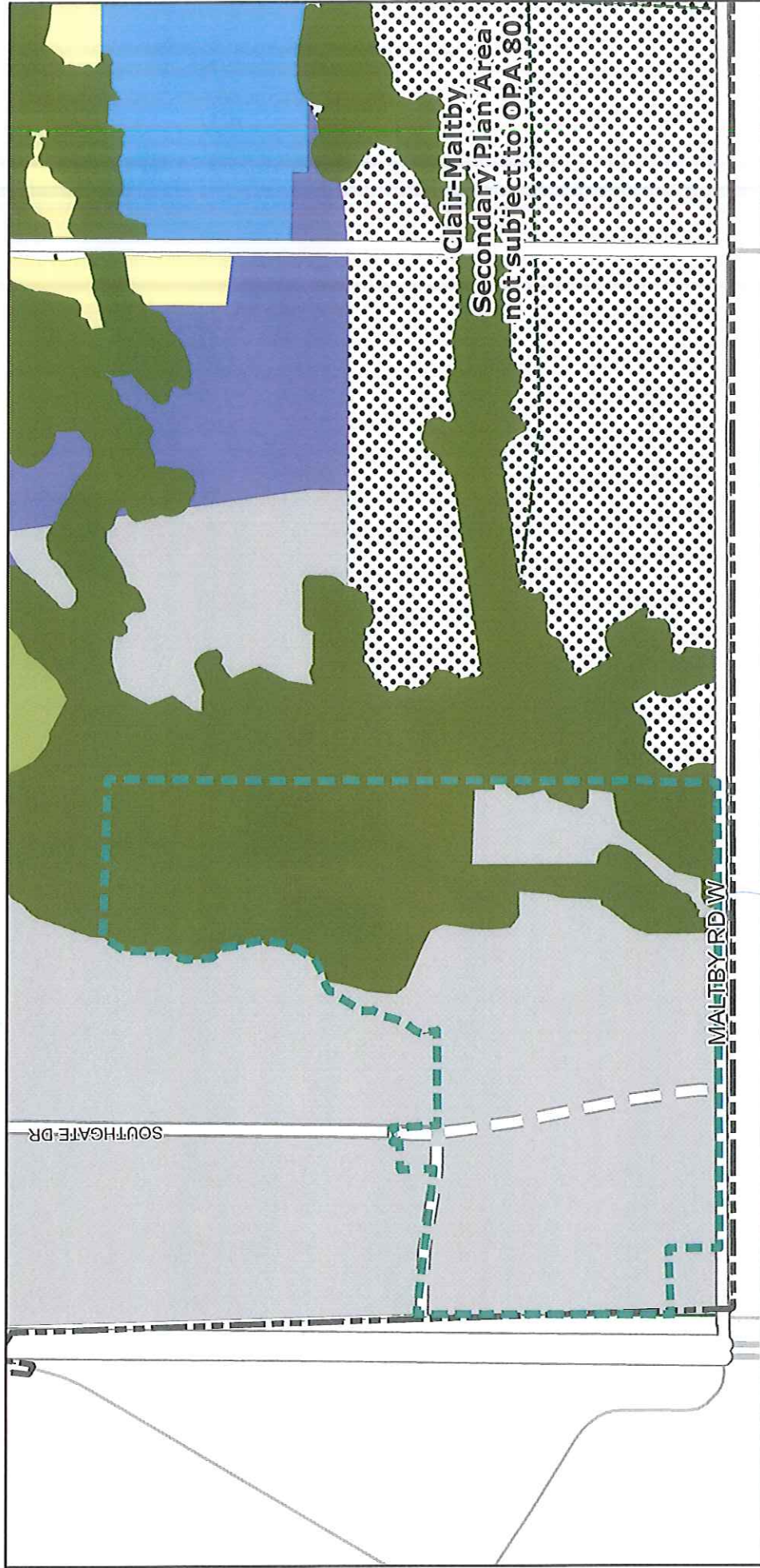
- - - Secondary Plan Boundary
- City Streets
- - - Future City Streets
- Node



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I+IT Community Services Cluster

Schedule 2: Land Use Modified Land Use Designations

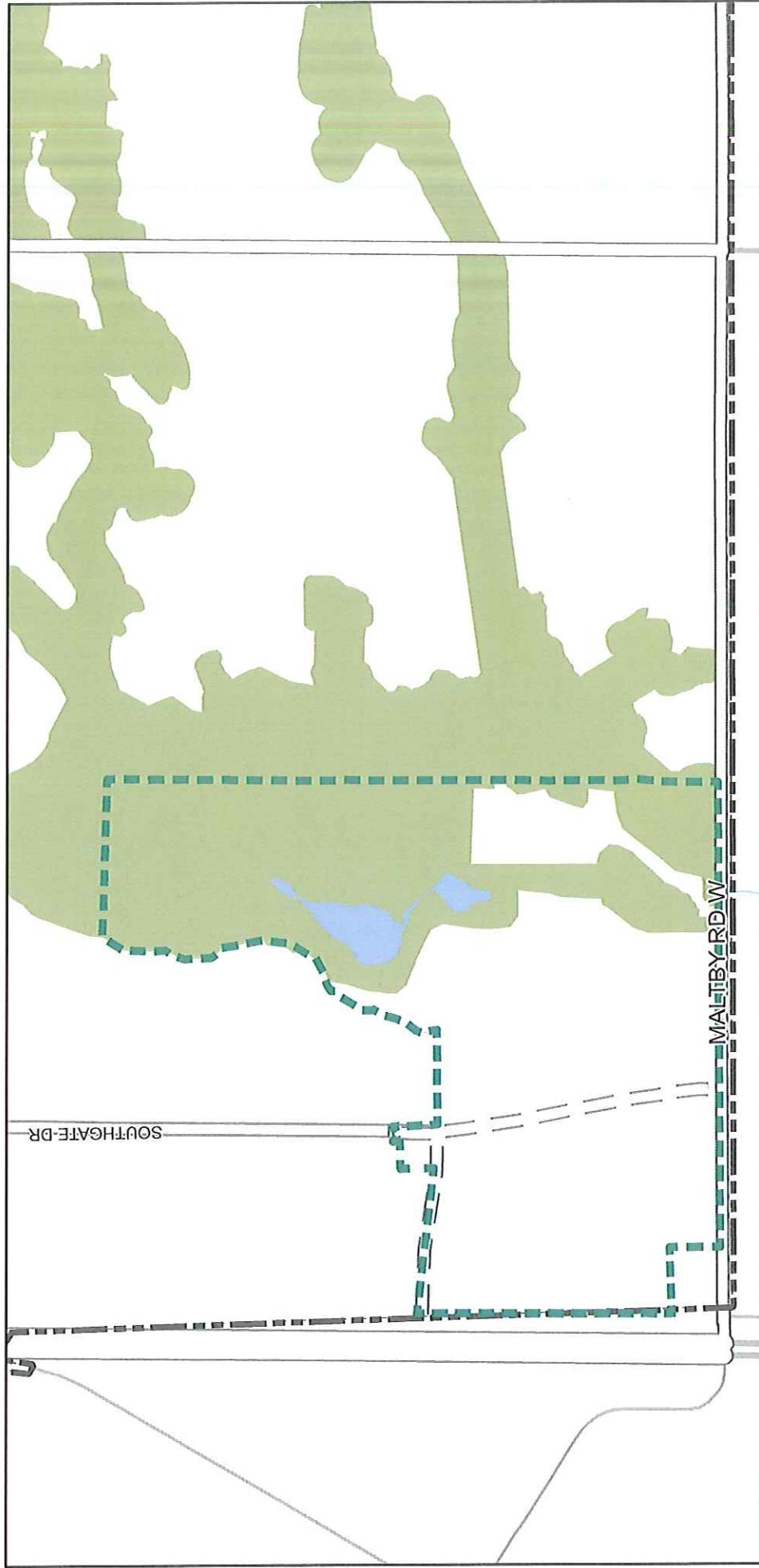


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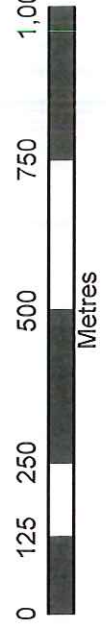


Schedule 3: Development Constraints

Modified Land Use Designations



Subject Lands	Future Highway Interchange	Landfill Constraint Area
Corporate Boundary	County Road	Natural Heritage System
Railway	Waterbody	
City Street	Watercourse	
Future City Streets	Special Study Area	
	Regulatory Floodline	
	One Zone / Floodway	
	Two-Zone Fringe	
	Special Policy Area Floodplain	

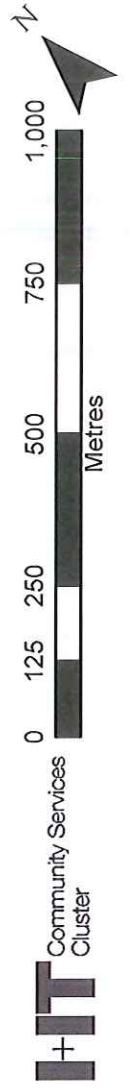
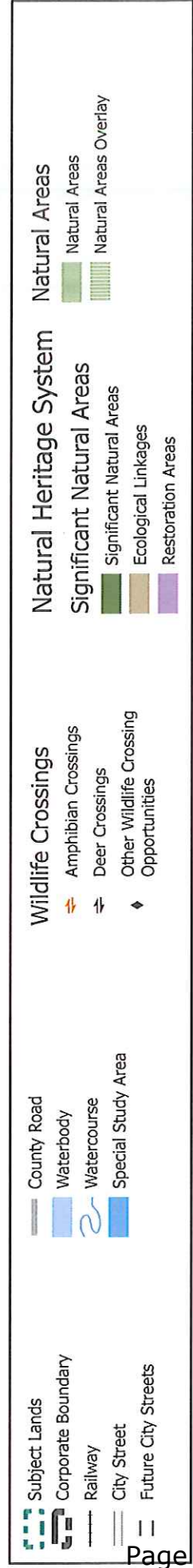


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Schedule 4: Natural Heritage System

Modified Land Use Designations

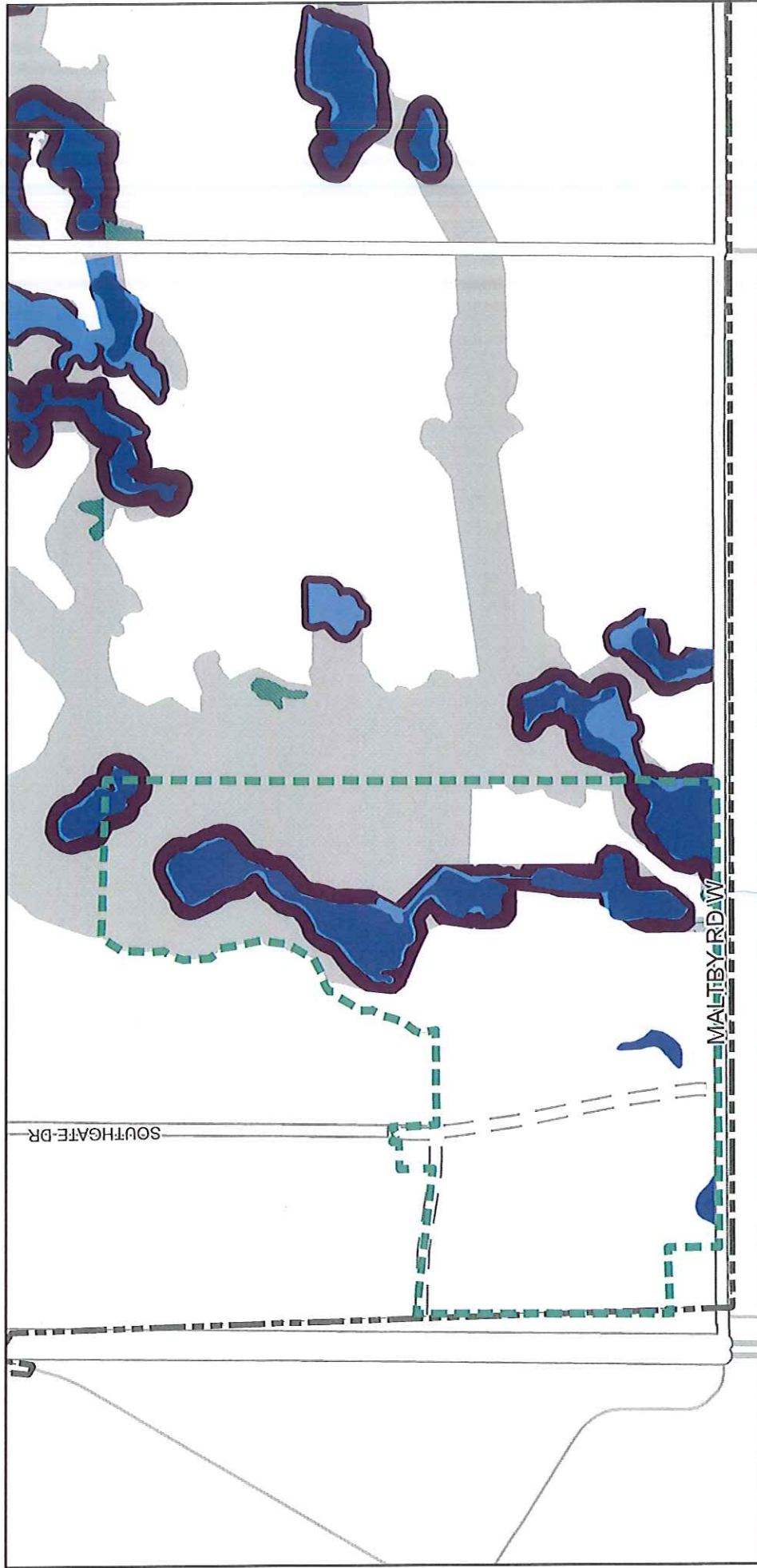


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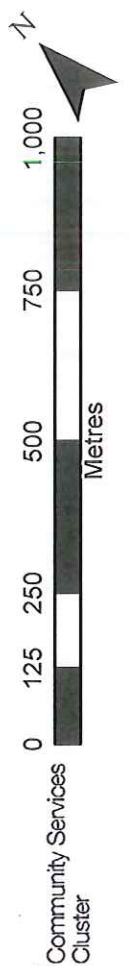


Schedule 4a: Natural Heritage System - ANSIs and Wetlands

Modified Land Use Designations



Subject Lands	Waterbody	Provincially Significant Wetlands	Other Wetlands
Corporate Boundary	Watercourse	Locally Significant Wetlands	Other Wetlands (overlay)
Railway	Special Study Area	Ontario Ministry of Natural Resources Defined	Minimum or Established Buffers
City Street	City of Guelph Natural Heritage System	Provincially Significant Earth Science ANSIs	
Future City Streets		Regionally Significant Earth Science ANSIs	
County Road			

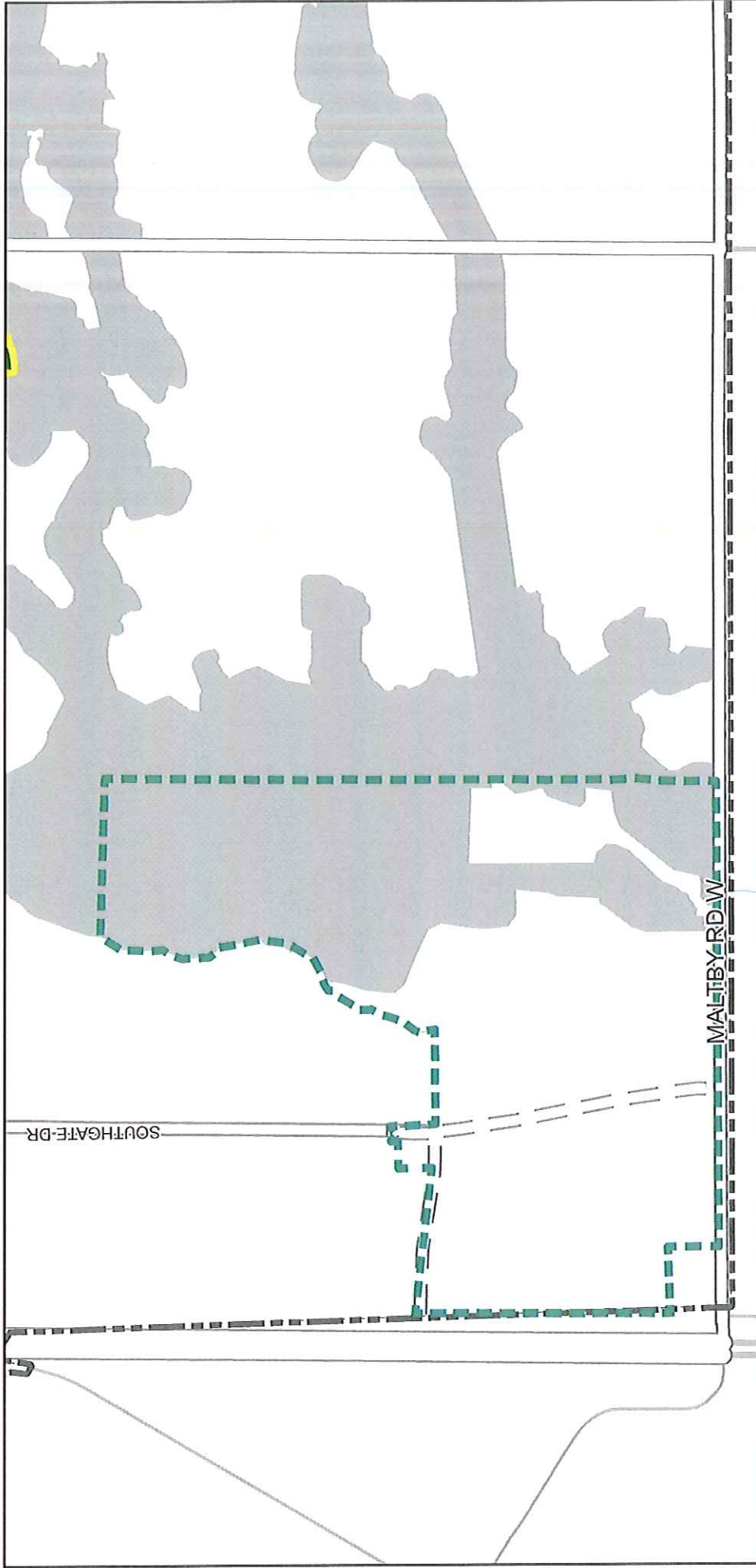


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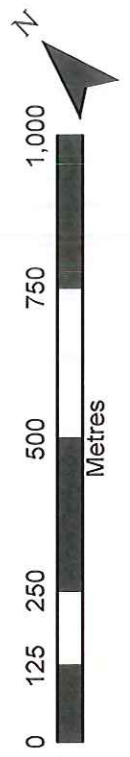
Schedule 4b: Natural Heritage System - Fish Habitat and Permanent & Intermittent Streams

