



May 10, 2021

Project No. 2105

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

Attention: Mayor Guthrie and Members of Council

**Re: May 10, 2021 Council Meeting (Agenda Item 6.2)**  
**York Road/Elizabeth Street Land Use Study May 10, 2021) 2021-99**

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 (4.32 acres) 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.

We have previously met with City staff, completed the on-line survey for the York Road/Elizabeth Street Land Use Study and provided correspondence to Council dated March 4, 2021. We have reviewed the current staff report and the updated land use study and are appreciative that staff have been thoughtful in their response and considered the feedback that we offered specifically that;

- As requested for 10 Kingsmill Avenue, the existing Mixed Office/Commercial designation is recommended to remain along the York Road frontage of this property.
- 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.

While the owners are appreciative that their comments were considered, there are some remaining areas of concern that have not been addressed.

As Council is aware, the IMICO property has not been included in this land use study, but is proposed to be brought forward to a Council meeting later in 2021. Implementing a residential land use designation on the IMICO property in accordance with the approved Council vision will restrict the ability of 10 Kingsmill Avenue to operate in accordance with the current Industrial B.4 zoning on the property. Introducing a new sensitive residential land use on the IMICO property abutting the Kingsmill property will restrict what can legally occur on the Kingsmill property today.

*“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;”* (page 5 of staff report)

The owners confirm that the current 10 Kingsmill Avenue building has an area of 2,787 m<sup>2</sup>. There was a second building on the property, prior to the fire that occurred, with an area 3,531 m<sup>2</sup> which the owners believe they have a legal right to rebuild. The current business within the 10 Kingsmill building is larger than 1,500 m<sup>2</sup> and the owners are aware of other buildings and businesses within the study area that also exceed this size. We are, therefore, unsure that the City’s analysis and conclusions are based upon accurate information.

*“Based on the employment survey that was undertaken in early 2020, a number of entrepreneurial and incubator businesses are located in this area. Many of these businesses have a gross floor area less than 465 square meters and a few of them are between 465 square metres and 950 square metres. **Based on the survey, there are no existing businesses within this designation greater than 1500 square metres.**”* (page 22 of the land use study)

While the 950 m<sup>2</sup> size cap in the proposed Official Plan policy has been removed in favour of 1,500 m<sup>2</sup>, the staff report makes it clear that a maximum building size could be included in the zoning by-law implementing these policies. Once again, this remains a concern since the current building size and the current permissions for the over 4 acre 10 Kingsmill property are greater than 1,500 m<sup>2</sup>.

*“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.**”* (page 5 of the staff report)

In order to not delay the York Road/ Elizabeth Street Land Use Study from being approved, while also providing the opportunity to address the concerns related to the 10 Kingsmill Avenue landowners, it is proposed that a 4<sup>th</sup> recommendation be added for Council’s consideration;

#### “Recommendation

- 4. That the portion of the 10 Kingsmill Avenue property designated as “Mixed Business” become “Special Policy Area”, and further that the land use designation of these 10 Kingsmill Avenue lands be considered by staff along with the IMICO lands (200 Beverley Street) and be brought forward together in a report to Council in 2021.”**

Yours truly,



Astrid Clos, MCIP, RPP

cc: Stacey Laughlin, Senior Policy Planner