

AIRD BERLIS

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April 14, 2023

BY EMAIL: clerks@guelph.ca

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

Dear Mayor Guthrie and Members of Council:

**Re: City Council Meeting on April 18, 2023 – Agenda Item No. 3 2
Decision Report 2023-129
Comprehensive Zoning By-law Review and Companion Official Plan Amendment**

Aird & Berlis LLP represents 2742707 Ontario Limited, the owner of lands known municipally as 280 Clair Road West (formerly 0 Clair Road West), City of Guelph.

On April 11, 2023, the Minister of Municipal Affairs and Housing approved City of Guelph Official Plan Amendment No. 80 with 18 modifications. Modification No. #18 re-designated the western portion of our client's site from Industrial to High Density Residential as shown on the modified land use designation map for 280 Clair Road West attached to the Minister's decision (a copy of the map is attached hereto as Appendix A). The site was made subject to a site specific policy as follows:

14. 280 Claire Road West¹

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.

A review of the City's draft Comprehensive Zoning By-Law (2023)-20790 dated April 18, 2023 currently shows that our client's site is zoned Industrial (B) (see map attached hereto as Appendix B). Given the Minister's recent decision, which is final and not subject to an appeal, we ask that City Council direct City staff to assign an appropriate residential zone and establish a site specific provision for this site consistent with the Minister's decision. We believe, to implement the Minister's decision, a High Density Residential 7 (RH7) zone would be appropriate for our client's site along with a site specific provision that conform with the above site specific policy.

¹ We note the Minister's decision misspelt "Clair Road West".

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We, along with our client's planning consultant, would be pleased to meet with City staff to discuss the appropriate zone category and any other implementation matters which may assist in giving effect to the Minister's decision.

Thank you for considering our request.

Yours truly,

AIRD & BERLIS LLP



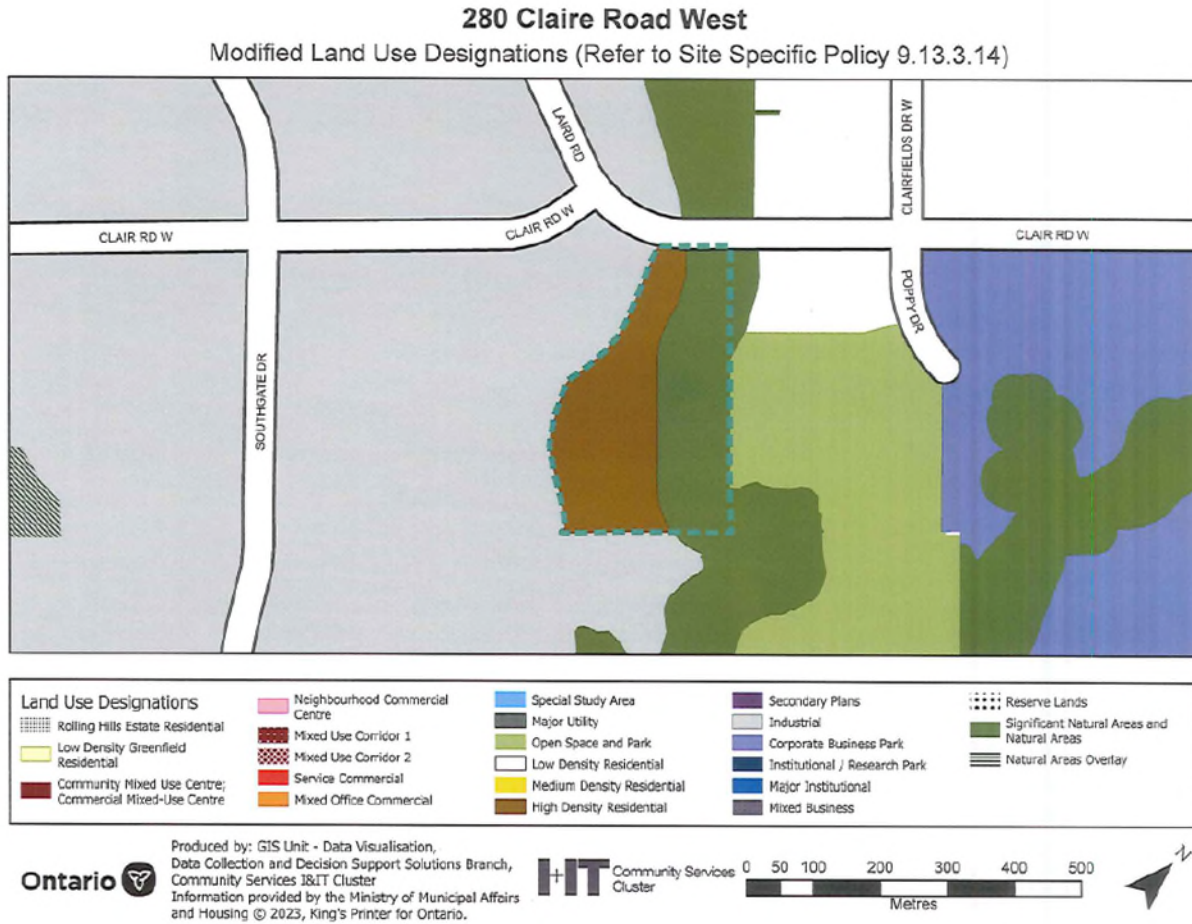
Eileen P. K. Costello
EPKC/JCMF

Encl.

cc. Hugh Handy, GSP Group Inc.
Faz Ashkar and Steno Carniello, 2742707 Ontario Limited

APPENDIX A

Minister Decision on Official Plan Amendment No. 80 (Extract)