Modified Land Use Designations



Subject Lands	County Road	Cool Water Fish Habitat
Corporate Boundary	Waterbody	Warm Water Fish Habitat
Railway	Watercourse	Intermittent Streams and Undetermined Fish Habitat
City Street	Special Study Area	Cold Water Fish Habitat
Future City Streets		Minimum or Established Buffers

City of Guelph Natural Heritage System	Significant Natural Areas
	Fish Habitat & Permanent and Intermittent Streams
	Cool Water Fish Habitat
	Warm Water Fish Habitat
	Intermittent Streams and Undetermined Fish Habitat
	Minimum or Established Buffers

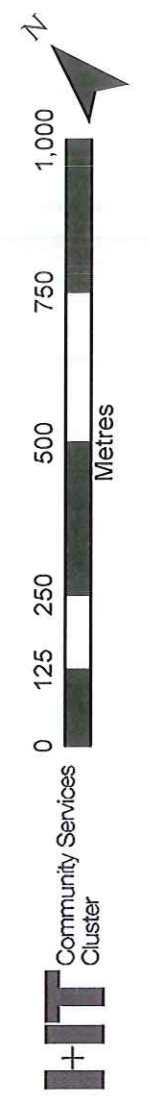
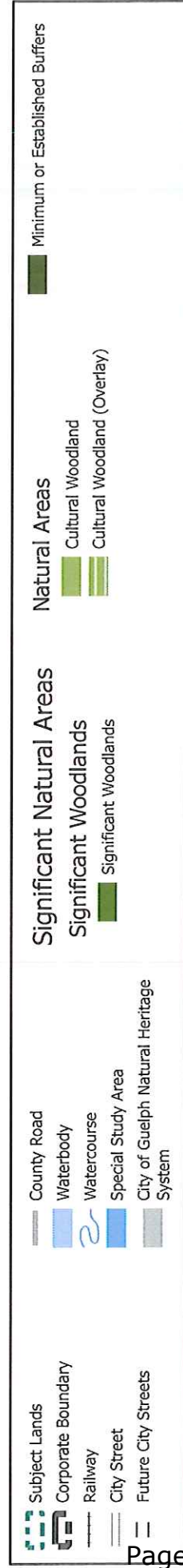
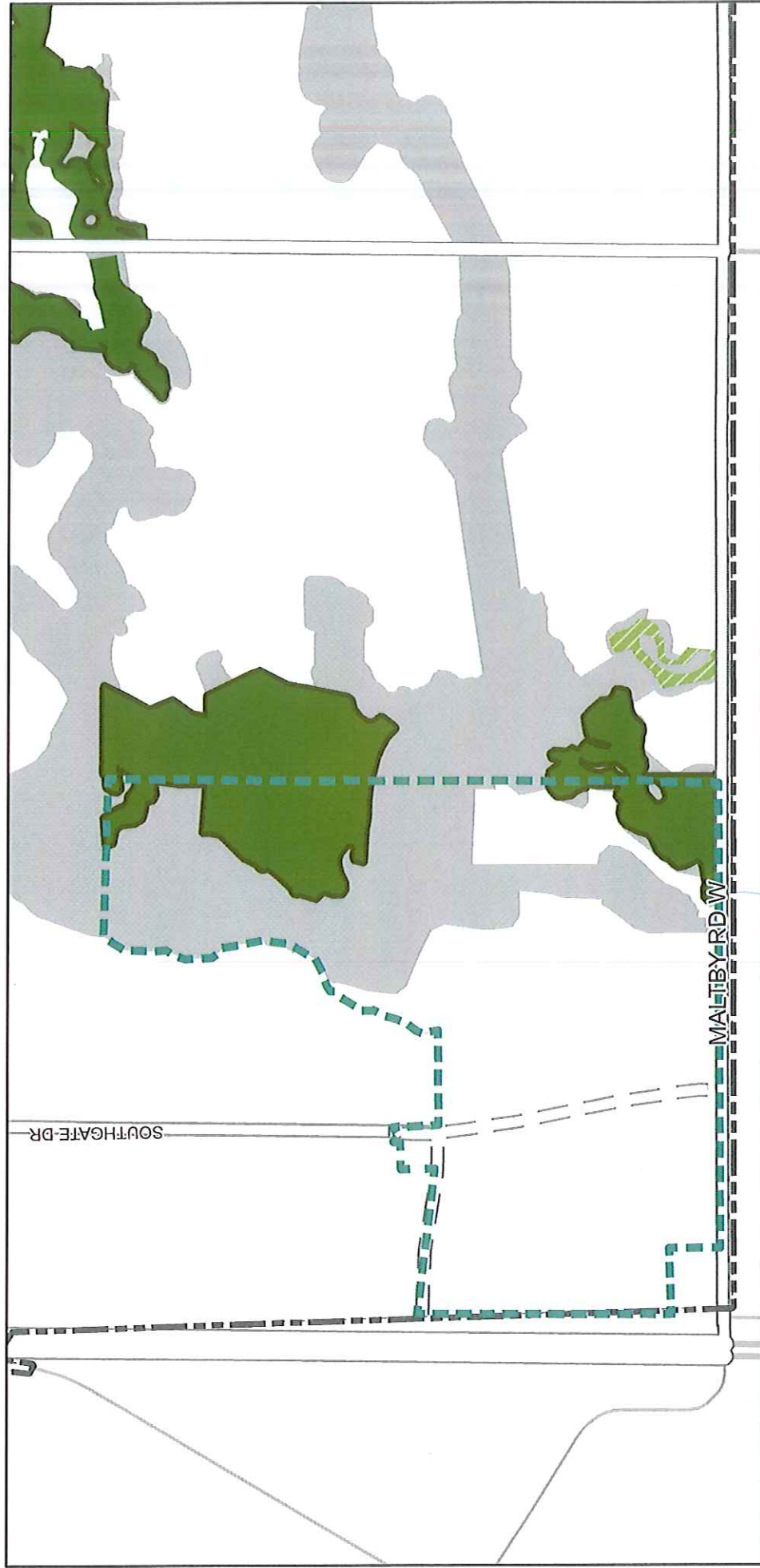


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Schedule 4c: Natural Heritage System - Significant Woodlands

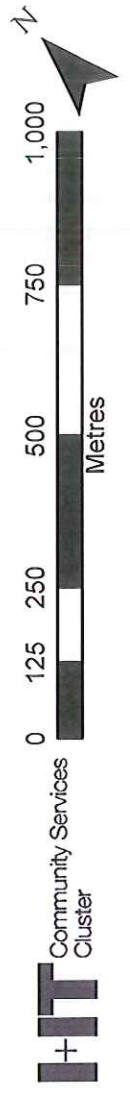
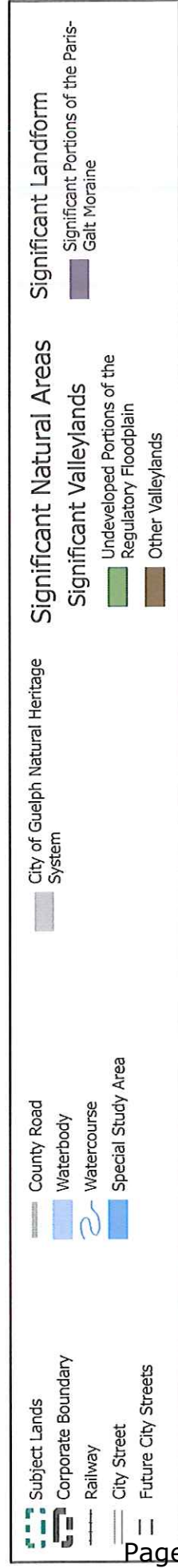
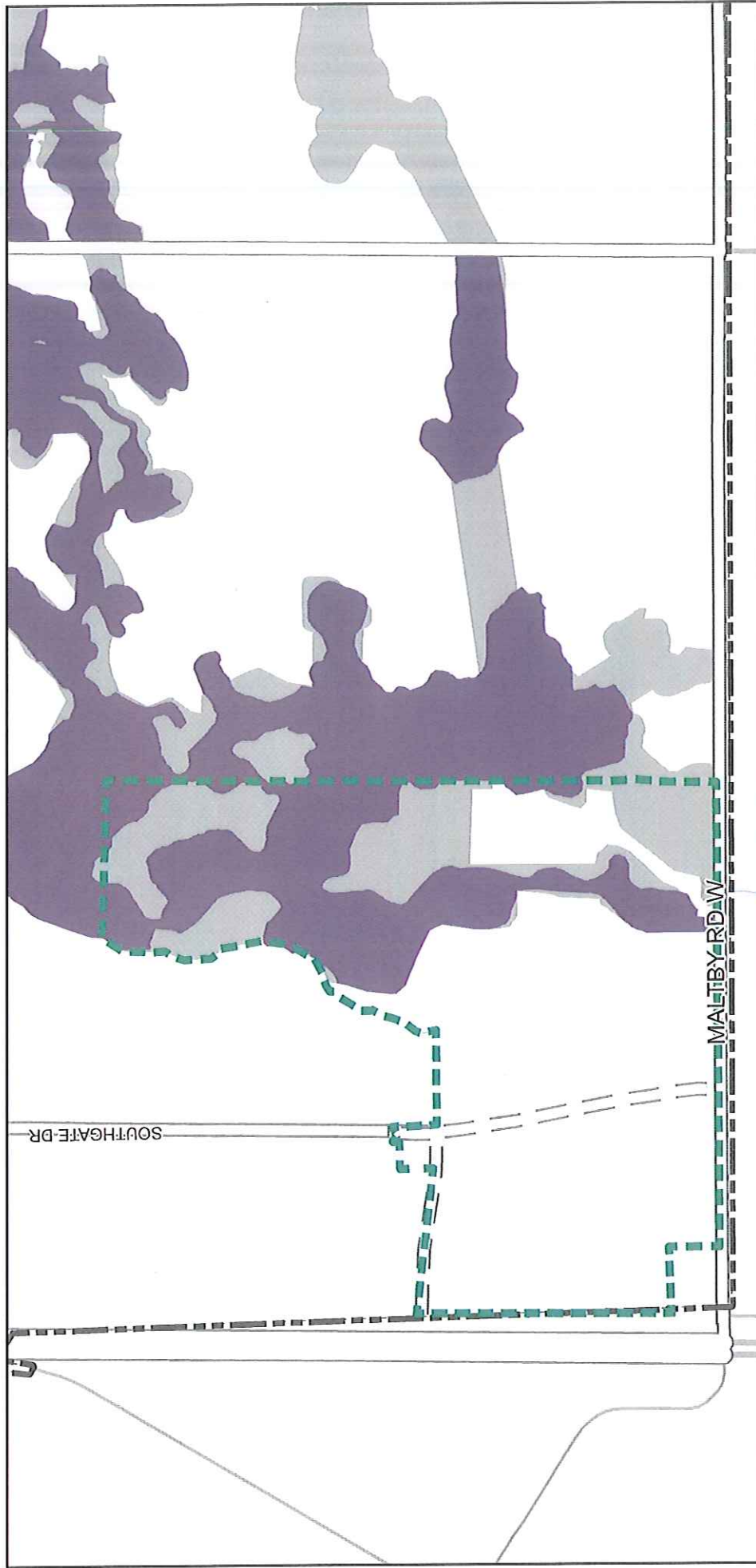
Modified Land Use Designations



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Schedule 4d: Natural Heritage System - Significant Valleylands & Significant Landform Modified Land Use Designations

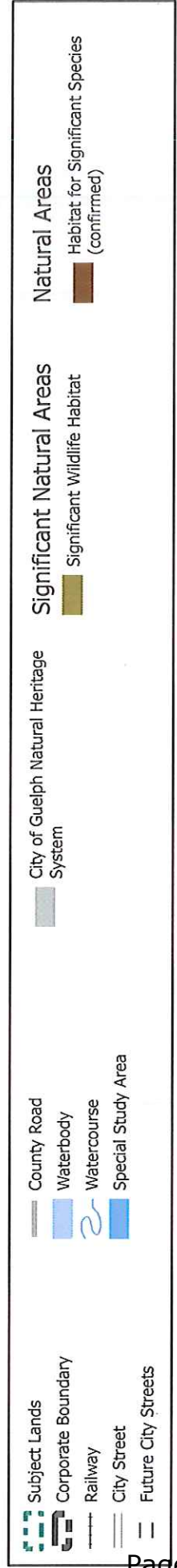
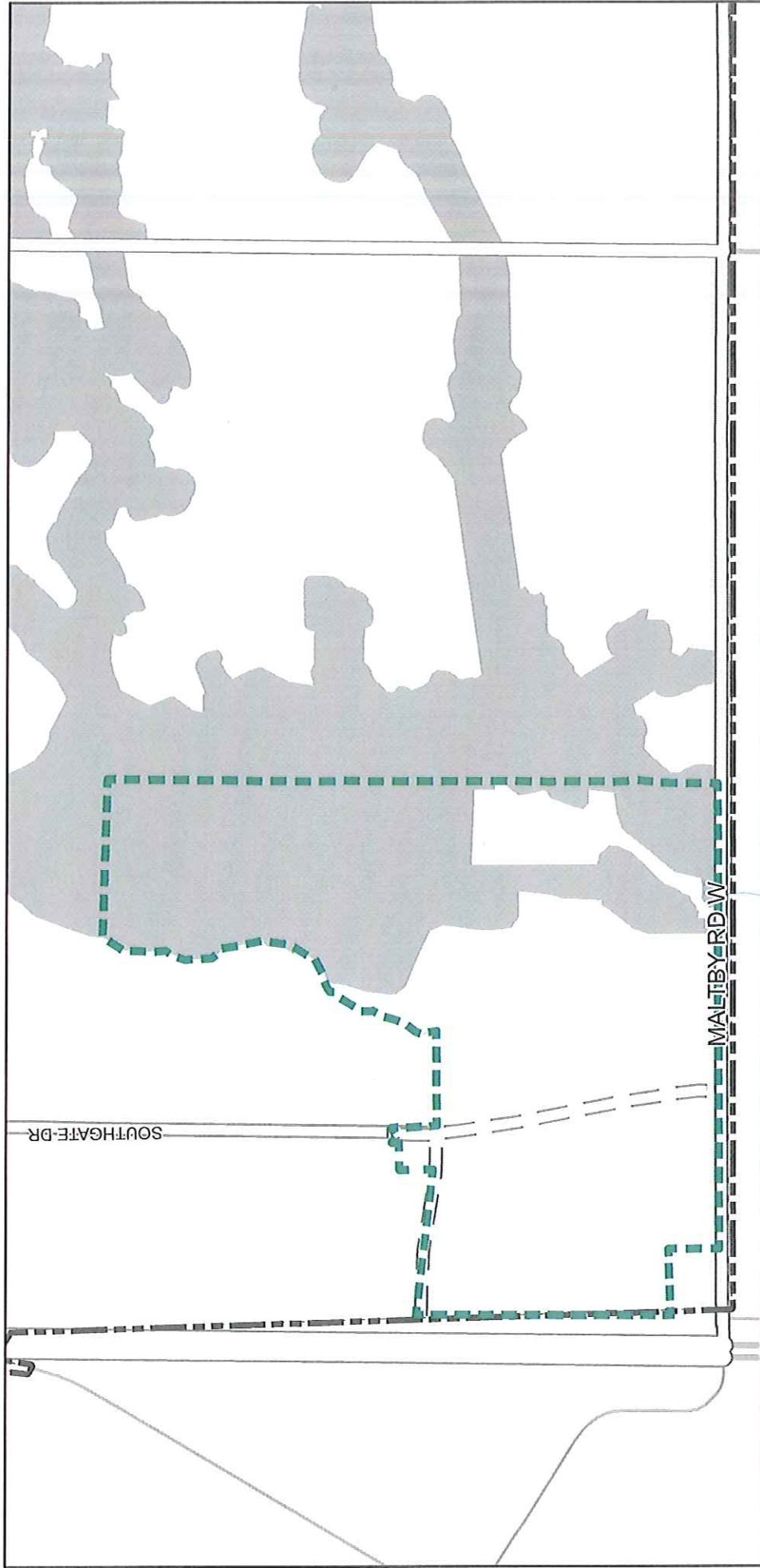


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Schedule 4e: Natural Heritage System - Significant Wildlife Habitat & Habitat for Significant Species

