



April 17, 2023

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

Attention: Mayor & Members of Council C/O City Clerk

Dear Mayor & Members of Council,

RE: Comments: Proposed Comprehensive Zoning By-law
540 York Road
City of Guelph

I write to provide written comments regarding the proposed Comprehensive Zoning By-law, on behalf of the Registered Owner (2793031 Ontario Inc.) of lands municipally addressed as 540 York Road ("Subject Lands").

Property Location, Description & Proposed Zoning

The Subject Lands are approximately 12,159 Square Metres in Site Area and are located within the York Road and Elizabeth Street intersection, just east of the existing railway, on the north side of York Road.

The Subject Lands are proposed to be Zoned 'Commercial Mixed-Use Centre (CMUC)' together with a Holding Symbol (H-25).

Our Client is generally supportive of the proposed Zone change pertaining to the Subject Lands and is committed to advancing development of the Subject Lands for a mix of land uses including residential and commercial uses consisting of a 10 Storey Apartment Building with ground floor commercial uses consisting of a Grocery Store, Medical Clinic, and Restaurant.

The proposed CMUC Zone permits the proposed land uses together with a wide range of other uses in keeping with the principles of 'mixed-use'.

The proposed CMUC Zone also various regulations, generally pertaining to setbacks, angular

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plane requirements, building height, landscape requirements, amenity area requirements, and building design requirements.

The proposed Holding Symbol (*H-25*), applicable specifically to the Subject Lands and other lands, requires the availability and adequacy of municipal services and study requirements including those required as part of the *York Road/Elizabeth Street Land Use Study* and by the Provincial D-6 Guideline; to be completed, prior to the construction of new buildings being permitted.

Our Client is committed to completing the required Studies as part of an implementing Site Plan Control Application to advance the development of the Subject Lands, as generally described above.

Throughout the *York Road/Elizabeth Street Land Use Study* and Official Plan Amendments (*OPA 69 & OPA 80*) process, our Client has worked with City personnel by providing input including written comments and Concept Plans.

CMUC Zone Regulations & Comments

In review of the proposed Comprehensive Zoning By-law, as mentioned, we are supportive of the proposed zone change and will continue to work with City personnel to advance the proposed development of the Subject Lands.

There are proposed regulations within the CMUC Zone, which we do not support and cannot be ‘fully’ complied with, per the latest Concept Plan including Buffer Strip, Floor Plate, Setbacks, Building Length, Building Length to Width Ratio and Common Amenity Area requirements.

Should Council approve the proposed Comprehensive Zoning By-law, relief, as appropriate, from the above noted regulations will be required, which will be confirmed through review of a future Site Plan Control Application.

Relief from the regulations can be supported through a Minor Variance Application, provided the relief sought is minor in nature, generally conforms to the Official Plan and Zoning By-law including being appropriate for the use of the Subject Lands.

It is our Client’s expressed hope the City will continue to work collaboratively through the design process, to provide flexibility, as appropriate, to permit the proposed development of the Subject Lands.

The Subject Lands are of irregular lot shape and therefore, custom design elements are required to properly incorporate the mix of land uses envisioned and as described above.

Thank you for the opportunity to provide Comments pertaining to the proposed Comprehensive

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Zoning By-law.

We respectfully request a Notice of Decision related to the proposed Comprehensive Zoning By-law and look forward to continuing to work with the City to implement the proposed development of the Subject Lands, which will provide much needed housing options and commercial uses along the York Road corridor.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,

BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.

Principal

Copy:

Client

Ms. Abby Watts, MCIP, RPP, Project Manager, Comprehensive Zoning By-law Review

Ms. Melissa Aldunate, RPP, Manager, Policy Planning, City of Guelph

Mr. Michael Witmer, Senior Development Planner, City of Guelph

Mr. Fausto Cortese & Mr. Soheil Hadian, FCA Architects