

# Staff Report



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To	<b>City Council</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, May 10, 2021
Subject	<b>York Road/Elizabeth Street Recommended Land Use Study</b>

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## Recommendation

1. That the York Road/Elizabeth Street Recommended Land Use Study included as [Attachment 2](#) to this report be approved.
  2. That the properties identified in Attachment 3 of the report entitled "York Road/Elizabeth Street Recommended Land Use Study", dated May 10, 2021, be listed on the Municipal Register of Cultural Heritage Properties.
  3. That Council direct staff to consider a Community Improvement Plan for this area following a Council decision on Community Improvement Plan funding for the City.
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## Executive Summary

### Purpose of Report

This report provides the [York Road/Elizabeth Street Recommended Land Use Study](#) to Council for approval and recommends that properties identified in Attachment 3 be listed on the Municipal Heritage Register of Cultural Heritage Properties.

### Key Findings

The draft land use study that was reviewed and considered by Council on March 8, 2021 was generally well-received by the public and few changes are proposed between the draft land use and the recommended land use study.

Feedback provided through the online survey, at the February 18 virtual public open house, at the March 8 Council meeting and at the March 8 Heritage Guelph meeting has been considered and has informed the recommended land use study.

The recommended land use study removes the cap previously proposed on the size of individual uses within the Mixed Business land use designation while providing direction that businesses larger than 1500 square metres should generally locate elsewhere.

The recommended land use study proposes to allow outdoor storage within the Mixed Business land use designation except where it abuts residential or other sensitive land uses whereas it was previously proposed that outdoor storage not be permitted.

The study area has been reviewed from a cultural heritage perspective and it has been determined that the appropriate time period to be represented by this area is

generally from 1900 to prior to the beginning of the Second World War. The land use study recommends that the properties identified in Attachment 3 be listed on the Municipal Register of Cultural Heritage Properties as they all satisfy at least one of the criteria outlined in [O. Reg. 9/06 under the Ontario Heritage Act](#). All of these properties have cultural heritage value representing the pre-Second World War period of industrial development.

## **Financial Implications**

The York Road/Elizabeth Street land use study and urban design concept plan is funded through the approved capital budget, Capital Account PL0057 Community Improvement Plan/Community Planning Studies, for costs associated with consultant services and community engagement consultants.

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## **Report**

### **Background**

The York Road/Elizabeth Street land use study and urban design concept was initiated in January 2020 with report [IDE-2020-02](#).

The project has three main tasks: the background report, the land use study, and the urban design concept. The background report was completed in September 2020 with report [York Road-Elizabeth Street Background Report - 2020-127](#). The intent is to produce a coordinated land use study and urban design concepts that respect the natural and cultural heritage of the area after engaging with stakeholders and residents. The recommendations of this process feed into Shaping Guelph, the City's Municipal Comprehensive Review and Official Plan Review.

### **Draft land use study**

The draft land use study was considered by Council on March 8, 2021 with the report titled [York Road/Elizabeth Street Draft Land Use Study](#) which provided an overview of the draft land use study including the proposed vision, principles and goals for the area, the proposed land use changes and the proposed conclusions and recommendations.

In addition to the Council meeting, community engagement occurred in February and included an online survey online through [Have Your Say Guelph](#), as well as a virtual public open house which included feedback opportunities.

The draft land use study including proposed listing of properties on the Municipal Register of Cultural Heritage Properties was also considered by Heritage Guelph on March 8. At that meeting, Heritage Guelph passed the following motions:

That Heritage Guelph supports staff's intention to recommend to Council through the York/Elizabeth Land Use Study that the following properties be listed as non-designated properties on the Municipal Register of Cultural Heritage Properties: (see Attachment 3 for the proposed list of properties)

That Heritage Guelph recommends further review to the York/Elizabeth Land Use Study to identify additional mid-twentieth century properties and natural heritage features.

## **What We Heard**

Through the community engagement on the draft land use study there was general support for the proposed vision, principles and goals for the area, the proposed land use changes and the proposed conclusions and recommendations. Many of the comments received can be categorized as follows:

- General support for the proposed land use designation changes with some concerns related to specific properties or areas;
- Desire to preserve, improve, create, and increase access to green spaces and parks in the study area;
- Support for improving existing streetscapes and enhancing active transportation infrastructure to increase pedestrian and cycling throughout the study area and connections to other areas of the City;
- Support for the development of affordable housing;
- Support for appropriately located intensification and a diversity of residential built forms and design;
- Desire to preserve the existing neighbourhood character;
- Desire to improve existing public transit routes, infrastructure and method of service provision;
- Better connectivity around the Cityview Drive South area; and,
- Concern regarding the direction to list cultural heritage resources on the heritage register.