Modified Land Use Designations

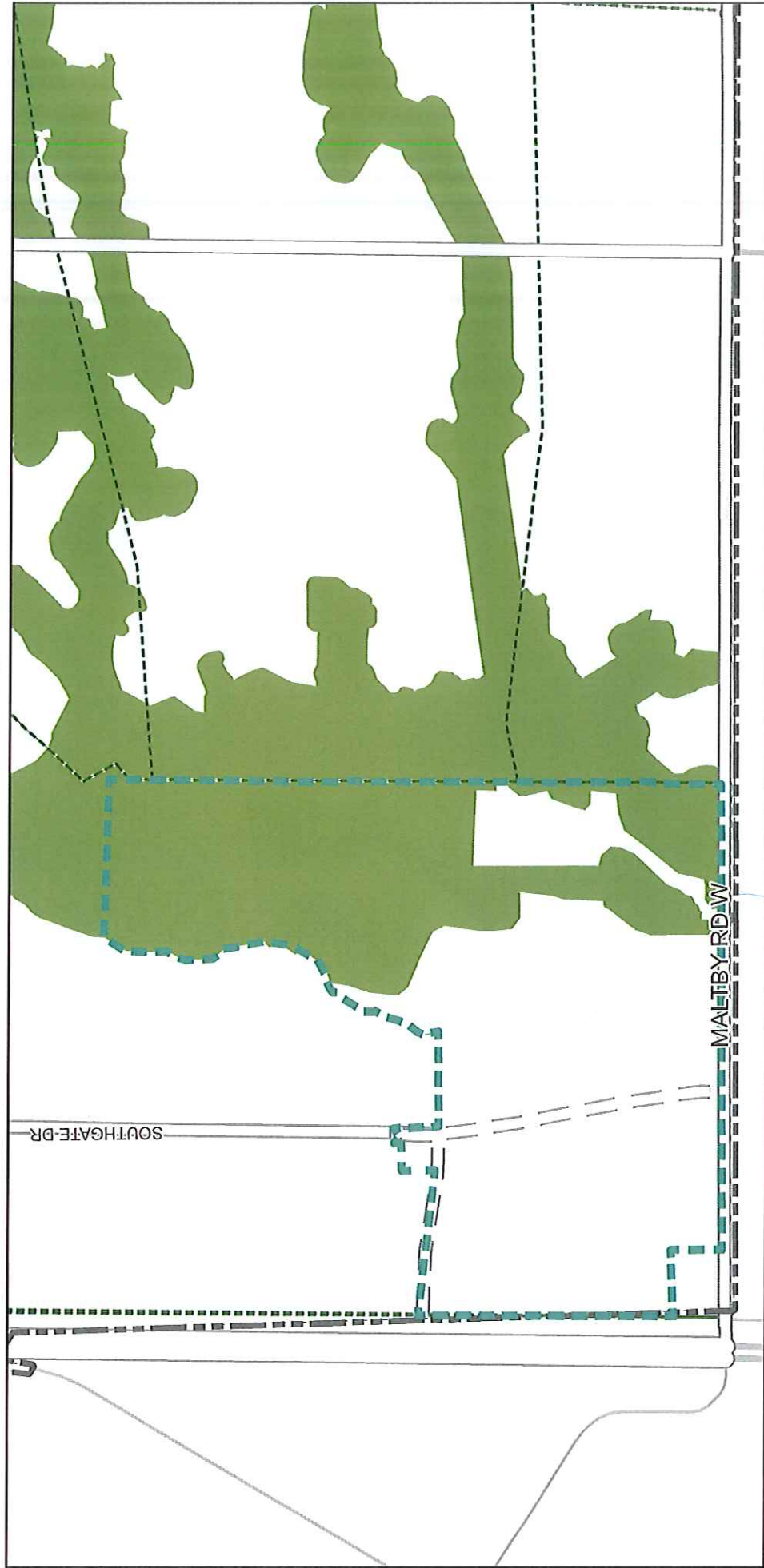


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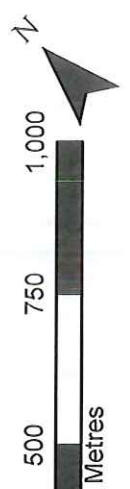


Schedule 6: Open Space System - Trail Network

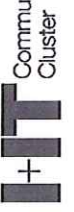
Modified Land Use Designations



<ul style="list-style-type: none"> Subject Lands Corporate Boundary Railway City Street Future City Streets 	<ul style="list-style-type: none"> County Road Waterbody Watercourse Special Study Area 	<ul style="list-style-type: none"> Natural Heritage System* Open Space and Park* <p>*Shown for context only</p>	<ul style="list-style-type: none"> Trail Network Existing City Trails Proposed City Trails 	<ul style="list-style-type: none"> Structure Required Staging Area Canoe Launch Trail Gateway
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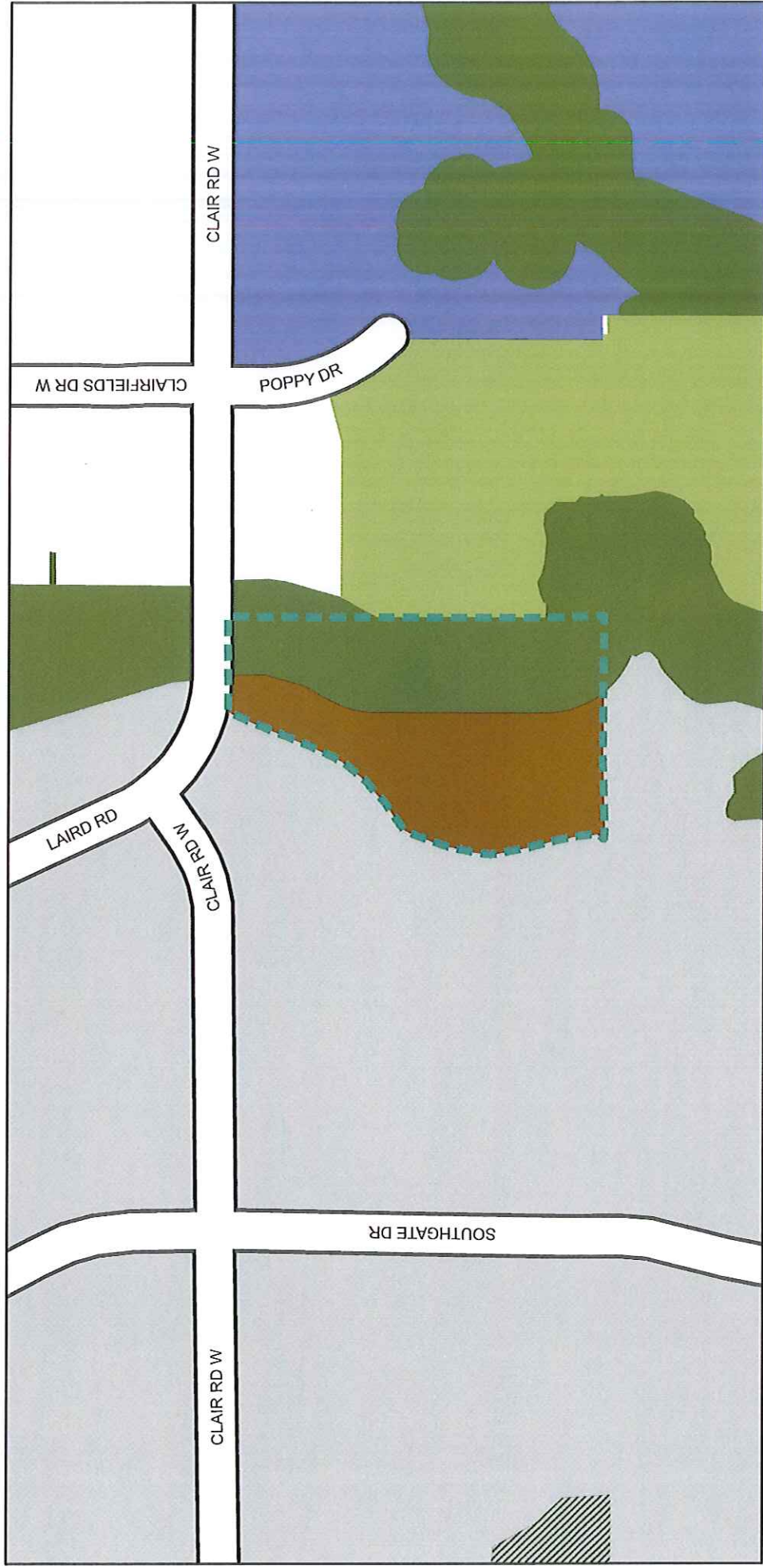


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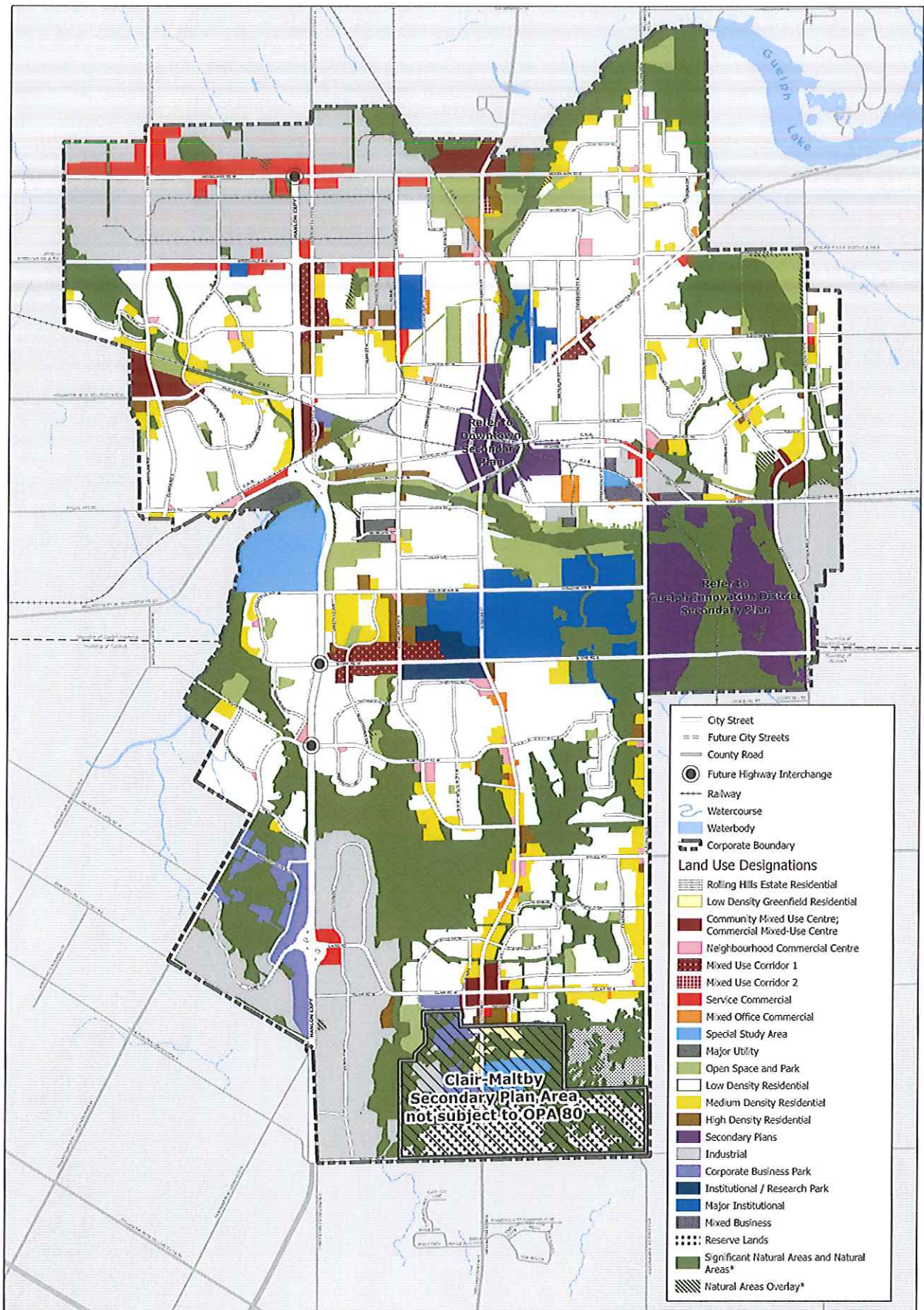
280 Claire Road West

Modified Land Use Designations (Refer to Site Specific Policy 9.13.3.14)



Land Use Designations	Neighbourhood Commercial	Special Study Area	Secondary Plans	Reserve Lands
Rolling Hills Estate Residential	Centre	Major Utility	Industrial	Significant Natural Areas and Natural Areas
Low Density Greenfield Residential	Mixed Use Corridor 1	Open Space and Park	Corporate Business Park	Natural Areas Overlay
Community Mixed Use Centre	Mixed Use Corridor 2	Low Density Residential	Institutional / Research Park	
Commercial Mixed-Use Centre	Service Commercial	Medium Density Residential	Major Institutional	
	Mixed Office Commercial	High Density Residential	Mixed Business	

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*Refer to the Clair-Maltby Secondary Plan for refinements to the Natural Heritage System within the Clair-Maltby Secondary Plan Area

Guelph OPA 80 Schedule 2: Land Use Plan



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Shaping Guelph

Official Plan Amendment 80 - Minister's Decision Reversal

City Council, Dec 5, 2023



Official Plan Amendment 80 Overview

City's Municipal Comprehensive Review to bring the Official Plan into conformity with:

- A Place to Grow
- Amendments to the Planning Act (as of spring 2022)
- Amendments to the Clean Water Act, and
- The Provincial Policy Statement (2020).

Implement the City's growth management strategy

Implement the recommendations of the York/Elizabeth Land Use study

Amendments to improve clarity for implementation or to address city approved plans, procedures or Council decisions.

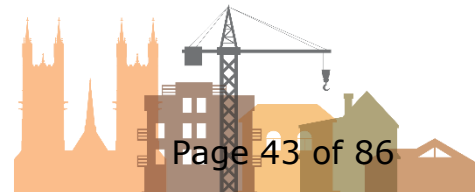
Housekeeping changes; for example, names of provincial ministries, address updates or policy numbering updates.

Official Plan Amendment 80

Amended the City's Official Plan to implement:

- An updated vision to 2051
- New urban structure
- Updated population and employment forecasts
- New intensification and density targets

Adopted by Guelph City Council on July 11, 2022, and submitted to the Minister of Municipal Affairs and Housing for approval.



Minister's decision

Notice of decision issued April 11th, 2023

OPA 80 was approved with 18 modifications

- General and minor modifications
- Land use policy and definitions
- Downtown Secondary Plan
- Guelph Innovation District
- Site-specific modifications

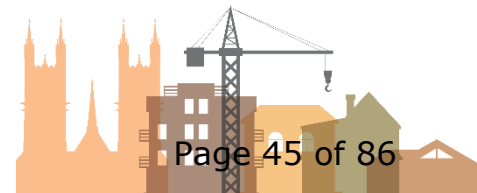


Minister's Reversal

Minister's request for comments, due back to MMAH by Dec 7

The reversal upholds Council's adopted Official Plan.

Minister proposes to maintain their Special Policy Area modifications.



General Comments



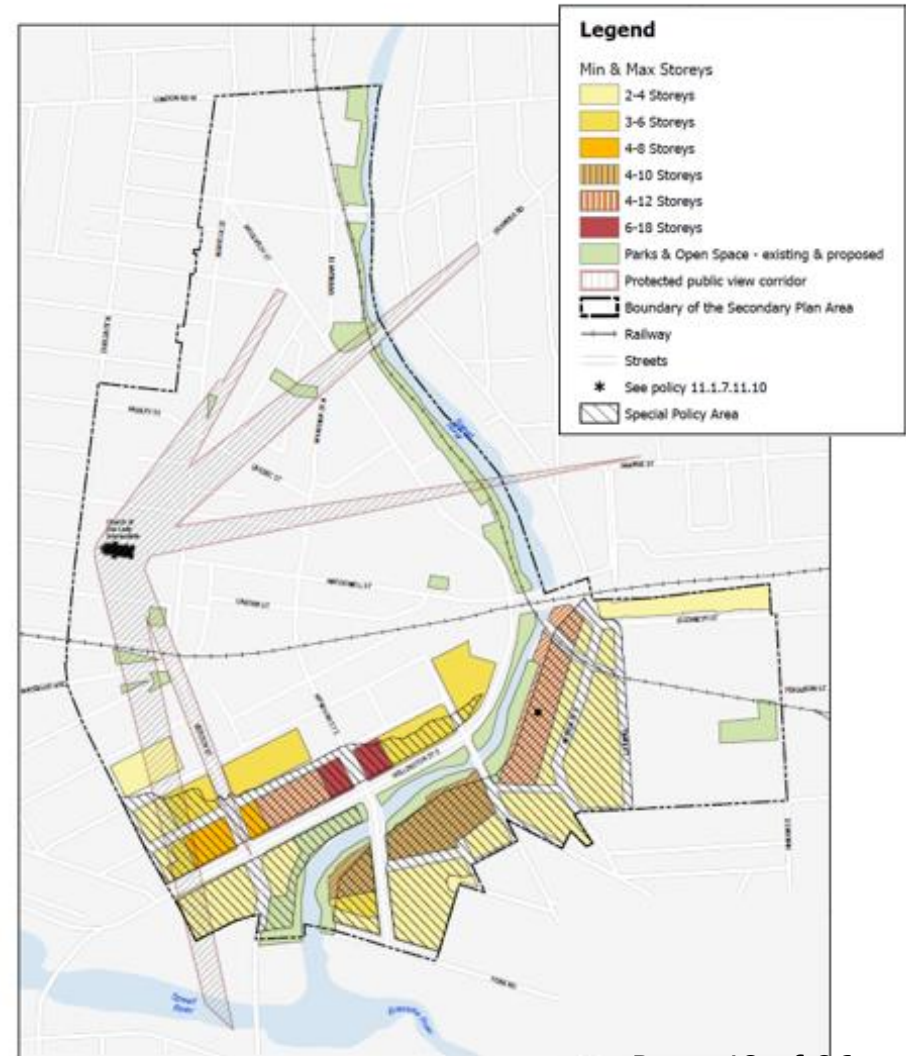
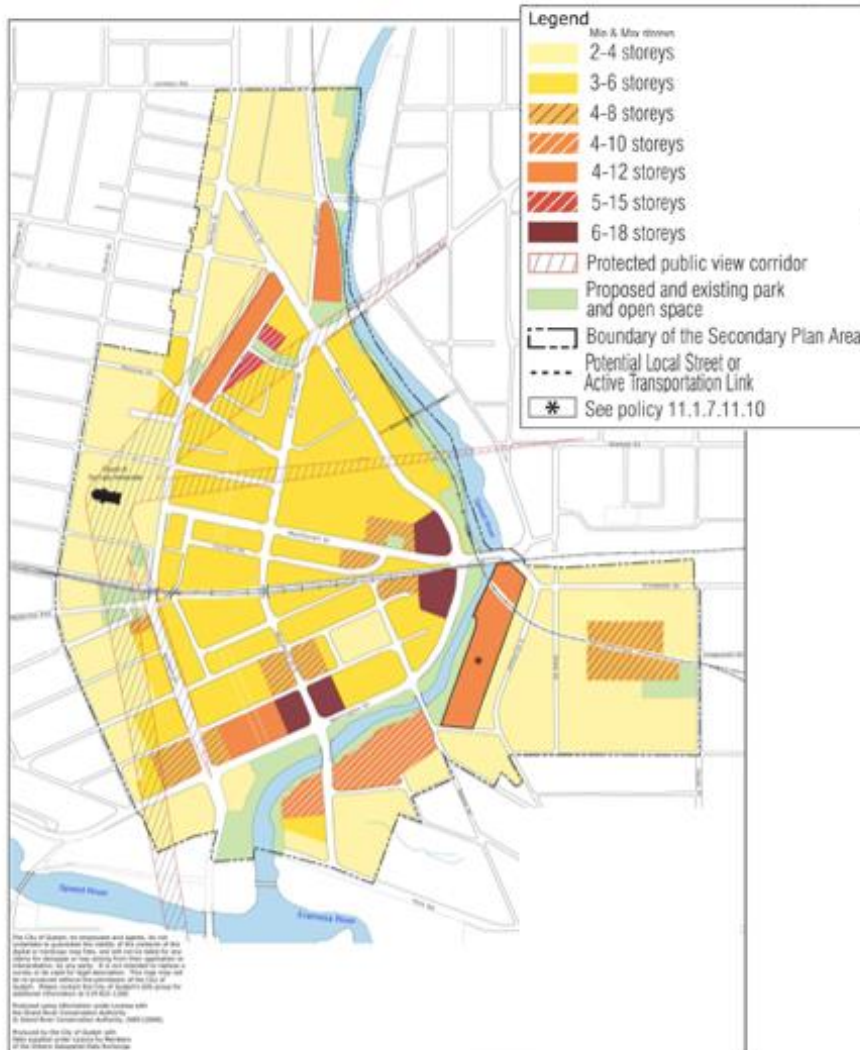
Downtown Secondary Plan Modifications



