

# Staff Report



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| To           | <b>City Council</b>                                     |
| Service Area | Infrastructure, Development and Enterprise Services     |
| Date         | Tuesday, May 9, 2023                                    |
| Subject      | <b>Official Plan Amendment 80 – Minister’s Decision</b> |

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## Recommendation

1. That report 2023-175, Official Plan Amendment 80 – Minister’s Decision to approve, with modifications, Official Plan Amendment 80 to the City of Guelph Official Plan, as adopted by By-law (2022)-20731, be received.
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## Executive Summary

### Purpose of Report

The purpose of this report is to provide a summary of the Minister’s decision to approve, with modifications, Official Plan Amendment 80 to the City of Guelph Official Plan, as adopted by By-law (2022)-20731. Official Plan Amendment 80 (OPA 80) implements the City of Guelph Official Plan's vision, urban structure, population and employment figures, density and intensification targets.

### Key Findings

On April 11, 2023, the Minister’s decision on OPA 80 was released on the [Environmental Registry of Ontario](#).

OPA 80 is the City’s municipal comprehensive review that revised the Official Plan’s vision, urban structure, population and employment figures, density and intensification targets, associated policies and land use designations for conformity with A Place to Grow: The Growth Plan for the Greater Golden Horseshoe. It was adopted by City Council on July 11, 2022.

The City’s adopted OPA 80 was reviewed by the Province for consistency and conformity with Provincial policies and plans and regard for matters of Provincial interests set out in the Planning Act. The Minister approved OPA 80 with modifications.

Through the Minister’s decision, eighteen (18) modifications have been made to address Provincial policy direction related to housing supply, the Ontario Land Tribunal, planning roles and responsibilities, the Agri-food Network, and definitions, among other matters.

The Minister’s decision modifies the height schedule for the Downtown, removes employment lands in the Guelph Innovation District Secondary Plan area, and makes site-specific land use designation changes to four properties.

The Minister also approved the City's request for an alternate intensification target. The Minister's decision is final and not subject to appeal. Accordingly, OPA 80, as approved with modifications, came into effect on April 12, 2023.

## **Strategic Plan Alignment**

As reported in the [July 11, 2022, Decision Report for Shaping Guelph Official Plan Amendment 80](#).

## **Financial Implications**

The financial implications of OPA 80 were previously reported in the [July 11, 2022, Decision Report for Shaping Guelph Official Plan Amendment 80](#). An update to this fiscal impact assessment is not planned, however the Minister's decision to add additional height and density would have meant an improved fiscal position before factoring in the growth revenue losses from Bill 23. Work is underway through the development charge study and parking master plan to assess the broader financial impact of these legislative changes.

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## **Report**

### **Details**

A decision was made on April 11, 2023, to approve, with eighteen (18) modifications, OPA 80 to the City of Guelph Official Plan adopted pursuant to sections 17 and 26 of the Planning Act by By-law (2022)-20731. [Notice of this Decision](#) was issued on April 11, 2023, to the City of Guelph. The decision is available for review in its entirety at this link: [Guelph OPA 80 Decision](#).

The adopted OPA 80 was reviewed for consistency and conformity with Provincial policies and plans and regard for matters of Provincial interests set out in the Planning Act.

The eighteen modifications to OPA 80 have been made to address Provincial policy direction related to housing supply, the Ontario Land Tribunal, planning roles and responsibilities, the Agri-food Network, and definitions, among other matters. Four modifications result in site specific changes to land use designations.

The Minister's approval of the City's request for an alternative intensification target was also provided to the City. This [approval](#) confirms the target as 46 per cent of new residential development occurring annually and supports the City's growth management strategy.

The following provides a summary of the eighteen modifications. The modifications are addressed in this report as: general and minor modifications; land use policy and definitions; Downtown Secondary Plan; Guelph Innovation District; and site-specific modifications.

### **General and Minor Modifications**

One policy was modified to change of the name Ontario Municipal Board to the Ontario Land Tribunal.

Thirteen policies were modified to remove references to the Grand River Conservation Authority (GRCA), the Province, or Ministries.

Three policies were modified to change references to Provincial Ministries and the GRCA to the Federal Department of Fisheries and Oceans (DFO).

One policy was modified to change a reference to seasonal concentration areas (for deer and waterfowl) to deer wintering areas identified by the Province.