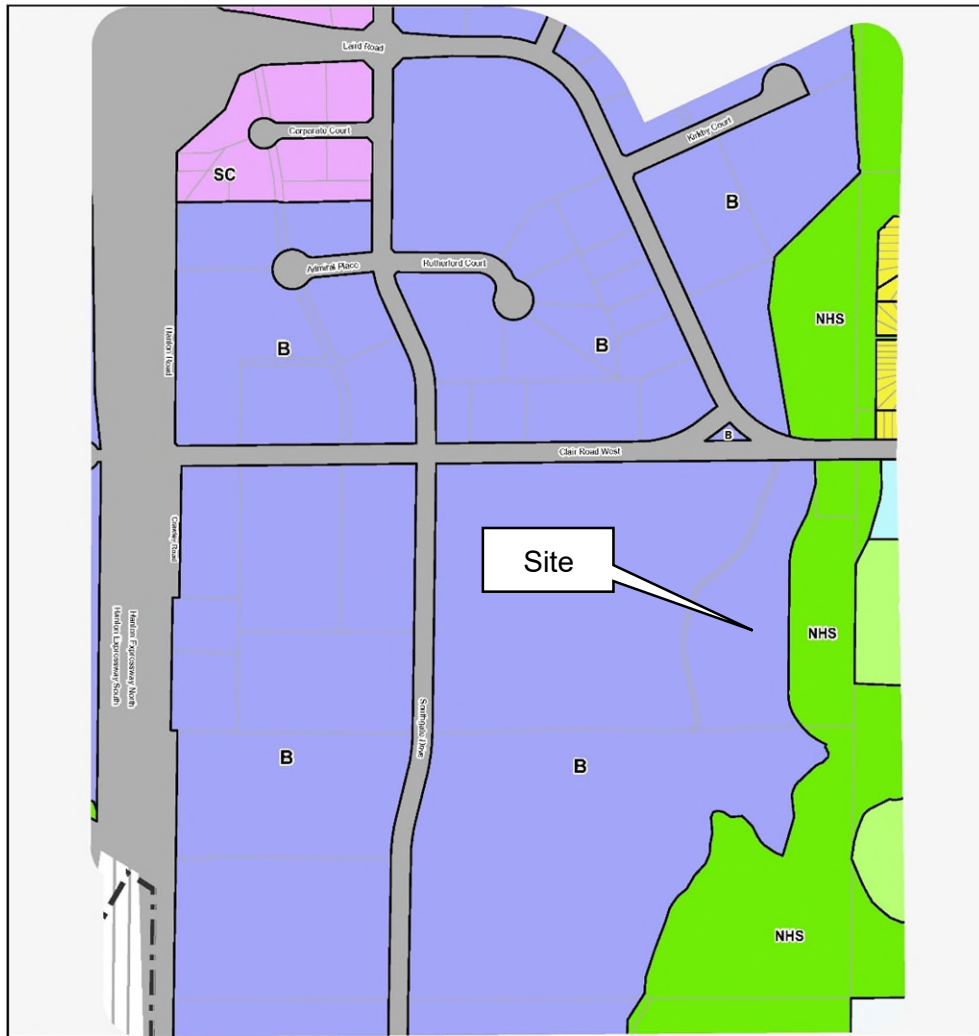
Note: The Minister's decision misspelt "Clair Road West".

APPENDIX B

Proposed Zoning By-law Map 21 – 280 Clair Road West

Zoning Bylaw (2023) - 20790
As last amended by By-law

Schedule A, Map 21



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| <p>Residential Zones</p> <ul style="list-style-type: none"> RL.1 (Low Density Residential 1) RL.2 (Low Density Residential 2) RL.3 (Low Density Residential 3) RL.4 (Low Density Residential 4) RM.5 (Medium Density Residential 5) RM.6 (Medium Density Residential 6) RM.7 (High Density Residential 7) <p>Mixed Use Zones</p> <ul style="list-style-type: none"> CMU2 (Commercial Mixed-Use 2) MUC (Mixed-Use Commercial) NDG (Neighbourhood Commercial General) | <p>Commercial Zones</p> <ul style="list-style-type: none"> WOC (Work Office Commercial) CC (Convenience Commercial) SC (Service Commercial) <p>Downtown Zones</p> <ul style="list-style-type: none"> D.1 (Downtown 1) D.2 (Downtown 2) D.3 (Downtown 3) D.3a (Downtown 3a) <p>Employment Zones</p> <ul style="list-style-type: none"> B (Office/Industrial) | <p>Institutional Zones</p> <ul style="list-style-type: none"> BP (Corporate Business Park) BP (Professional/Business Park) MD (Mixed Business) EMU (Employment/Manufacturing) NI (Neighbourhood Institutional) LI (Local Institutional 1) LI (Local Institutional 2) LI (Local Institutional 3) <p>Open Space, Golf Course and Park Zones</p> <ul style="list-style-type: none"> OS (Open Space) | <p>Natural Heritage System Zones</p> <ul style="list-style-type: none"> GG (Great Green) US (Urban Square) NP (Neighbourhood Park) OP (Community Park) RP (Regional Park) NHS (Natural Heritage System) <p>Major Utility Zone</p> <ul style="list-style-type: none"> U (Major Utility) | <p>Urban Reserve Zones</p> <ul style="list-style-type: none"> UR.1 (Urban Reserve 1) UR.2 (Urban Reserve 2) <p>City of Guélnph Boundary</p> <p>Zoning Suffixes</p> <ul style="list-style-type: none"> HI (Home Based) PA (Parking Adjustment) |
|---|--|---|---|--|

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