Downtown Height Schedule

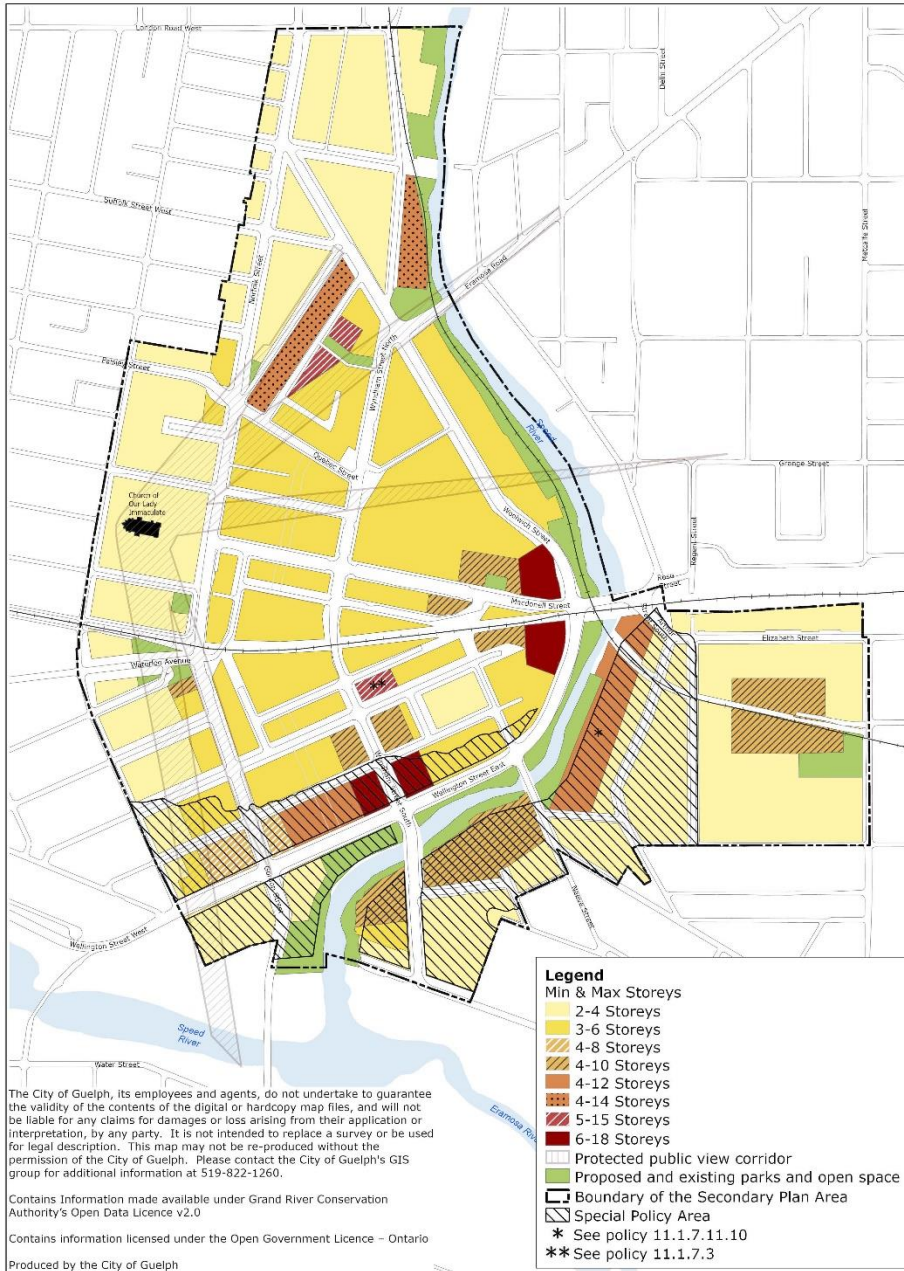
Existing Schedule D

Minister Approved Schedule D



Downtown Height Schedule

Council Adopted Schedule D with Minister's Modification to Special Policy Area



200 100 0 200 m

CITY OF GUELPH OFFICIAL PLAN

SCHEDULE D: DOWNTOWN SECONDARY PLAN

MAXIMUM & MINIMUM BUILDING HEIGHTS

CITY OF Guelph
Making a Difference

Projection: UTM 17N NAD83
Produced by the City of Guelph
Planning Services
November 2023



Guelph Innovation District (GID) Modifications



GID Land Use Schedule

Council Adopted Schedule B

Minister Modified Schedule B



Legend
Land Use Designations

- Open Space and Park**
- Glenholme Estate Residential
- Residential
- Mixed-use Commercial Centre
- Mixed-use Corridor (GID)
- Employment Mixed-use 1
- Employment Mixed-use 2
- Major Utility**
- Industrial
- Adaptive Re-use
- Service Commercial
- Neighbourhood Commercial Centre
- Significant Natural Areas & Natural Areas
- Natural Areas Overlay

Infrastructural Framework

- Secondary Plan Boundary
- City Streets
- Future City Streets
- Existing Rail
- Waterbody
- P Proposed Park

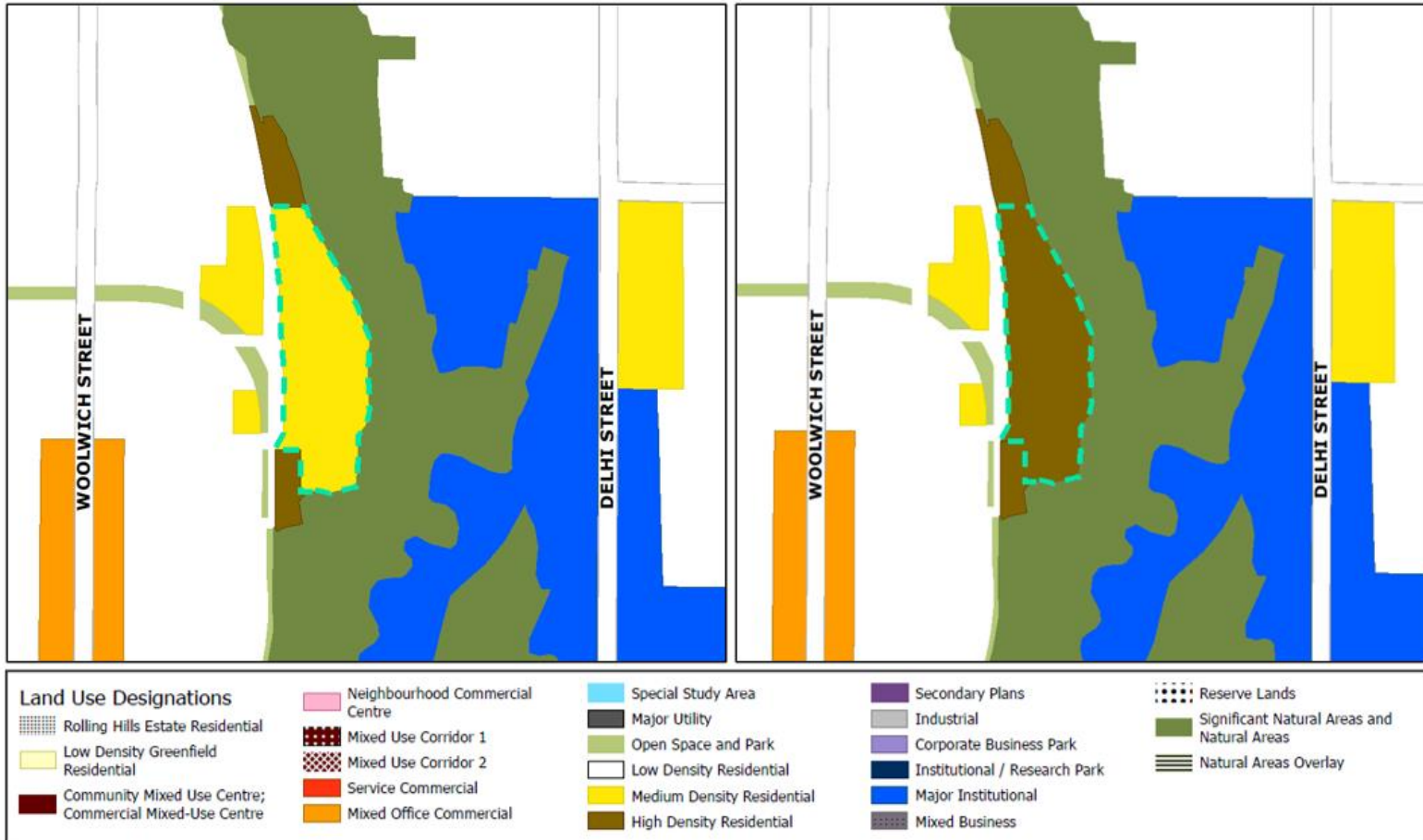
Site Specific Modifications



41-45 George Street

Council-adopted land use designations

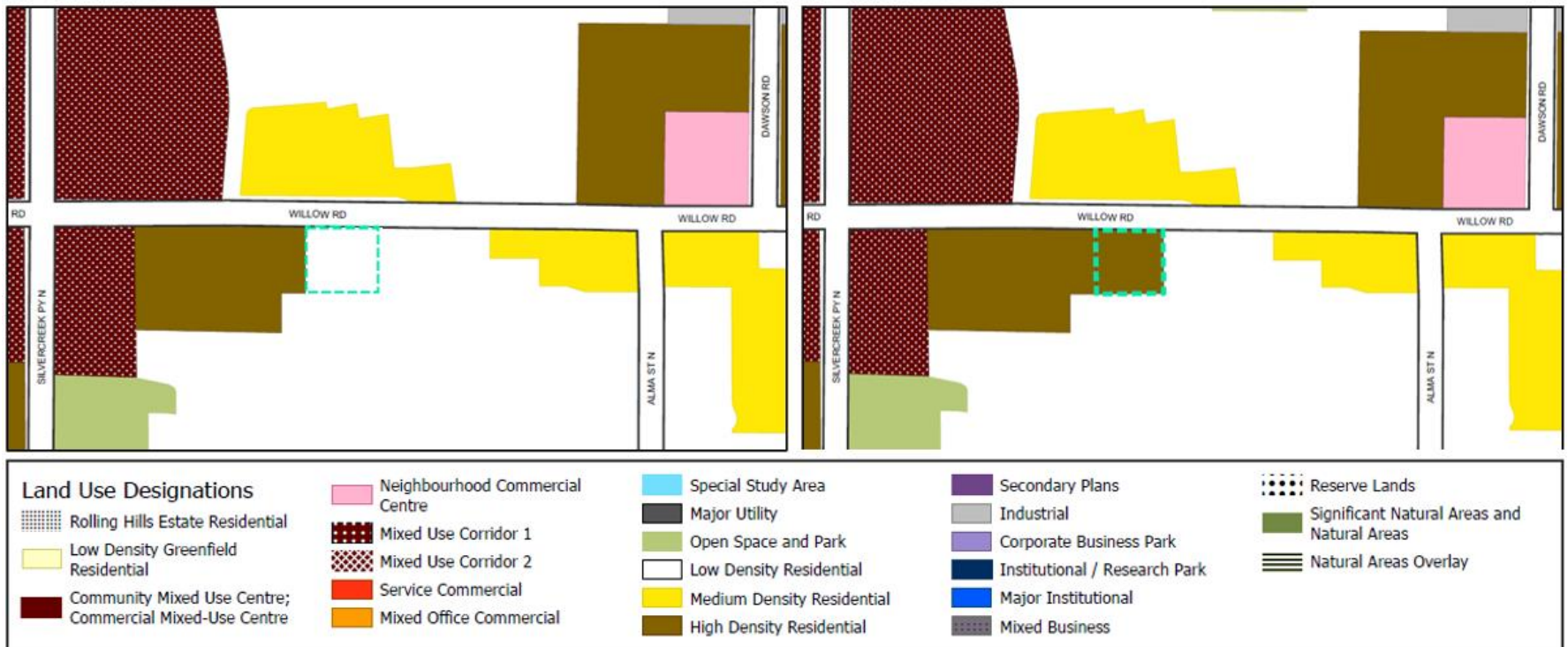
Modified land use designations



230 Willow Road

Existing land use designations

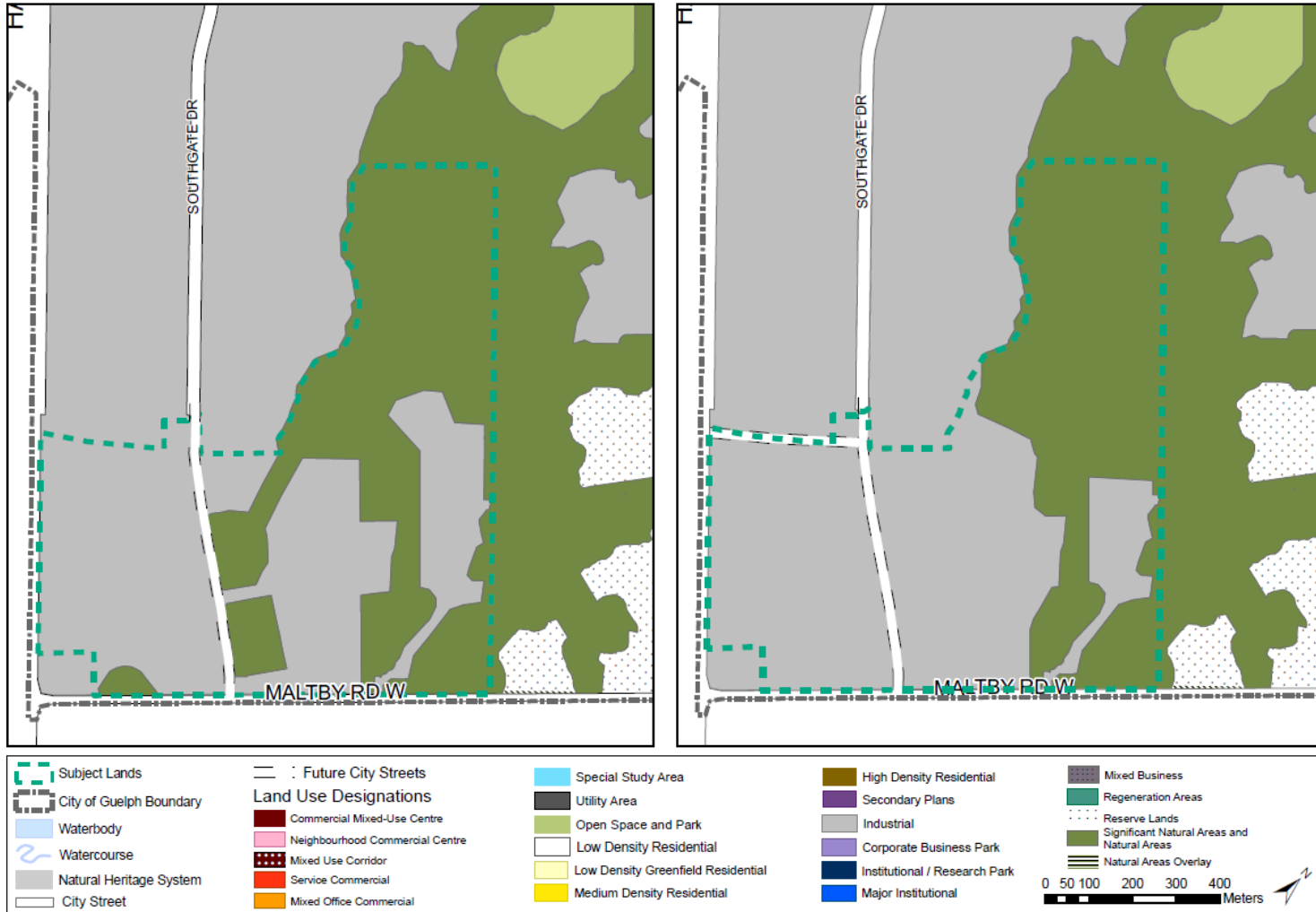
Modified land use designations



384 Crawley Road

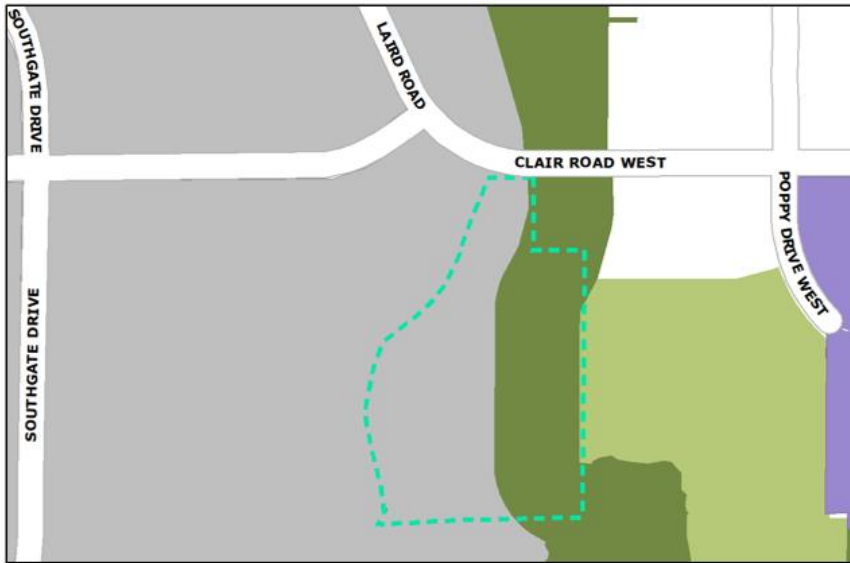
Existing land use designations

Modified land use designations



280 Clair Road West

Existing land use designations



Modified land use designations



Land Use Designations

- Rolling Hills Estate Residential
- Low Density Greenfield Residential
- Community Mixed Use Centre; Commercial Mixed-Use Centre

- Neighbourhood Commercial Centre
- Mixed Use Corridor 1
- Mixed Use Corridor 2
- Service Commercial
- Mixed Office Commercial

- Special Study Area
- Major Utility
- Open Space and Park
- Low Density Residential
- Medium Density Residential
- High Density Residential

- Secondary Plans
- Industrial
- Corporate Business Park
- Institutional / Research Park
- Major Institutional
- Mixed Business

- Reserve Lands
- Significant Natural Areas and Natural Areas
- Natural Areas Overlay



Recommendation



Recommendation

- That Report 2023-459 including feedback outlined in Attachment 1 be submitted to the Ministry of Municipal Affairs and Housing as the comments from City Council on the modifications and proposed changes to Official Plan Amendment 80.
- That staff be directed to submit comments as outlined in Report 2023-459 to the Ministry of Municipal Affairs and Housing on ERO Posting 019-7885 regarding the Planning Statute Law Amendment Act.