Based on the feedback received through community engagement, few changes to the land use study are proposed. The changes that are being proposed to the land use study generally relate to the Mixed Business land use designation and are detailed below.

### **Cultural Heritage in the study area**

Through the engagement on the draft land use study, approximately 8 property owners provided comments requesting that their property not be listed (as non-designated) on the Municipal Register of Cultural Heritage Properties (also referred to as the heritage register). These properties are:

- 264 Elizabeth Street
- 266 Elizabeth Street
- 290 Elizabeth Street
- 163 Stevenson Street South
- 153 Victoria Road South
- 23 Walter Street
- 435 York Road
- One property owner objected but did not provide their property address

Other property owners requested clarification with respect to what it means for their property if it is listed on the heritage register. Staff responded to all property owners that reached out and generally provided the following clarification:

- Through the York/Elizabeth Land Use Study, staff are proposing to recommend that a number of properties within the study area be 'listed' on the Municipal Register of Cultural Heritage Properties. At this time, Staff are not recommending in the Land Use Study that any properties be 'designated' through a by-law under the Ontario Heritage Act.

- If a property is listed on the heritage register and demolition of the building is proposed, then City Council has 60 days to consider the intention to demolish. During that time, Council must decide if it wants to protect the property with a heritage designation by-law. If not, then the building can be demolished.
- If a property is listed on the heritage register, the ability to renovate, alter or construct additions to the existing building(s) is not impacted. There's no requirement to obtain additional heritage approval to proceed with these types of activities.
- Generally, the listing of a property on the heritage register does not place any additional restrictions on it unless the intent is to demolish the existing building(s).
- Through the [Heritage Review application](#) process property owners can request Council to remove listed properties from the heritage register.

Heritage Planning staff have reviewed the requests from the known properties that objected to being listed on the heritage register and continue to recommend that all of the properties listed on Attachment 3 be listed as non-designated on the Municipal Register of Cultural Heritage properties. All of the properties recommended to be listed have satisfied at least one of the criteria outlined in O. Reg. 9/06 under the Ontario Heritage Act. All of these properties have cultural heritage value.

The draft land use study, and more specifically the properties recommended to be listed on the heritage register, was considered by Heritage Guelph. The project was introduced and presented on January 18 and further discussed on March 8. At the Heritage Guelph meeting staff advised the committee that objections to being listed on the heritage register had been received from the property owners listed above. However, as noted above, Heritage Guelph supports the staff recommendation that all properties identified on Attachment 3 of this report be listed on the Municipal Register of Cultural Heritage Properties.

As noted above, Heritage Guelph passed an additional motion recommending that the York/Elizabeth study area be further reviewed to identify additional mid-twentieth century land and natural heritage features. While staff had indicated at the meeting that this could be considered as part of a future work plan, staff have completed a fulsome review of the heritage character of this area, reviewed the inventory completed for the Cultural Heritage Action Plan and conclude that the appropriate time period that is represented by this area is generally from 1900 to prior to the beginning of the second world war. It is staff's recommendation that the cultural heritage resources representing the pre-Second World War period have been appropriately identified.

The cultural heritage resources that have been identified are generally representative of the period of industrial growth that occurred prior to the beginning of the Second World War which is the period that coincides with the development of the majority of this area (except for some development that occurred post-war). The interior roads and parcel structure were established between 1906 and 1929 through six registered subdivision plans; four plans west of Victoria Road and two plans east of Victoria Road. The subdivisions were created by industrialists that were developing this area to provide houses for people that became workers at the industries in this area during the industrial boom. Three of the registered subdivision plans were for lands owned by J.W. Lyon and it is understood that the industrial lands were given to industrial users at no cost in an effort to attract industry to Guelph and the residential lots were sold to the people that ultimately worked in

those industries. Additionally, the properties identified to have cultural heritage value reconcile the Couling Architectural Inventory of properties which generally documents historic buildings or structures built before 1927 and have not previously been considered for listing on the register.

There are other areas of the city that better represent mid-twentieth century development as identified as part of the Cultural Heritage Action Plan (CHAP). Given that this broader context was evaluated through the CHAP, staff do not recommend that further evaluation of mid-twentieth century development within the York/Elizabeth study area be undertaken.

