



October 21, 2024

Trista Di Lullo, Secretary-Treasurer  
Committee of Adjustment  
City Hall, 1 Carden Street  
Guelph, ON N1H 3A1

e: cofa@guelph.ca

Dear Trista Di Lullo:

**RE: APPLICATION FOR CONSENT TO LEASE: 436 CLAIR ROAD WEST, GUELPH  
OUR FILE 24132C**

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On behalf of our client, Alectra Utilities Corporation (the 'Owner'), please find enclosed a Consent to Lease application for the property municipally addressed as 436 Clair Road West in the City of Guelph (the 'Subject Lands'). The purpose of this Consent Application is to secure a lease between Alectra Utilities Corporation and Convergent Energy + Power for the lands at 436 Clair Road West that would facilitate the implementation of additional electric utilities (e.g. battery energy storage system).

In support of this application, we have enclosed the following items as separate PDF files:

- One (1) copy of the Consent Application Form;
- One (1) Sketch prepared by Ontario Land Surveyor outlining the extent of the leased area; and
- One (1) Sketch prepared by Kimley Horne providing an aerial image of the leased area.

The consent application fee of \$4,170.00 is being submitted separately through a cheque payment.

## **OVERVIEW**

The Subject Lands are located southeast of the intersection of Clair Road West and Crawley Road with frontage along both Clair Road West and Crawley Road. The Subject Lands contain an existing electric utility that is located in the northern portion of the Subject Lands adjacent to Clair Road West.

The Subject Lands are designated 'Industrial' in the City of Guelph Official Plan (OPA 80) as indicated on Schedule 2: Land Use Plan. Under Chapter 9: Land Use, section 9.1.2 Public and Private Infrastructure, all electric power facilities are permitted within all land use designations provided that such development satisfies the provisions of the *Environmental Assessment Act*. The proposed Utility, a battery energy storage system ('BESS') satisfies these provisions. The purpose of the BESS facility is to provide power to the energy grid in the event of a blackout or dip in power to the grid.

The Subject Lands are zoned as 'Industrial (B)' in the City of Guelph Zoning By-law (2023)-20790, Schedule A, Map 21. Under the Zoning By-law, 'Utilities' means an essential commodity or service, such as electricity, that is provided to the public by a regulated company or government agency, while 'Public Use' means, in part, the use of a building or structure by, or on behalf of, the City. Under Section 4.2 Uses Permitted in All Zones, Public Use and Utilities may be permitted in any zone provided that such use, building or structure complies with the regulations of the applicable zone.

## **SUMMARY OF THE PROPOSAL**

The purpose of this application is for the Owner to obtain a consent for leasing purposes for a period of over twenty-one (21) years to grant Convergent Energy + Power the right to utilize a portion of the Subject Lands for Utility/Public Use purposes. In this case, for a Battery Energy Storage System ('BESS').

The Subject Lands have a lot width of 90.35 m along Clair Road West and average lot depth of 200.74 m along Crawley Road for an overall area of 18,136.99 m<sup>2</sup>. An easement is found along the southwestern lot line along the Crawley Road frontage that has an area that is approximately 61 m x 43.96 m (area = 2,681.56 m<sup>2</sup>).

The Leased Lands are located to the rear of the retained lands with available vehicular access from Crawley Road. There is a buffer area between the proposed Leased Land area and the Subject Lands existing rear lot line that is approximately 16 m in width.

The Leased Lands have the following area and parcel dimensions as indicated on the Reference Plan:

- 3,904.04 m<sup>2</sup> area
- 43.81 m lot width - frontage along Crawley Road (access curb cut)
- 89.113 m lot depth.

The Retained Lands have the following area and parcel dimensions:

- 14,232.82 m<sup>2</sup> area
- 90.35 m lot width – frontage along Clair Road West
- 200.74 m lot length total (approx.) (combined depth to leased land + rear lot buffer area)

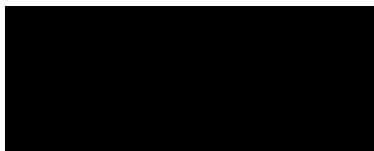
## **CONCLUSION**

Based on our planning assessment, the proposed Consent to Lease fulfills the requirements of the Planning Act, s.50(3) for Convergent Energy + Power to utilize the leased land area for a BESS. We request that this application be circulated to staff for review and be scheduled for the next available Committee of Adjustment hearing.

If you require further information please do not hesitate to contact us. We look forward to this matter being scheduled for the next available hearing date.

Yours truly,

**MHBC**



Oz Kemal, BES, MCIP, RPP  
President

cc. *Alectra Utilities Corporation*  
*Convergent Energy + Power*