City Clerk's Office
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Date: November 30th, 2023

Subject: OPA 80 – Modification 15 – Items 117-126: A New Policy 9.13.3.13 and mapping changes for 384 Crawley Road

Dear Members of Council,

Thank you for the opportunity to provide my thoughts regarding NewCold's interest in investing in Guelph, Ontario and the opportunity to join your community as a business owner. My name is Jonas Swarttouw, and I am the Executive Vice President Commercial for North America of NewCold. Our organization is one of the largest advanced automated warehouse and cold chain logistics companies worldwide, with its headquarters in Breda, the Netherlands and our North American headquarters located in Chicago, Illinois. Our company was founded in 2012 to address a growing need for safe and efficient food warehousing and distribution.

As a company we pride ourselves in investing in the future of automated cold storage warehousing to help the global food economy and the vertical food supply chain by helping cities and countries where we invest to become further resilient in their efforts to ensure food security for all.

In 2016, we were asked by some of our Canadian national customers to evaluate the Canadian marketplace. Their desire to have NewCold enter Canada was in response to the lack of appropriate cold storage solutions to support their businesses and the growing businesses of many of the largest national Canadian food companies that require this critical service. When contemplating an investment of this magnitude, we determined that Ontario would be the most suitable location for our Canadian head office operations.

After an extensive five-year process, we then further identified the City of Guelph as the number one location for our prospective investment. Guelph was not simply chosen based on geography – it was done through a rigorous process of market-driven decision making that we utilize when assessing any new market. We identified the following Guelph-specific attributes which directly led to NewCold's decision to invest in your community:

- Guelph's strong ties to and focus on agriculture;
- The University's curriculum focused on agriculture;
- The food economy where we can look to partner and benefit from a skilled labour force; and
- The City's commitment to the circular food economy through the 'Our Food Future and Circular Opportunity Innovation Launchpad' ('COIL')

Since April 2022, NewCold's team has worked collaboratively alongside City staff and the current landowner of 384 Crawley Road, Industrial Equities Guelph Corporation, to advance the planning approvals process in an effort to secure the approvals necessary for development of NewCold's first ever "Sustainability Campus": an approximately 1.1 million square foot forward thinking, sustainably driven cold storage campus facility. This \$1.36 billion investment in the first 5-years of on-going operations and further \$1.45¹ billion of economic impact through construction and development of the proposed project would generate significant benefits for the community and the Province. At a full build-out the facility would employ the equivalent of 570 full-time jobs with an average salary of \$85,000, accounting to \$48 million in total annual wages². Further, consistent with NewCold's strong corporate values, as a commitment to ensuring that our lands are appropriately connected to the surrounding community NewCold has planned to enhance 25.89 acres of the site with 13,500 plantings, providing enhanced greenspace to the neighbouring South End Community Park.

¹ Updated figure as per Building Construction Price Indexes Q2 2023

² Notes: All figures are estimates. Source: Altus Group, NewCold Project Guelph, March 18, 2022

Official Plan Amendment 80 ('OPA-80') as amended by the Minister and that is being contemplated at Council includes Modification 15, a modification that was requested by NewCold through the Provincial ERO process. The City was aware that NewCold was seeking these changes to help facilitate the planning approvals necessary for the project to succeed. As more particularly detailed in the submissions of David Falletta of Bousfields Inc., the lands are already designated as Industrial Lands and a portion of the site is located in a Provincially Significant Employment Zone - NewCold's proposed Sustainability Campus is accordingly in keeping with the Province and City's intended use of the site. Modification 15 to OPA 80 will allow timely advancement of the proposed development which is in the community and Province's interest. As detailed in the Bousfield's letter to council, repeal of Modification 15 would unnecessarily create the need for at least one additional approval. This would cause significant delay to the project which could materially impact its viability.

We recognize that the Minister implemented a number of modifications to OPA-80 that are being contemplated by Council and for the foregoing reasons we respectfully request your careful consideration of Modification 15 – should Modification 15 be repealed it could prevent NewCold from advancing our goal of investing in Guelph and possibly Ontario. We accordingly ask that Council ask the Minister to maintain Modification 15 as approved for 384 Crawley Road and the associated NewCold Sustainability Campus.

After a more than a two-year investment of time and resources to advance this exciting project, we are optimistic that all of our collective efforts to date will result in a successful outcome to allow NewCold to proceed on this critical investment in Guelph and as a result support Ontario's economic development strategy overall, helping to further cultivate the economic development sector. NewCold's investment will ultimately help to further assure food security in the region, provide unparalleled supply chain traceability, and prioritize sustainability.

We are always available to discuss further and welcome the opportunity to make Guelph the new home for our sustainability Campus and Canadian head office operations.

With kind regards,



Jonas Swarttouw
Executive Vice President Commercial for North America of NewCold

THE NEWCOLD GUELPH SUSTAINABILITY CAMPUS

"A Sustainability Campus of the Future"

The NewCold Guelph Sustainability Campus will be an investment of \$1.45B into developing 200 acres **state-of-the-art cold storage and manufacturing facility** with a new innovative approach to creating an **energy-efficient cold storage facility** that will address the ongoing need for **food storage and food security** and contribute to the **economic development of Guelph**.

Through a network of greenspaces that will create **connections** to the surrounding community, the NewCold Guelph Sustainability Campus supports the conservation, protection, and enhancement of Guelph's natural heritage system and **improving quality of life** through seamless immersion within the natural environment.



*"NewCold Guelph supports the City's Strategic Plan to create an **inclusive, connected, and prosperous city** by bringing innovation and technology that will complement its emerging industrial corridor."*

Conceptual rendering by Cicada Design. Illustration is artist's concept. E. & O. E.

The Opportunity

approx. **1.1M** sq. ft.

Energy Efficient Buildings

Partnerships with Multiple Food Production Companies

Economic Activity

\$1.36B	\$1.45B*
On-Going Operations (First 5 Years)	Construction & Development

Jobs & Taxes**

\$48M	\$12M
Total Annual Wages	Total Annual Property Taxes
\$85K	570
Avg. Annual Salary	FTE Jobs in the Full Build-Out

The Environment

Enhancing **25.89 ac** of land with **13,595** plantings

*Updated figure as per Building Construction Price Indexes Q2 2023

**Federal and Provincial levels of government combined.

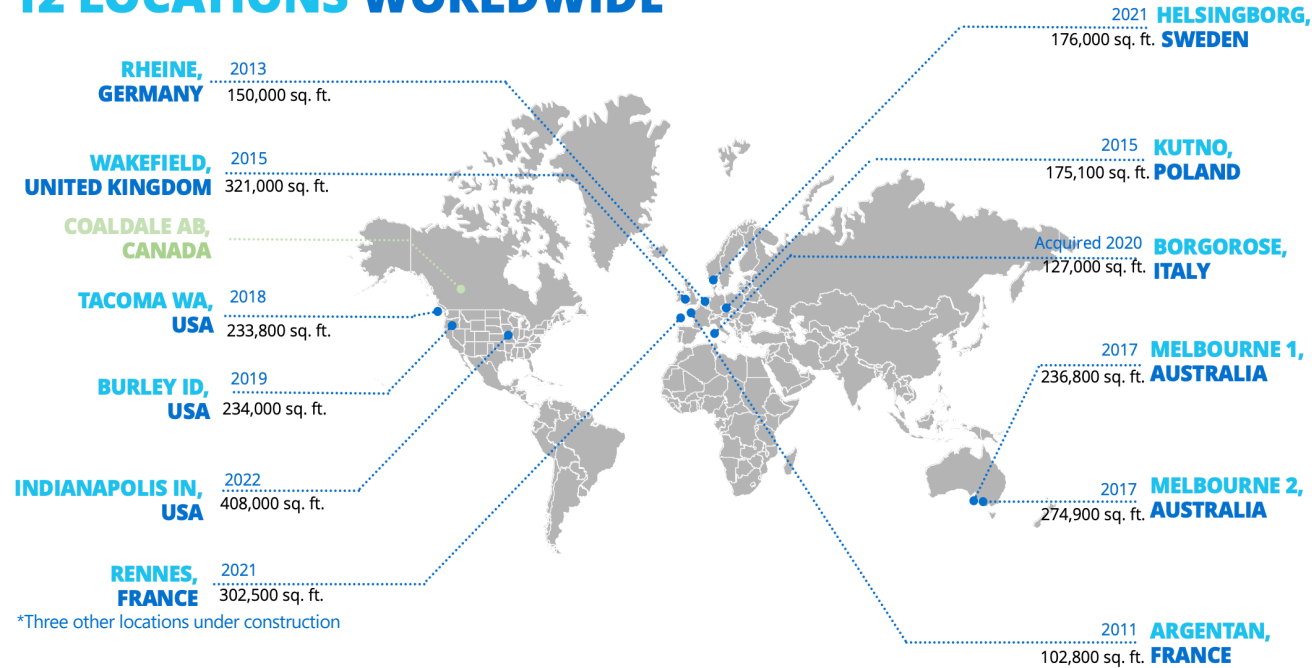
Notes: Construction & Development rounded up to the closest \$5 million. Inclusive of direct, indirect, and induced. On-Going Operations rounded up to the closest \$1 million. Inclusive of direct, indirect, and induced. All figures represent an estimate only.

Source: Altus Group

THE NEWCOLD GUELPH OPPORTUNITY

Founded in 2012, NewCold is a rapidly growing global advanced **food logistics company** specializing in temperature-controlled warehousing and distribution. Its world-class systems, energy efficiency and productivity stand above conventional cold storage solutions. NewCold develops and operates **state-of-the-art, highly automated cold storage facilities**. NewCold is partnering with some of the **largest food companies in the world** to drive **innovations in the cold storage industry**, offering food security supply chain solutions for food producers and retail companies dealing with chilled and/or frozen food. We are focused on achieving the **lowest energy use possible**, implementing the most innovative solutions.

12 LOCATIONS WORLDWIDE*



Clean and efficient technology

Reduced carbon footprint

Mitigation of climate change impacts

Supporting the local job industry

Advancement of building vibrant, safe, and healthy neighbourhoods

"Cold storage is critical to the success of Ontario's agri-food sector and supporting the province's farmers. It plays an important role in maintaining a safe and stable food supply chain, from farm to fork."

— Lisa M. Thompson, Minister of Agriculture, Food and Rural Affairs

McCarthy Tétrault LLP
PO Box 48, Suite 5300
Toronto-Dominion Bank Tower
Toronto ON M5K 1E6
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Tel: 416-362-1812
Fax: 416-868-0673

Michael Foderick
Partner
Direct Line: (416) 601-7783
Direct Fax: (416) 868-0673
Email: mfoderick@mccarthy.ca



January 4, 2023

Hon. Steve Clark, Minister
Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

Dear Minister Clark:

Re: City of Guelph Official Plan Amendment 80 – Shaping Guelph
ERO Number: 019-5981
Ministry Reference Number: 23-OP-221935

We are writing on behalf of Industrial Equities Guelph Corporation, the owner of the property municipally known as 384 Crawley Road (the “**Subject Lands**”) in the City of Guelph (the “**City**”). The Subject Lands are a very prominent site within Official Plan Amendment 80 (“**OPA 80**”) located in the southwestern part of the City. OPA 80 was adopted by City Council on July 11, 2022 and has been sent to the Minister of Municipal Affairs and Housing for approval pursuant to the *Planning Act*. OPA 80 is intended to comprehensively revise the City’s Official Plan in particular the vision, urban structure, population and employment figures, density and intensification targets, as well as related policies and designations.

NewCold, a multinational cold storage company and a leader in developing and operating highly automated cold stores, intends to construct its Canadian headquarters at this location. Current and future food demands in Ontario have resulted in a need for cold storage logistics and food manufacturing from multiple longstanding large food-based companies. To support its customers and this increasing demand in Ontario, NewCold has been searching for a suitable industrial location since 2017 and now has identified it at this location in the City. Overall, the full build-out of the Subject Lands will create over 570 jobs in a 1.1 million square foot state-of-the-art cold storage manufacturing and packing facility, which is expected to be of major economic benefit to the City.

Industrial Equities Guelph Corporation has been discussing an Official Plan Amendment to facilitate the construction of this facility with the City, however OPA 80 presents a timely and appropriate opportunity for the Minister to make certain straightforward modifications to the Official Plan to much more efficiently advance this important project.

1. Industrial Land

Requested Change:

Insert new Policy 9.5.2.14 immediately below 9.5.2.13 as: “Land within the Southgate Business Park municipally known as 384 Crawley Road and legally described as Part of Lots 13, 14 and 15, Concession 7, (Former Township of Puslinch) City of Guelph, County of Wellington as currently recorded in Property Identifier Number 71199-0115 (LT) will be subject to the following:

- i) Nothing in this Plan shall prevent the construction of industrial buildings and ancillary buildings, landscaping and any related works, including but not limited to a cold storage facility, with a maximum non-residential gross floor area of no greater than 160,000 square metres and a maximum height of no greater than 46 metres, including without limitation:
 - a. The buffer requirements specified within Table 4.1.; and
 - b. Policies 4.1.2.5, 4.1.3.3, 4.1.3.4, 4.1.3.6, 4.1.3.8, 4.1.3.9, 4.1.4.4, 4.1.6.1 and 10.19.2 ii).
- ii) The conveyance of future planned public roads may be secured in a site plan or consent agreement.”

Rationale:

This requested change is to allow NewCold the opportunity to expeditiously locate to the City on a large and significant employment designated parcel which will directly result in the creation of a substantial number of essential jobs. Also, this requested change will allow for much needed industrial growth in the City and will support that the minimum provincial Growth Plan employment targets in OPA 80 will be met in a timely manner. Further, this requested change will ensure consistency, for example with respect to height, with other industrial land use permissions recently approved by the City in the general vicinity of the Subject Lands.

2. Amended Mapping

Requested Changes:

Modify Schedule 1a: Urban Structure by replacing it with amended mapping.

Modify Schedule 1b: Structure by replacing it with amended mapping.

Modify Schedule 2: Land Use Plan by replacing it with amended mapping.

Modify Schedule 3: Development Constraints by replacing it with amended mapping.

Modify Schedule 4: Natural Heritage System by replacing it with amended mapping.

Modify Schedule 4A: Natural Heritage System by replacing it with amended mapping.

Modify Schedule 4B: Natural Heritage System by replacing it with amended mapping.

Modify Schedule 4C: Natural Heritage System by replacing it with amended mapping.

Modify Schedule 4D: Natural Heritage System by replacing it with amended mapping.

Modify Schedule 4E: Natural Heritage System by replacing it with amended mapping.

Modify Schedule 5: Road & Rail Network by replacing it with amended mapping.

Modify Schedule 6: Open Space System by replacing it with amended mapping.

Rationale:

These requested mapping changes merely implement the requested change outlined in 1. above resulting in an appropriate site layout for the Subject Lands in OPA 80. For clarity: these amendments are merely meant to remove any policy impediments to timely approval of the proposed facility and it is our client's intention to retain most of the natural heritage features on the Subject Lands, consistent with the recommendations of its consulting expert biologists and qualified natural heritage consultants.

Thank you for your consideration of these requested changes. Should you have any questions or require any additional information, please do not hesitate to contact the writer.

