

AIRD BERLIS

Eileen P. K. Costello
Direct: 416.865.4740
E-mail: ecostello@airdberlis.com

January 4, 2023

BY EMAIL: Tyler.Shantz@ontario.ca

Ministry of Municipal Affairs and Housing
Western Municipal Services Office
659 Exeter Road, 2nd Floor
London, ON N6E 1L3

Attention: Tyler Shantz

Dear Mr. Shantz:

**Re: MMAH Regulatory Proposal: City of Guelph Official Plan Amendment No. 80
ERO No. 19-5981 and Ministry Reference No. 23-OP-221935
Comment Period: December 4, 2022 to January 4, 2023**

Aird & Berlis LLP represents 2742707 Ontario Limited, the owner since 2021 of lands known municipally as 280 Clair Road West (formerly 0 Clair Road West) (the "Site"), City of Guelph.

The Site is located on the south side of Clair Road West, approximately midblock between Southgate Drive and Gordon Street. The Site is vacant and approximately 17.28 acres in area. The Site is adjacent to an industrial area to the west and a community facility (high school) to the east. To the northeast of the Site is an established low rise residential neighbourhood. An aerial Google image of the Site and surrounding areas is attached as Appendix 1.

Prior to our client's acquisition of the Site, the Site was the subject of an Ontario Land Tribunal (formerly Ontario Municipal Board) settlement which resulted in the eastern portion of the Site being identified as an Ecological Linkage as part of the *Significant Natural Areas* designation in the City of Guelph's Official Plan, as shown on the schedules attached as Appendix 2. Within the current in-force Official Plan framework, the western portion of the Site is designated *Industrial*. An extract of Schedule 2 showing the Site and the current in-force land use designations is attached as Appendix 3.

Official Plan Amendment No. 80 ("OPA 80"), the instrument currently before the Minister, generally maintains the Site's current Official Plan designations. One significant change proposed through OPA 80 is that the entire Site will be placed within a Provincially Significant Employment Zone ("PSEZ"). As shown in draft Schedule 1b of OPA 80, an extract of which is attached to Appendix 4, the Site is located at the edge of the proposed Guelph PSEZ.

Given our client's recent purchase of the Site, it did not make submissions during the OPA 80 public process. **However, the passage of the *More Homes Built Faster Act, 2022*, which received Royal Assent on November 28, 2022, has spurred our client's interest in developing the Site for residential uses, including attainable/affordable housing, to support the Province's goal of building 1.5 million homes over the next 10 years in accordance with the Ontario Housing Affordability Task Force Report (February 2022).**

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Our client has been in contact with and intends to continue discussions with staff from the Guelph Non-Profit Housing Corporation to discuss a potential partnership with this municipal non-profit organization to provide attainable/affordable housing on the Site. Additionally, our client has undertaken initial feasibility studies which demonstrate that the introduction of residential uses on the Site can be achieved in a manner which will not impact the existing or future industrial operators to the west. Finally, the introduction of residential uses would greater compliment the Ecological Linkages lands on the eastern portion of the Site and build on the existing connections through the community including to the adjacent high school and established neighbourhood. This is a much preferred relationship to having ecological lands immediately adjacent to industrial operations.

The Site, which is currently vacant, represents a unique opportunity, given its location immediately adjacent to an established residential area and on the edge of an industrial area, to pursue residential development in response to the urgent need for housing, and particularly affordable housing, in the City of Guelph.

The OPA 80 Ministerial consultation period provides an opportunity to consider unique properties, such as the Site, in the context of the acknowledged need for housing and the important initiatives undertaken by the Province through the *More Homes Built Faster Act, 2022*. Our office, on behalf of our client, invites a discussion with Ministry staff to discuss a re-designation of the Site from *Industrial* to a designation that would allow for the delivery of housing, including attainable/affordable housing on the Site. Specifically, our client's request is for the Site to be removed from its edge location within the proposed PSEZ and for the western portion of the Site currently designated *Industrial* to be re-designated to a residential or mixed-use designation while retaining the Ecological Linkages identification for the remainder of the Site.

