



March 4, 2021

Project No. 2105

Guelph City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Mayor Guthrie and Members of Council

Re: March 8, 2021 Council Meeting (Agenda Item 5.1)
Draft York Road/Elizabeth Street Land Use Study (February 8, 2021)

I am the planning consultant retained by 642762 Ontario Inc., the owner of 10 Kingsmill Avenue, a property with an approximate area of 1.75 hectares which is located with frontage on York Road, Kingsmill Avenue and Beverley Street. The current Guelph Official Plan, Schedule 2 – Land Use Plan, designates the majority of the subject property as Mixed Business, with the York Road frontage designated as Mixed Office/Commercial. The current Mixed Office/Commercial designation permits residential uses including detached, semi-detached, townhouses and apartments. The 10 Kingsmill Avenue property is currently within the Industrial B.4 Zone. The existing B.4 Zone does not include a maximum floor area regulation for permitted uses. The B.4 Zone currently permits outdoor storage on the property.

Draft York Road Elizabeth Street Land Use Study (February 8, 2021)

10 Kingsmill Avenue, the subject property, is located within Sub-Area 1 as identified by the Draft York Road Elizabeth Street Land Use Study. Figures 6 and 9, the Proposed Land Use Maps, indicate that the City proposes to delete the current Mixed Office/Commercial designation located along York Road from the subject property and designate the entire property as Mixed Business. This is not acceptable to the owners of this property.

The Draft Land Use Study states that;

“While the IMICO lands (200 Beverley Street) are within the study area boundary, the [Council approved vision for the IMICO lands](#) will not be re-examined. Rather the ongoing [Memorandum of Understanding](#) process will continue to provide direction for that site and this study will have regard for the vision and that process.”

The City released a media statement on January 13, 2021 confirming that;

“A memorandum of understanding (MOU) between the City of Guelph, ARQi R&D Inc. and Habitat for Humanity Wellington, Dufferin, Guelph to create a mixed-use development at [200 Beverley Street](#) expired [December 31, 2020](#).”

The City and ARQi R&D Inc. were unable to reach an agreement on the terms and conditions for an agreement of purchase and sale.

The City is working on next steps and plans to bring recommendations for moving ahead with site redevelopment to Council later this year.

The City continues to work with the Ministry of the Environment, Conservation and Parks to file the Record of Site Condition by the end of 2021.”

On this basis, the Land Use Study should not characterize the Memorandum of Understanding process for the 200 Beverley (the “IMICO lands”) as “ongoing” when the City has confirmed that it has expired. There is also no rationale for the IMICO lands to be excluded from this Land Use Study. Given that the IMICO lands are designated a Special Policy Area and will require an amendment to the Official Plan in order to implement the vision for the IMICO lands as approved by Council on August 25, 2014, it seems logical to include the IMICO lands within this Land Use Study to allow the proposed Official Plan Amendment to come forward for this area in a comprehensive manner. The proposed land uses for the IMICO lands will inform the appropriate land uses abutting 200 Beverley Street, in particular the future land uses for the area located between York Road, Stevenson Street South and the IMICO lands, including 10 Kingsmill Avenue.

There should be consideration of expanding the contemplated residential permissions (currently anticipated for the IMICO lands) onto abutting lands, to create a larger residential precinct in this area. Residential development on both sides of Beverley Street would create land use compatibility. Expansion of the Urban Village concept, including affordable housing, commercial, and community gardens would benefit this district. Expanding the Mixed Office/Commercial designation to replace the Mixed Business designation will ensure compatible development within the area located between York Road, Stevenson Road South and the railway.

Within this quadrant of Sub-area 1, located between York Road and Stevenson Road, south and the railway, there are three existing homes with potential cultural heritage interest located along Beverley Street. Retaining these existing homes in a residential setting should not be overlooked and would be positive for this area.

The Mixed Office/Commercial designation is proposed to be removed from 10 Kingsmill Avenue and should not be. The current Mixed Office/Commercial designation located on the subject property permits townhouse and apartment development. This designation should remain on the subject property to provide potential residential intensification along York Road.

On page 17 of the Draft Land Use Report, it states that uses within Sub Area 1 should “*continue to support the existing employment uses*” with the land uses revised “*to provide greater flexibility*” and provide a “*broader mix of uses.*” In fact, the Draft Land Use Study reduces the mix of uses by taking away the ability to develop residential land uses with the exception of the City owned IMICO lands.

The City's proposal also does not support the existing employment uses. On page 18, the Draft Land Use Study introduces a new restriction to a maximum of 950 square metres and prohibits outdoor storage, which is currently permitted.

The Draft Land Use Study refers to this area remaining as an employment area, but is imposing new size and outdoor storage restrictions that do not support this objective. The City is encouraging small to medium incubator and entrepreneurial uses. Undervalued industrial buildings tend to attract incubator uses. Has the future demand for these incubator uses been deemed to be positive by the City? Do these incubator uses pay the building owners a sustainable rent or will these proposed uses cause this district to potentially decline? Page 19 of the Draft Land Use Study refers to the Provincial Policy Statement (PPS) with respect to "maintaining a range and choice of suitable economic activities" and "taking into account the needs of existing and future businesses." The proposed policies are not consistent with the PPS in that they reduce choice by restricting the size (GFA) and prohibit outdoor storage, which does not take into account the needs of business [nor the current size and use of 10 Kingsmill Avenue.

On page 20, the Draft Land Use Study states that, "*Small to medium sized businesses are desirable in this Mixed Business designation because they are less likely to rely on trucks and much of the existing road network is not suitable for large truck movement.... Additionally, there is employment land in other areas of the city that will accommodate larger employment uses.*" If the long-term vision of this area is that it transition away from the scale of employment uses that are viable and rely on trucks, perhaps there should be a different land use vision considered for this area. A vision that contributes to providing housing intensification within the City in proximity to the downtown is appropriate for this area, particularly in the quadrant of Sub-area 1, located between York Road and Stevenson Road, south and the railway.

There is no reason to plan 10 Kingsmill Avenue differently than the IMICO lands. The quadrant of Sub-area 1, located between York Road and Stevenson Road, south and the railway, is geographically the closest area to the downtown and, together with the IMICO lands, is physically separated from the other lands in the area by the railway line. For these reasons, they should be dealt with in the same manner in any new land use plan. To change the designation of the IMICO lands to permit residential while removing residential from 10 Kingsmill Avenue is not consistent with the concept of creating compatible land uses. Furthermore, to change the use of the IMICO lands to a sensitive use, while restricting the uses of 10 Kingsmill Avenue to support the more sensitive uses on the IMICO lands, is an unfair imposition to place on the owners of 10 Kingsmill Avenue.

We are respectfully requesting that the **Draft York Road Elizabeth Street Land Use Study (February 8, 2021)** be revised as follows:

- That the entirety of the 10 Kingsmill Avenue property be designated Mixed Office/Commercial or alternatively,
- That the Mixed Office/Commercial designation currently located on the 10 Kingsmill Avenue property along York Road be retained.

- That the Mixed Business designation policies not add a restriction to the maximum size (GFA) of the permitted uses.
- That outdoor storage continue to be permitted within the Mixed Business designation.

Thank you for the opportunity to provide these comments related to the Draft Land Use Study. We look forward to our comments being incorporated into the Final Land Use Study when it is presented to Council for approval and these comments being incorporated in the future Official Plan Amendment.

Please add me to the circulation list to receive notification of any future, meetings, workshops, public meetings or reports etc. related to this area.

Yours truly,



Astrid Clos, MCIP, RPP

cc: Stacey Laughlin, Senior Policy Planner