### **Amendments to the Recommended Land Use Study – Mixed Business land use designation**

In response to comments we heard on the draft land use study, the following modifications are proposed to the proposed Mixed Business land use designation:

- The 950 square metre cap proposed for uses permitted by the Corporate Business Park and Industrial designation has been removed and replaced with a description of business 'that are of a small to medium scale' with the following additional direction provided to generally direct larger scale uses to the appropriate Industrial or Corporate Business Park designation elsewhere in the City:

"The 'Mixed Business' land use designation is intended to provide areas where a mix of business land uses can be provided and small to medium sized entrepreneurial and incubator businesses are encouraged. Individual uses permitted under 9.5.5.5i) and 9.5.5.5ii) that provide greater than 1500 square metres of gross floor area shall generally be directed in an appropriate Industrial or Corporate Business Park designation to minimize land use compatibility impacts on surrounding sensitive land uses (residential, institutional or park)..."

The intent of this change is to ensure that appropriate flexibility is being provided by the land use designation. The proposed policy structure would allow for future zoning by-law amendments to include specific restrictions as appropriate.

- It was previously proposed that outdoor storage would not be permitted within the Mixed Business land use designation. In response to comments, the recommended 'Mixed Business' land use designation now proposes that "Outdoor storage adjacent to existing residential or other sensitive land uses shall not be permitted" to assist with potential land use compatibility issues between employment uses and surrounding sensitive land uses while still allowing flexibility for existing and future employment uses.
- As requested for the property at 10 Kingsmill Avenue, the Mixed Business land use designation will remain as it exists today and the existing Mixed Office/Commercial designation is recommended to remain along the York Road frontage of this property.
- Other minor amendments include:
  - Providing a summary of the February/March 2021 community engagement;
  - Providing an update with respect to the process for the lands at 200 Beverley Street. The City's Economic Development staff are working on next steps and plans to bring recommendations in accordance with Council's vision for the site's redevelopment to Council later this year;

- Providing an update on the assessment of the potential cultural woodland located in the eastern part of the study area to clarify that the assessment is underway and the results will be incorporated into the forthcoming Official Plan Review; and,
- Providing a description of the Source Water Protection Program as it relates to the study area.

### **Next Steps**

Q3 & Q4 2021 – Develop urban design concept plans for portions of the study area

### **Financial Implications**

The York Road/Elizabeth Street land use study and urban design concept plan is funded through the approved capital budget, Capital Account PL0057 Community Improvement Plan/Community Planning Studies, for costs associated with consultant services and community engagement consultants.

### **Consultations**

To inform the Land Use Study consultation has occurred with staff from the following City departments and service areas:

- Economic Development and Tourism
- Engineering and Transportation Services
- Environmental Services – Water Services
- Guelph Junction Railway
- Parks Services
- Legal, Realty and Court Services

### **February/March 2021: Online Community Engagement**

Online community engagement took place from February 4 to February 25, 2021. Notice for the engagement was provided through City News and by mailing a notice to property owners, business owners and tenants in the study area. The online engagement allowed for the community to provide comments on the draft land use study and the proposed listing of properties on the Municipal Register of Cultural Heritage Properties.

During this round of engagement the City asked the community for:

- Reactions to the draft land use study;
- Suggestions for changes to the draft land use study; and,
- Feedback on the properties proposed to be included on the heritage register.

162 people filled out the online survey. The City also received letters providing additional feedback. A high-level summary with the full data set from this round of engagement is provided on the [project webpage](#). In addition, approximately 40 people attended a virtual public open house on February 18, 2021. Delegations submitted for the March 8 Council meeting and Council comments were also reviewed and considered. A virtual discussion for businesses was also offered however, there was not enough interest generated to hold the event. Staff met separately with all businesses that requested a meeting.

Based on the feedback received there was general support for the land use changes, as well as the conclusions and recommendations proposed in the draft Land Use Study.

Many of the comments received related to the proposed land use designation changes as they related to specific properties or areas, including potential impact on adjacent uses. There was also some concern expressed regarding the direction to list cultural heritage resources. Other common topics that were raised included active transportation, road safety, park and thoughts on how to improve and/or create open spaces/public spaces in the study area. Collectively these topics made up the majority of the comments.

### **Strategic Plan Alignment**

The York Road/Elizabeth Street land use study and urban design concept plan supports the City's existing policies and guidelines and aligns with the following priorities within Guelph's Strategic Plan:

- Powering our future – This study will support a healthy economy.
- Navigating our future – The study will consider transportation connectivity, safety and improving connections to workplaces in Guelph.
- Building our future – By prioritizing policy work that supports the development of new assets this study will respond to Guelph's growing and changing social, economic and environmental needs.

### **Attachments**

Attachment-1 Staff Presentation - York/Elizabeth Recommended Land Use Study

Attachment-2 [York Road/Elizabeth Street Recommended Land Use Study](#)

Attachment-3 York/Elizabeth properties recommended to be listed on the Municipal Register of Cultural Heritage Properties

### **Departmental Approval**

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