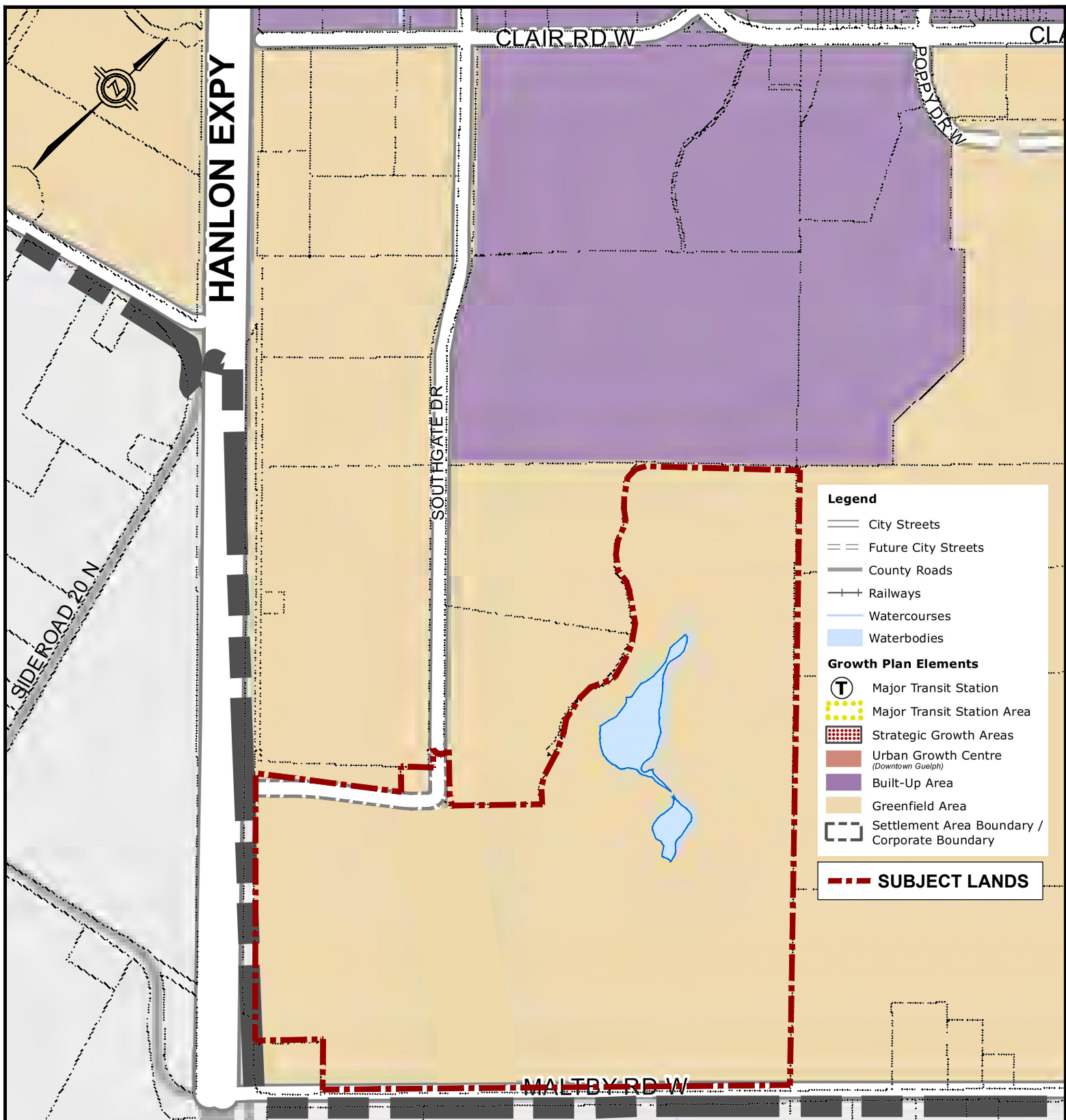
Sincerely,

McCarthy Tétrault LLP

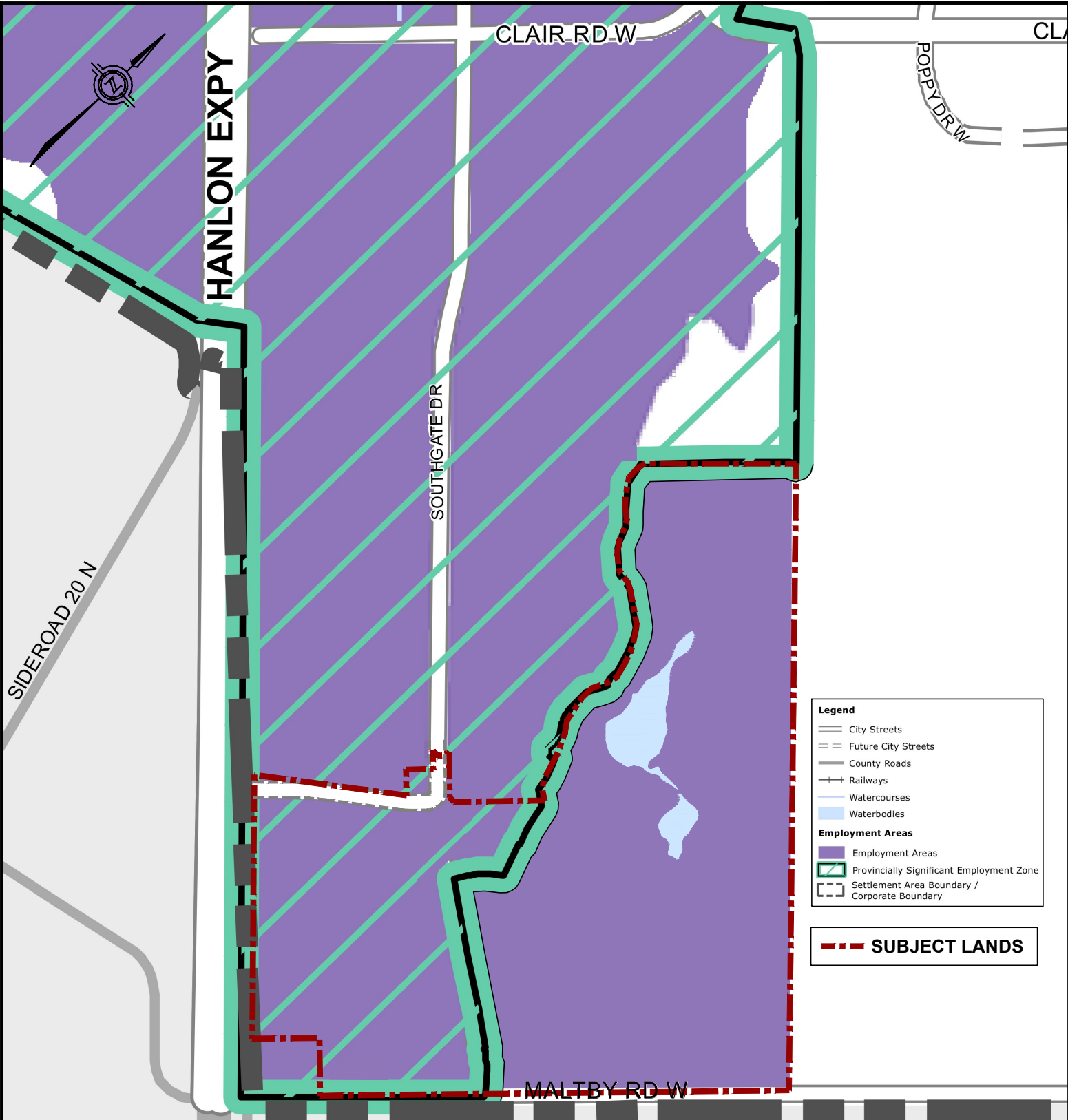
A handwritten signature in black ink, appearing to read 'M. Foderick', written over a light grey horizontal line.

Michael Foderick

cc Ryan Amato, Chief of Staff (ryan.amato@ontario.ca)



City of Guelph Official Plan
 Schedule 1a: Urban Structure



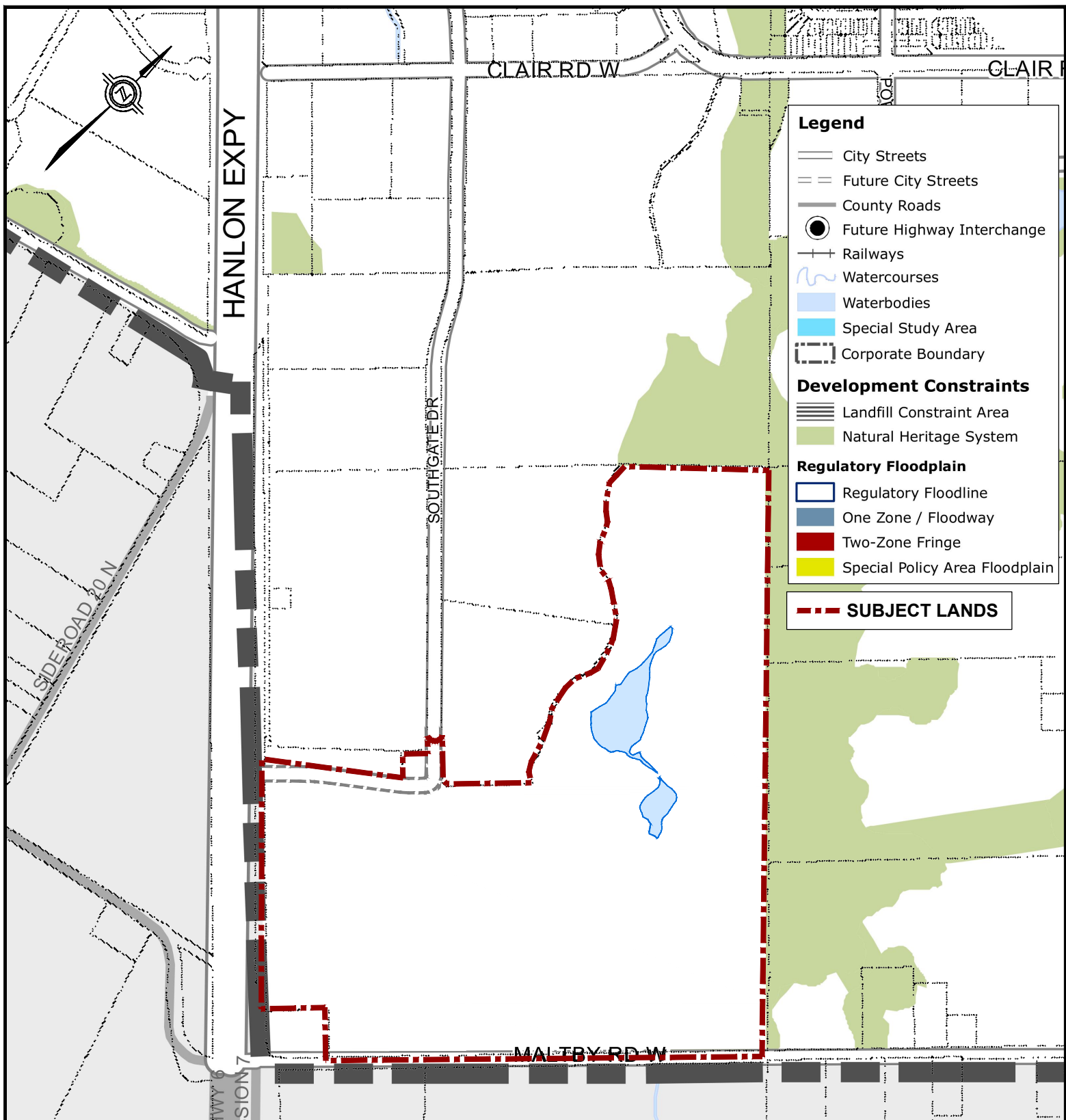
City of Guelph Official Plan
 Schedule 1b: Structure Employment Areas

REQUESTED MODIFICATIONS TO OPA 80

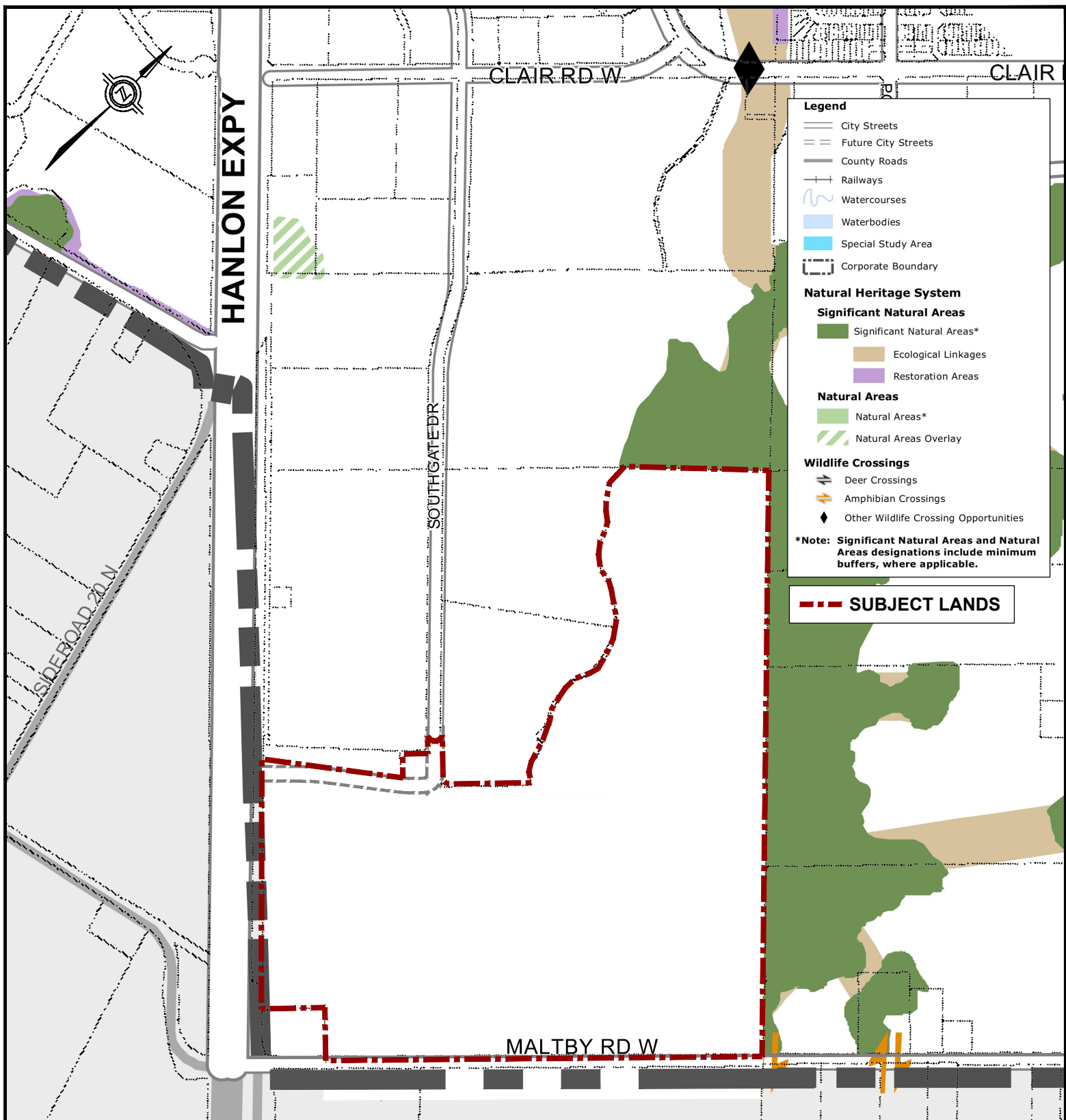


City of Guelph Official Plan
 Schedule 2: Land Use Plan

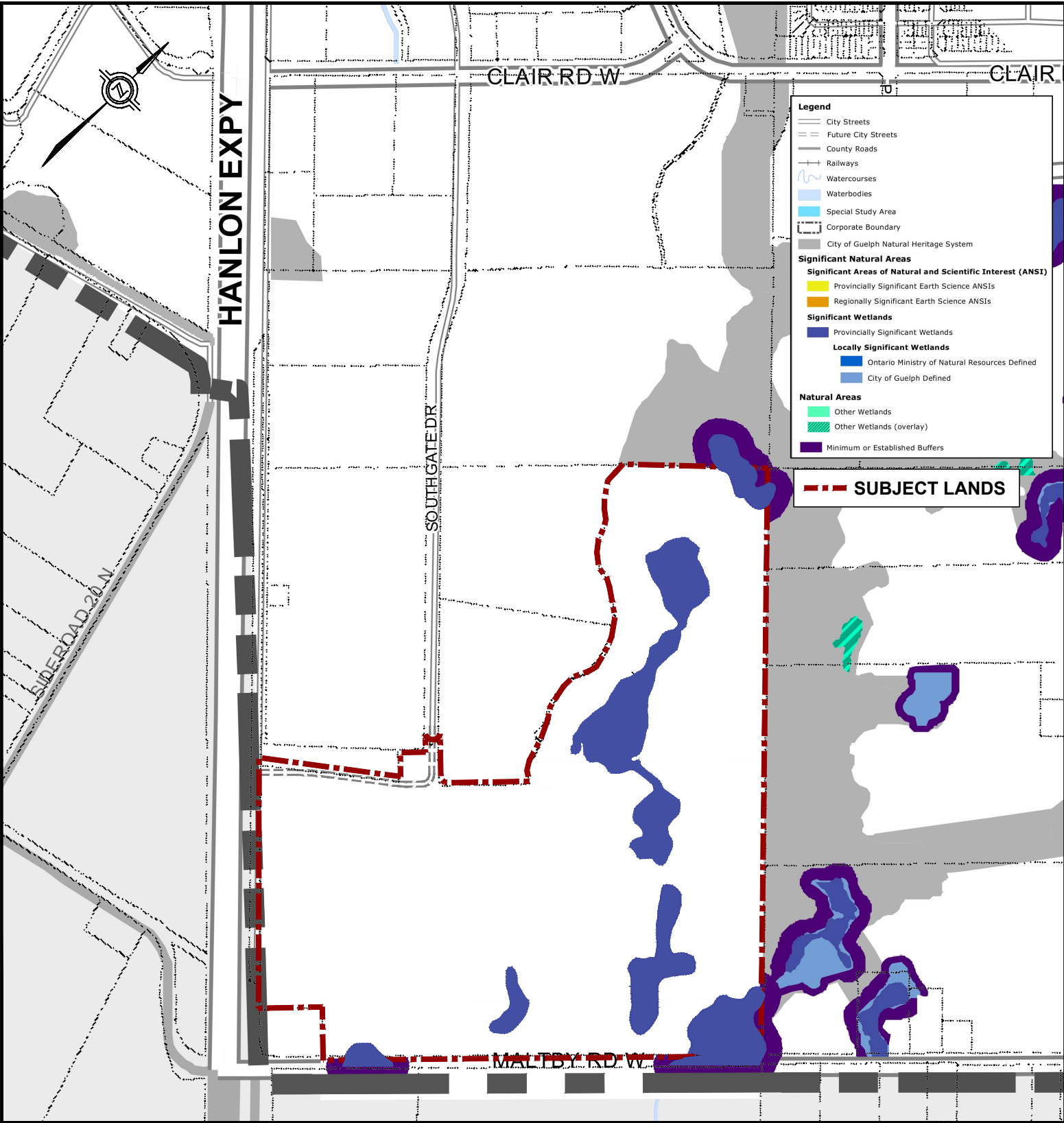
REQUESTED MODIFICATIONS TO OPA 80



City of Guelph Official Plan
 Schedule 3: Development Constraints



City of Guelph Official Plan
 Schedule 4: Natural Heritage System - Natural Heritage System