Should there be any requests of clarification or additional information, please contact the undersigned or Ms. Jasmine Fraser, an associate with Aird & Berlis LLP, at jcmfraser@airdberlis.com.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello

EPKC/JCMF

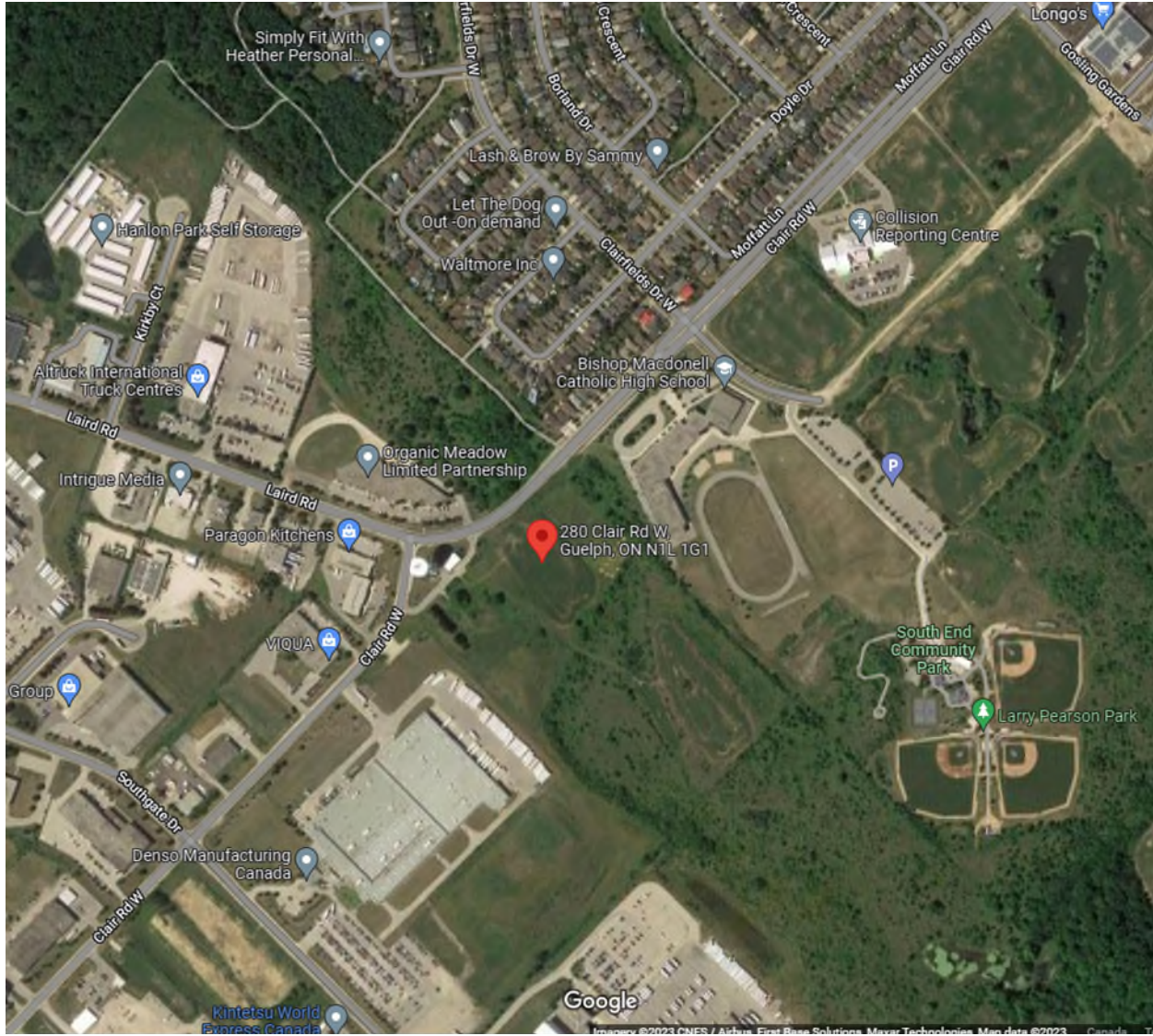
Encl.