## **Land Use Policy and Definition Modifications**

### **Service Commercial Land Use Designation**

The modification to these policies introduces new permitted uses into the land use designation. Office, warehouse and repair service uses have been explicitly permitted. The decision also introduced a policy requiring the application of Provincial guidelines to promote land use compatibility between these new uses and residential and sensitive land uses. Provincial guidelines include minimum separation distances, sound proofing, odour control, landscaping, and berming.

### **Special Policy Area**

A new policy has been added to the Official Plan that states that any changes or modifications to policies, land use designations or boundaries applying to the Special Policy Area must be approved by the Minister of Municipal Affairs and Housing and the Minister of Natural Resources and Forestry prior to the City approving any changes or modifications. The Special Policy Area is a Provincially-regulated area where communities were historically developed within the floodplain and direction is provided for development/redevelopment.

### **Goods Movement**

A policy in Chapter 5 (Transportation System) of the Official Plan was modified to include reference to establishing priority routes for goods movement to facilitate movement of goods into and out of employment areas and areas of significant commercial activity and to provide alternate routes to connect to the provincial network.

### **Agricultural System**

Section 9.1.3 Urban Agriculture was modified to include reference within the objectives to maintaining and enhancing connections to the agri-food network within the agricultural system. Definitions of agricultural system and agri-food network were also added to the Official Plan.

### **Cultural Heritage**

The definition of heritage attributes was modified.

## **Downtown Secondary Plan Modifications**

### **Downtown Height Schedule**

The Minister's decision modifies the height schedule for Downtown. With the exception of the special policy area, the modified minimum height is 2 storeys and the modified maximum height is 23 storeys. Policy 11.1.7.2.1 which set out how the height schedule was established and how it recognizes the Basilica as a landmark and signature building has been modified to delete these references. The policies stating that lower maximum heights may be established to maintain long views to the Basilica and within the Residential 1 Areas have been deleted. However, the decision maintains the policy that establishes the protected views to the Basilica of Our Lady.

## **Parking in the Major Transit Station Area**

The decision includes a new policy that requires the City to amend its Zoning Bylaw to reduce minimum parking requirements for transit-supportive development within the Major Transit Station Area.

## **Guelph Innovation District (GID) Secondary Plan Modifications**

### **GID Land Use Schedule**

The land use schedule for the lands west of the Eramosa River has been modified to significantly reduce the area of employment designations and to expand the residential area and commercial mixed-use corridor within the secondary plan area. An additional park symbol has been added where lands were previously designated employment mixed use. A policy for the main street area has been modified to delete references to it as a transition between employment and residential areas.

### **Building Heights**

The height schedule has been significantly revised with the maximum height increasing to 18 storeys along Victoria Road South. Minimum heights for the main street and commercial mixed-use corridor have been reduced to 3 storeys from 4 storeys.

## **Site Specific Modifications**

### **41-45 George Street**

The Minister's decision removes the site-specific modification to the land use designation for this site. As such, the land use designation for the property remains as High Density Residential. The Council-adopted amendment to change the designation of this property to medium density residential was not approved.

### **230 Willow Road**

The decision modifies the land use designation of 230 Willow Road and part of 100 Ridgewood Avenue to High Density Residential from Low Density Residential.

### **384 Crawley Road**

The decision provides site-specific policies for 384 Crawley Road to specifically permit Industrial development and to require that nothing in the Official Plan will prevent the construction of industrial buildings and ancillary buildings on this property. The decision sets out the specific Official Plan policies that do not apply to this site. The Official Plan schedules for the Natural Heritage System have been modified for 384 Crawley Road to remove features. The decision sets out a maximum gross floor area of 160,000 square metres and height of 46 metres for the industrial building. Conveyance of a public road is required for this site.

### **280 Clair Road West**

The decision modifies the land use designation of 280 Clair Road West from Industrial to High Density Residential and requires that Provincial guidelines to promote land use compatibility be followed and implemented through the Zoning Bylaw.

## **Financial Implications**

The financial implications of OPA 80 were previously reported in the [July 11, 2022, Decision Report for Shaping Guelph Official Plan Amendment 80](#). An update to this

fiscal impact assessment is not planned, however, the Minister's decision to add additional height and density would have meant an improved fiscal position before factoring in the growth revenue losses from Bill 23. Work is underway through the development charge study and parking master plan to assess the broader financial impact of these legislative changes.

### **Consultations**

The Ministry consultation for OPA 80 was open from December 5, 2022, to January 4, 2023. Twenty-four comments were received by the Ministry during the consultation period. Comment letters are [available for review](#).

### **Attachments**

Attachment-1 Staff presentation

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