Legend

- City Streets
- - - Future City Streets
- - - County Roads
- Railways
- ~ Watercourses
- Waterbodies
- Special Study Area
- Corporate Boundary
- City of Guelph Natural Heritage System

Significant Natural Areas

Significant Areas of Natural and Scientific Interest (ANSI)

- Provincially Significant Earth Science ANSIs
- Regionally Significant Earth Science ANSIs

Significant Wetlands

- Provincially Significant Wetlands

Locally Significant Wetlands

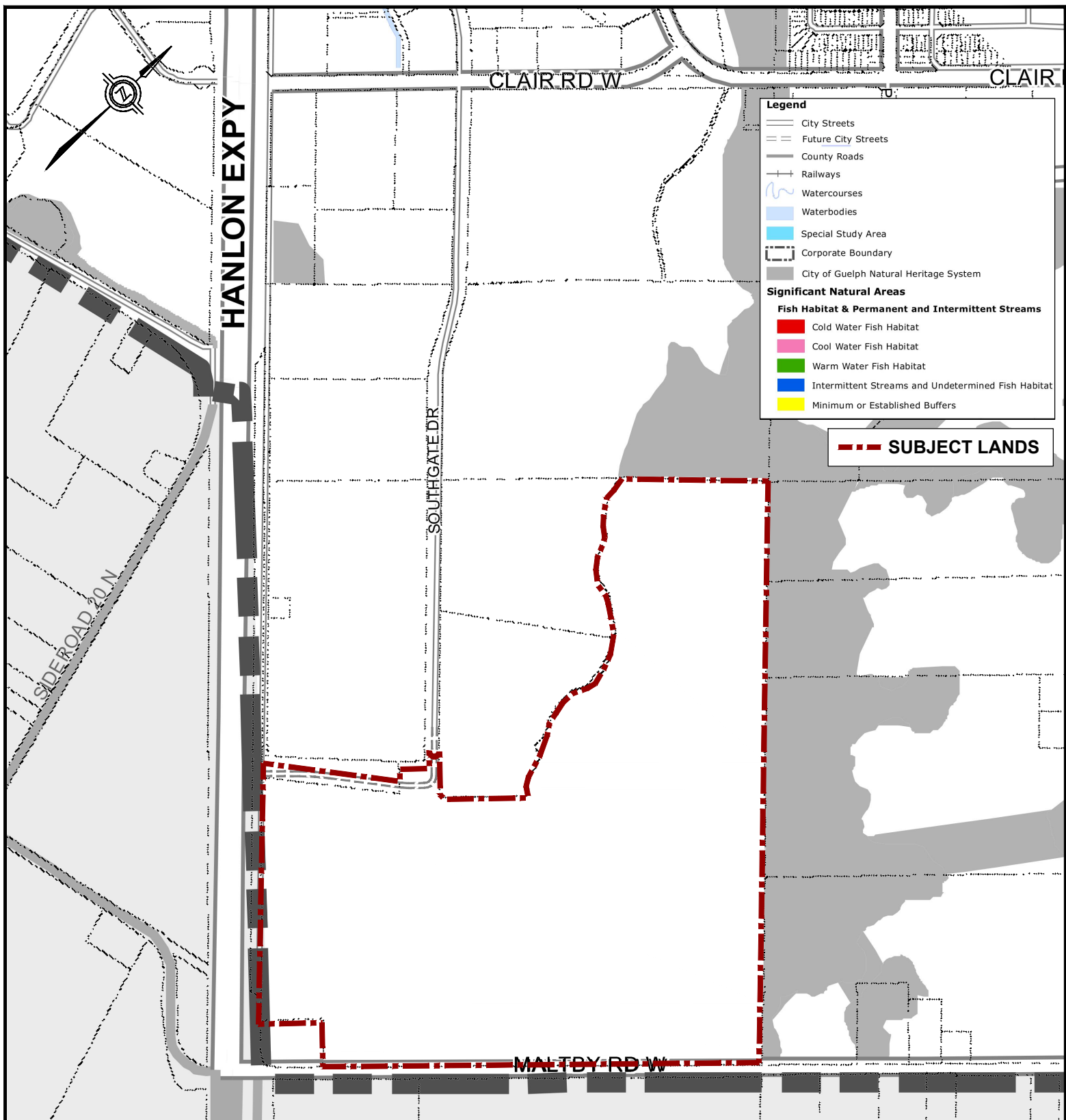
- Ontario Ministry of Natural Resources Defined
- City of Guelph Defined

Natural Areas

- Other Wetlands
- Other Wetlands (overlay)
- Minimum or Established Buffers

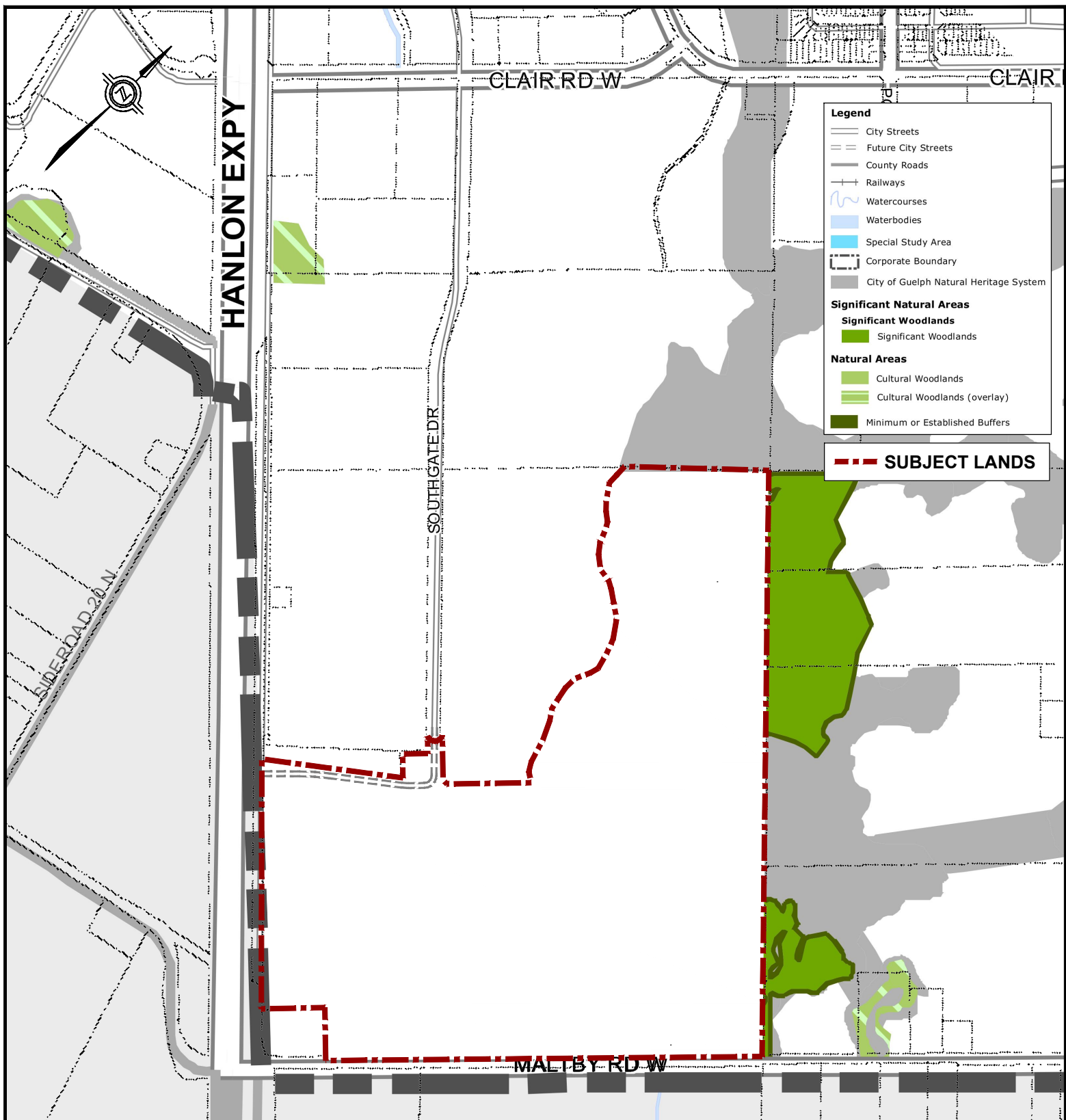
--- SUBJECT LANDS

City of Guelph Official Plan
 Schedule 4a: Natural Heritage System - ANSIs and Wetlands



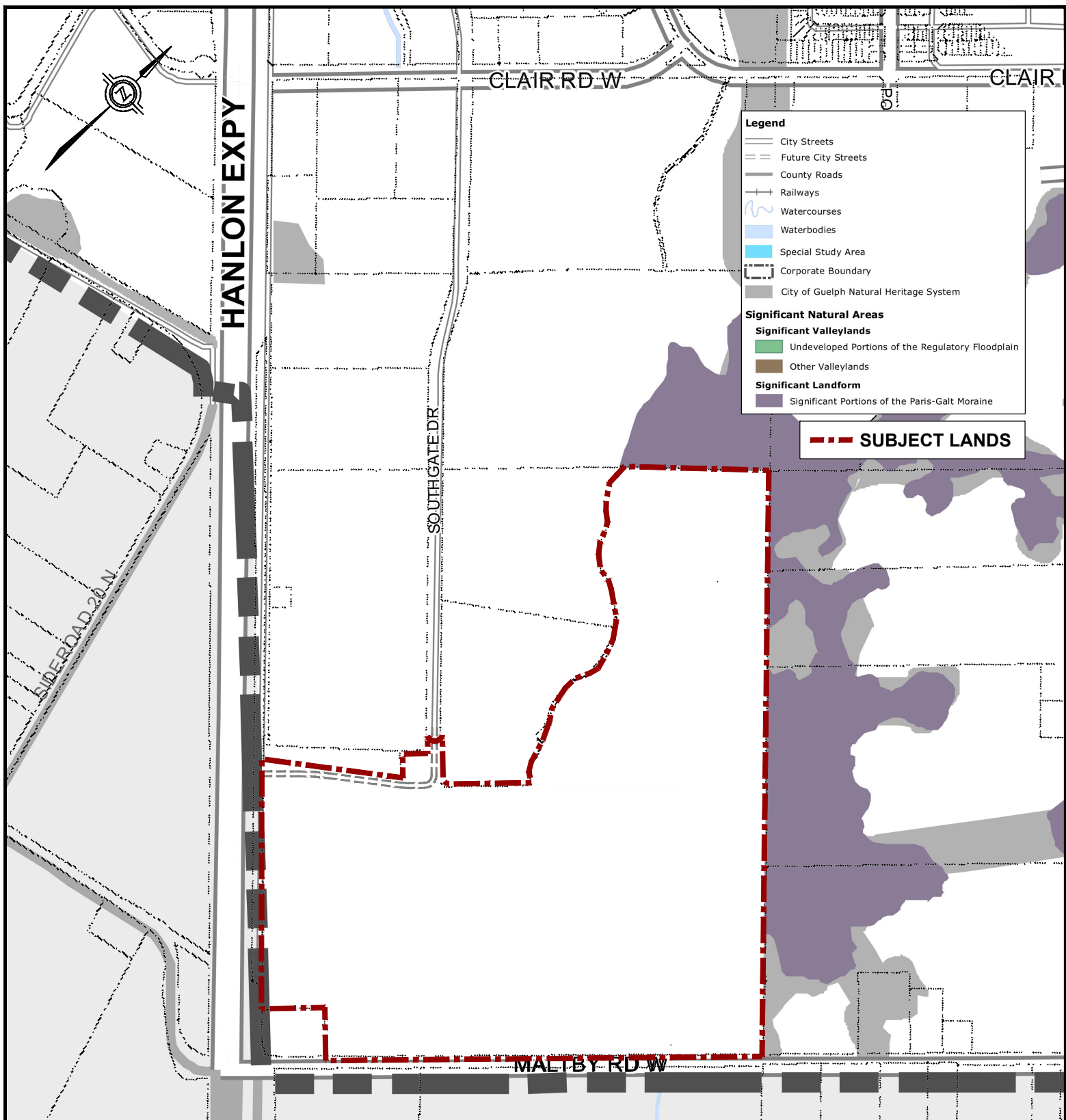
City of Guelph Official Plan
 Schedule 4b: Natural Heritage System - Fish Habitat and Permanent & Intermittent Streams

REQUESTED MODIFICATIONS TO OPA 80



City of Guelph Official Plan
 Schedule 4c: Natural Heritage System - Significant Woodlands

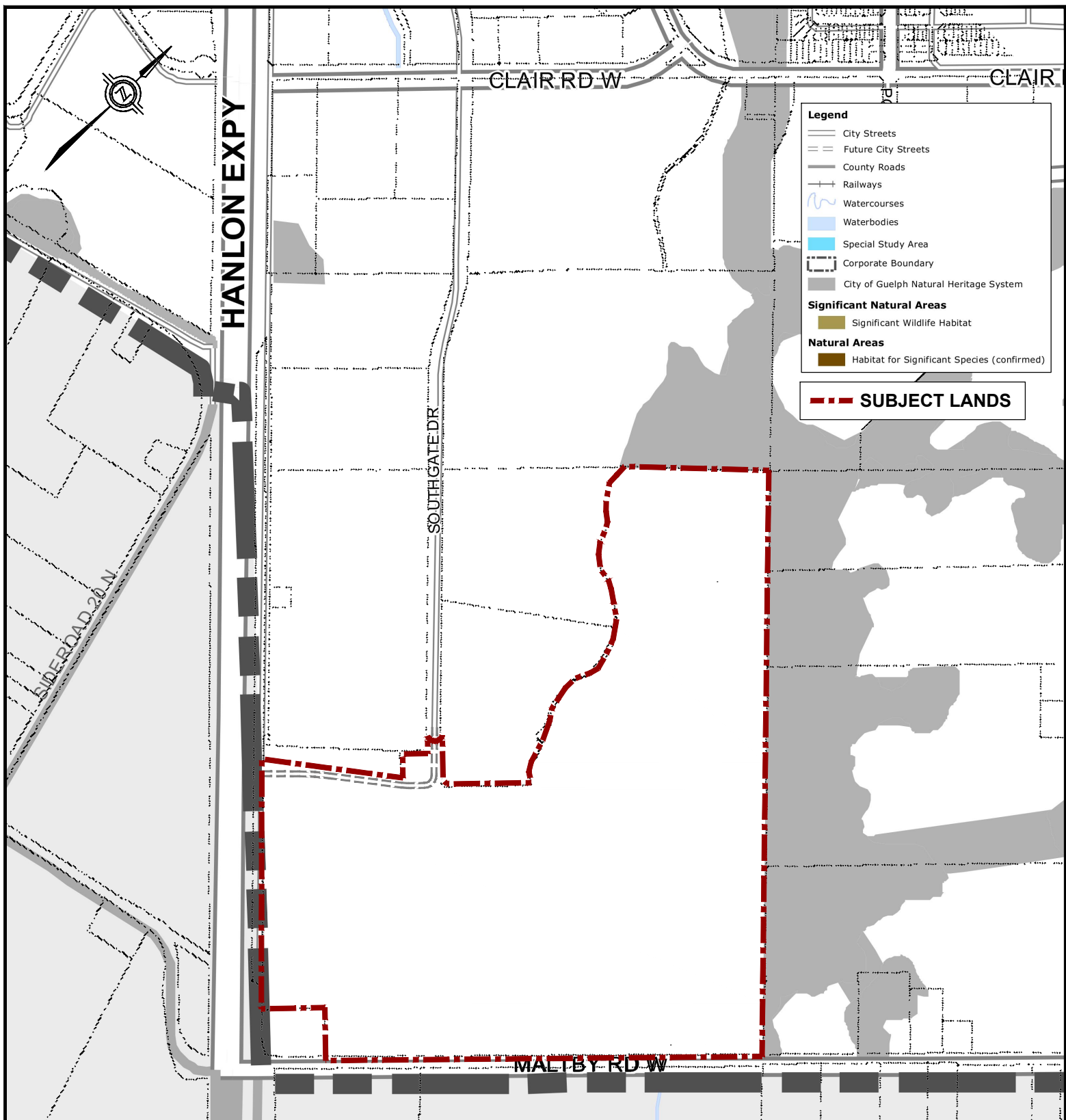
REQUESTED MODIFICATIONS TO OPA 80



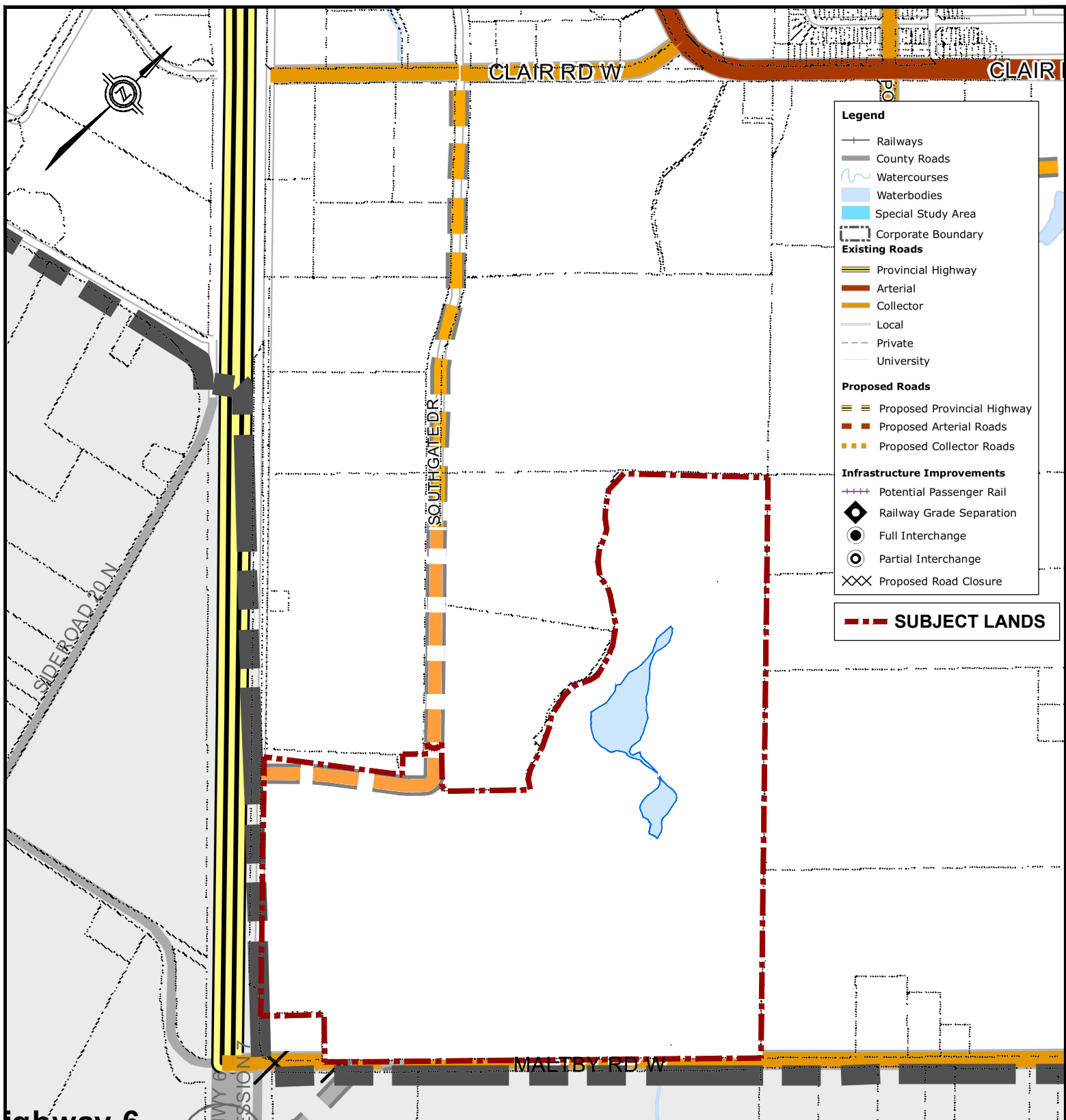
City of Guelph Official Plan

Schedule 4d: Natural Heritage System - Significant Valleylands & Significant Landform

REQUESTED MODIFICATIONS TO OPA 80

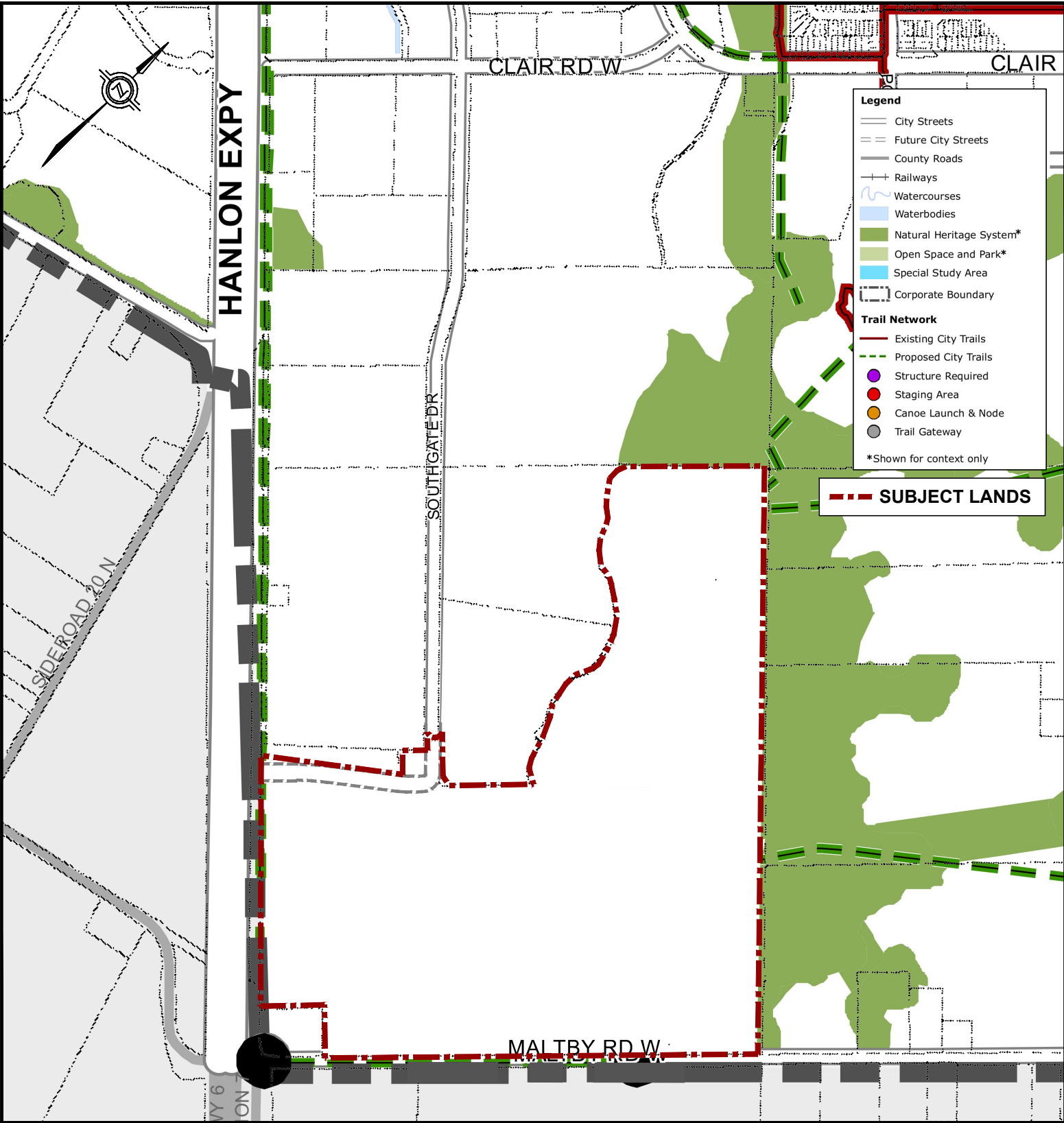


City of Guelph Official Plan
 Schedule 4e: Natural Heritage System - Significant Wildlife Habitat &
 Habitat for Significant Species



City of Guelph Official Plan
 Schedule 5: Road and Rail Network

REQUESTED MODIFICATIONS TO OPA 80



City of Guelph Official Plan
 Schedule 6 - Open Space System - Trail Network

December 19, 2022

Tyler Shantz
Municipal Services Office - Western Ontario
659 Exeter Road, Floor 2
London, ON, N6E 1L3

RE: Letter of Support for NewCold's Guelph Sustainability Campus

Dear Mr. Shantz,

For more than a century, the Ontario Chamber of Commerce (OCC) has been the independent, non-partisan, and indispensable partner of Ontario business. The OCC's mission is to support economic growth in the province by defending business priorities at Queen's Park on behalf of its network's diverse 60,000 members and 157 chambers of commerce and boards of trade.

I am writing to express our support for NewCold's proposal to establish a Sustainability Campus in Guelph, Ontario. NewCold, a member of the OCC, is one of the largest global food logistics companies specializing in temperature-controlled storage and distribution. With a focus on sustainability and enhancing food security, the 200-acre establishment would be a state-of-the-art cold storage, energy-efficient, ambient storage, and manufacturing facility.

As we move forward from COVID-19 and its economic challenges, all available avenues must be pursued to support the long-term resilience of our economy. The NewCold Sustainability Campus will play an integral role in advancing the province's agri-food sector and sustaining the food supply chain and food security.

Please do not hesitate to contact us about this exciting investment for Ontario's sustained economic growth.

Sincerely,



Rocco Rossi
President and CEO
Ontario Chamber of Commerce



March 5, 2021

**RE: NewCold Guelph Sustainability Campus 384 Crawley Road, Guelph, ON
Development**

To Whom It May Concern:

We are writing to express our support for the proposed NewCold Guelph Sustainability Campus located in Guelph, Ontario. Toronto Global is a non-profit investment attraction organization that works with the governments of Ontario and Canada, as well as municipal partners, to provide complementary and customized services to expanding international enterprises. While we have historically represented the Cities of Toronto, Mississauga and Brampton, as well as the Regions of Durham, Halton and York we continue to expand our focus on the Greater Toronto Hamilton Region ('GTHR'). Toronto Global's mandate is to support the expansion of international businesses into the Toronto Region. Since 2017, we have helped over 130 companies set up in the Toronto Region, creating thousands of jobs and generating over a billion dollars in economic activity.

We have been working very closely with NewCold's leadership team for last four years to facilitate their expansion into the Toronto Region. Although the new location is just outside the Toronto Global served region we keep working and supporting NewCold as this investment will have a great impact for the Toronto Region and the Supply Chain issues of the future.

NewCold Guelph Sustainability Campus is a significant regional investment that will address critical supply chain challenges and demonstrate leadership in innovation and sustainability to Canada's food sector industry. Guelph will be NewCold's Canadian headquarters with state-of-the-art warehouse buildings, bringing leading-edge robotics and software systems for leading food companies in the Greater Toronto Area and nationwide.

Toronto Global is proud to play a part in bringing the NewCold Guelph Sustainability Campus to the Toronto-Waterloo Innovation Corridor – helping to establish Canada's first



state-of-the-art cold storage, ambient storage, and manufacturing facility. This corridor is the second largest technology cluster in North America, and the NewCold Guelph Sustainability Campus will be a great addition bringing innovation and a sustainable, innovative, and energy efficiency focus. The project will contribute to the economic development of Guelph and the GTHR.

Please do not hesitate to contact me for questions or input on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Cohon".

Mark Cohon, O.Ont
Chairman
Toronto Global

A handwritten signature in black ink, appearing to read "Stephen Lund".

Stephen Lund
Chief Executive Officer
Toronto Global

December 19, 2022

RE: NewCold Guelph Sustainability Campus 384 Crawley Road, Guelph, ON Development

To Whom It May Concern:

On behalf of the Board of Directors of the Guelph Chamber of Commerce, I am pleased to submit this letter in support of the NewCold Guelph Sustainability Campus proposal.

The Guelph Chamber of Commerce advocates for investments and opportunities that help to advance the City of Guelph and surrounding region in becoming a leading destination to do business in Ontario. As the largest local business support network for the past 195 years, we firmly believe that business is an essential component of a healthy and prosperous community.

The NewCold Guelph Sustainability Campus will introduce an innovative approach to creating an energy-efficient cold storage facility. Complementing the emerging growth of the Hanlon Creek Business Park while addressing the ongoing need for food storage and security, the Sustainability Campus will contribute to the economic development of Guelph and area by creating over 550 full time jobs and generate over \$45 million in annual wages when complete. A valued member of the Guelph Chamber of Commerce, we believe the NewCold Guelph Sustainability Campus will boost the region's competitive position in the face of rising global food supply chain challenges.

Known as a leader in sustainability, the City of Guelph is the logical choice for NewCold to select for their Sustainability Campus. The campus will include a vast network of greenspaces promoting the protection and enhancement of Guelph's natural environment and create a local hub for sustainable innovation. With over 30 industry associations located here, Guelph has an incredibly robust concentration of Agri-Innovation research and technology expertise. Using state-of-the-art technology, NewCold will provide a reliable cold storage solution to improve business competitiveness and growth within Ontario.

The Guelph Chamber of Commerce looks forward to the development of this project in the near future. It promises to be an outstanding asset that will benefit the City of Guelph and our Province. If you have any questions or require further information, please feel free to contact us.

Sincerely,



Shakiba Shayani
President & CEO



Thursday, November 30, 2023

Via E-mail to: clerks@guelph.ca

City Clerk's Office
City of Guelph
1 Carden Street
Guelph, ON N1H3A1

Dear Mayor Guthrie and Members of Council,

Re: *Special City Council Meeting Agenda on December 5, 2023*
Item 2.1 – Official Plan Amendment 80 – Minister's Reversal of Provincial
Modifications

We are the planning consultants for *Industrial Equities Guelph Corporation* (the "Owner"), owner of the lands municipally known as 384 Crawley Road in the City of Guelph (the "subject site"). We are writing to request that Council maintain the site-specific policy 9.13.3.13 (Item 117) and mapping changes (Items 118-126) of the Minister's approval of Official Plan Amendment 80 (the "OPA 80"), which apply to the subject site (being Modification 15 of the Minister's decision regarding OPA 80).

In our opinion, maintaining Modification 15 to OPA 80 for the subject site is reasonable and appropriate as it will remove obstacles and allow for the development of an advanced industrial campus, which is aligned with the Official Plan, will achieve numerous policy objectives, and will result in significant economic benefits for the City.

Background

The subject site and the remainder of the Southgate Business Park have been planned for employment uses since at least 2001 in the City's Official Plan. It has also been identified as a *Provincially Significant Employment Zone* (the "PSEZ") when these zones were first designated in 2019. In this regard, the PSEZ is an important part of the provincial land use structure and are areas that are planned for long-term job creation and economic development that contain a significant number of jobs. Although the subject site has remained vacant, the natural heritage system elements of the subject site have been extensively studied since 2010, which studies include an Environmental Implementation Report published on the City's Business Park website.

In this regard, the Owner has been collaborating with the City in order to establish the natural heritage system limits as required to advance development of the subject site for its planned employment uses.

In early 2022, the Owner engaged a consulting team to advance development of the subject site for a Sustainability Campus to accommodate a state-of-the-art cold storage and manufacturing facility to be owned and operated by NewCold. Initiation of the project included multiple meetings with City Staff and a pre-consultation meeting in November 2022. In this regard, the proposed development conforms to and implements the land use permissions in the Guelph Official Plan and Zoning By-law, since it would add a significant amount of employment development and new jobs.

A minor variance application was filed and approved by the Committee of Adjustment on May 1, 2023.

A pre-submission Site Plan Review Committee was held on May 21, 2023, prior to and in preparation for a site plan application (the “SPA”) submission.

On July 28, 2023, a formal SPA was filed for the subject site in order to facilitate development of the NewCold Guelph Sustainability Campus.

Benefits of Maintaining the Minister’s Modifications for the Subject Site

Modification 15 to OPA 80 provided the following new policies and mapping changes for the subject site:

- Site Specific Policy 9.13.3.13, which allows for:
 - A maximum gross floor area of 160,000 square metres and a maximum building height of 46 metres.
 - The alignment of a future planned public road to be determined by the City in consultation with the Owner and the conveyance of a future public road may be secure through a site plan or consent agreement.
- Modifications to Schedules 2, 3, 4-4e, and 6 in order to further delineate the natural heritage system.

In our opinion, these modifications appropriately remove process obstacles related to the development of the subject site. More specifically, these policy modifications:

- Allow for development of the lands for a desirable employment use, being the planned NewCold Guelph Sustainability Campus, including the required gross floor area and building height.

- Allow for the City and Owner to confirm an appropriate alignment for the future public road and to implement and deliver it through the already filed SPA.
- Allow for the SPA and required (and filed) Environmental Impact Study (the “EIS”) to delineate and protect the natural heritage system.

The City is the approval authority for the SPA, and it can ensure orderly development of the subject site, including any additional requirements that would be generated by not having the site-specific policies that were added via Modification 15 to OPA 80.

Consequences of Not Maintaining the Minister’s Modifications

In our opinion, if Modification 15 is reversed by Bill 150 it will significantly delay redevelopment of the lands by necessitating an Official Plan Amendment and potentially other approvals for this beneficial employment use. The SPA submission currently before the City is comprehensive and includes a full list of studies and reports including an EIS, Functional Servicing Report, Transportation Impact Study, Environmental Assessment, Archaeological Assessment, Noise Impact Study, etc.

The need for any such additional approvals would require pre-consultation and the potential preparation and submission of new supporting documentation (in addition to the already significant and comprehensive supporting documentation filed with the SPA). As a result, we anticipate that any such additional approvals will unnecessarily delay processing of the submitted SPA by at least a year.

In our opinion, this delay would be a process delay and not add value to the orderly development of the subject site. In this regard, it is our opinion that:

- The maximum gross floor area has been established through the SPA.
- The maximum building height was approved through the minor variance application.
- The desired public road will be implemented and delivered through the SPA, consistent with how other public roads have been delivered in the City of Guelph.
- The natural heritage system limits will be determined through the EIS and implemented via the SPA and all required compensation and/or enhancement areas will be secured through the SPA process.

For the reasons outlined herein, it is our opinion that maintaining Modification 15 for the subject site would avoid the need for additional applications that would not add any value to the on-going approvals process and would instead only serve to delay delivery of a very desirable employment use, the NewCold Sustainability Campus, which use is consistent with existing Provincial and Official Plan policies.

Benefits of the Proposed Development

There are numerous benefits associated with the proposed NewCold Sustainability Campus development on the subject site, including:

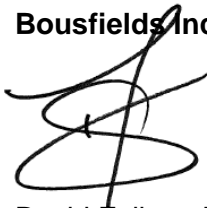
- The development vacant and underutilized employment lands in a *Provincially Significant Employment Zone*, which is a provincial area that is planned for long-term job creation and economic development that contain a significant number of jobs. The construction of 160,000 square metres of new high-technology employment buildings.
- The creation of approximately 570 new full-time jobs for the City, plus additional construction jobs.
- A significant increase in the property taxes for the subject site, estimated at approximately \$12 million annually.
- Economic benefits for the surrounding business park and regional agri-food industry.
- Providing a much needed innovative cold storage facility to the City and region's agri-food sector.

Concluding Thoughts

For the reasons outlined herein, we respectfully request that City Council maintain Modification 15 to OPA 80 for the subject site.

Respectfully Submitted,

Bousfields Inc.



David Falletta MCIP, RPP

/DF:jobs

The Corporation of the City of Guelph

By-law Number (2023) - 20862

A by-law to confirm the proceedings of a meeting of Guelph City Council held December 5, 2023

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

1. Subject to Section 3 of this by-law, every decision of Council taken at the meeting at which this by-law is passed, and every resolution passed at that meeting, shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
2. The execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at this meeting, are hereby authorized.
3. Nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
4. Any member of Council who disclosed a pecuniary interest at the meeting at which this by-law is passed, shall be deemed to have disclosed that interest in this confirmatory by-law as it relates to the item in which the pecuniary interest was disclosed.

Passed this Fifth day of December, 2023.

Cam Guthrie, Mayor

Stephen O'Brien, City Clerk