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

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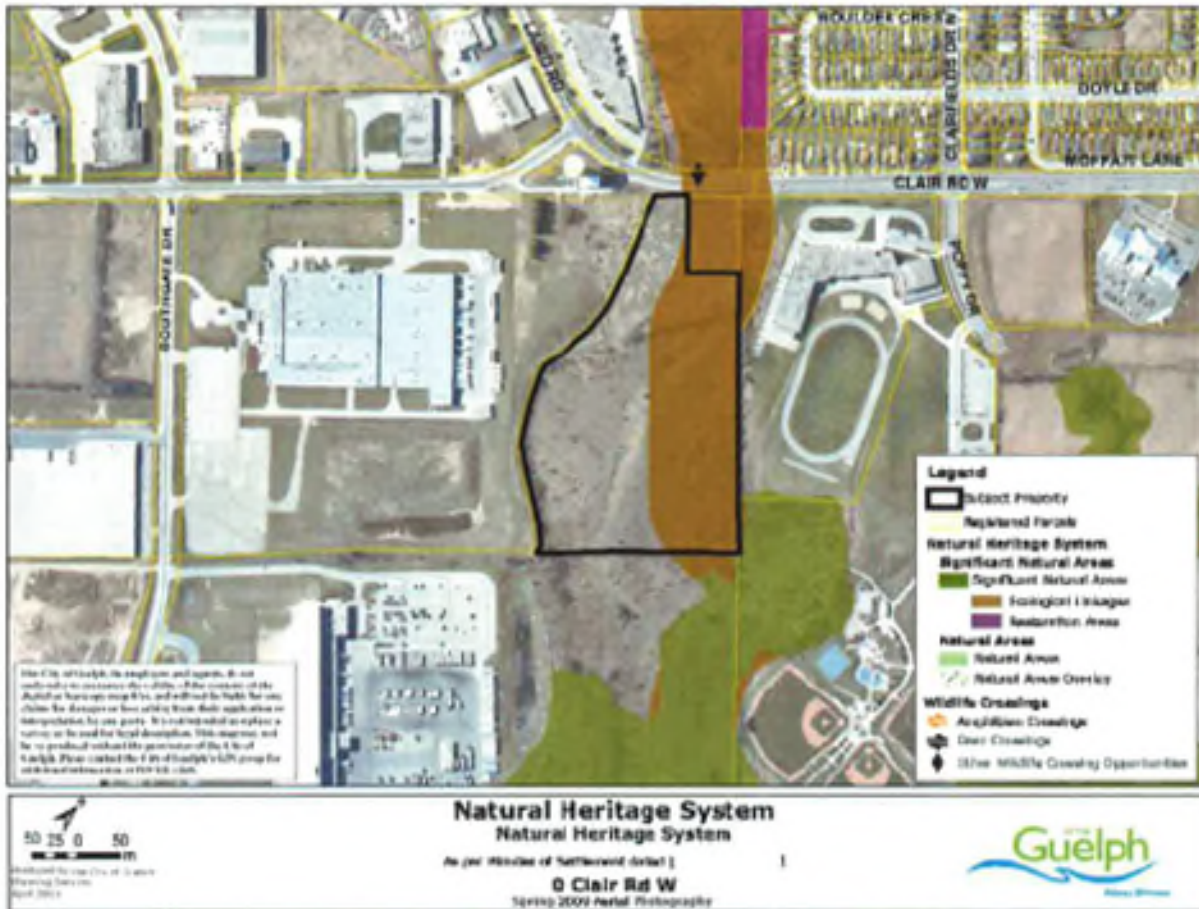
APPENDIX 1

Aerial Image of the Site via Google Maps



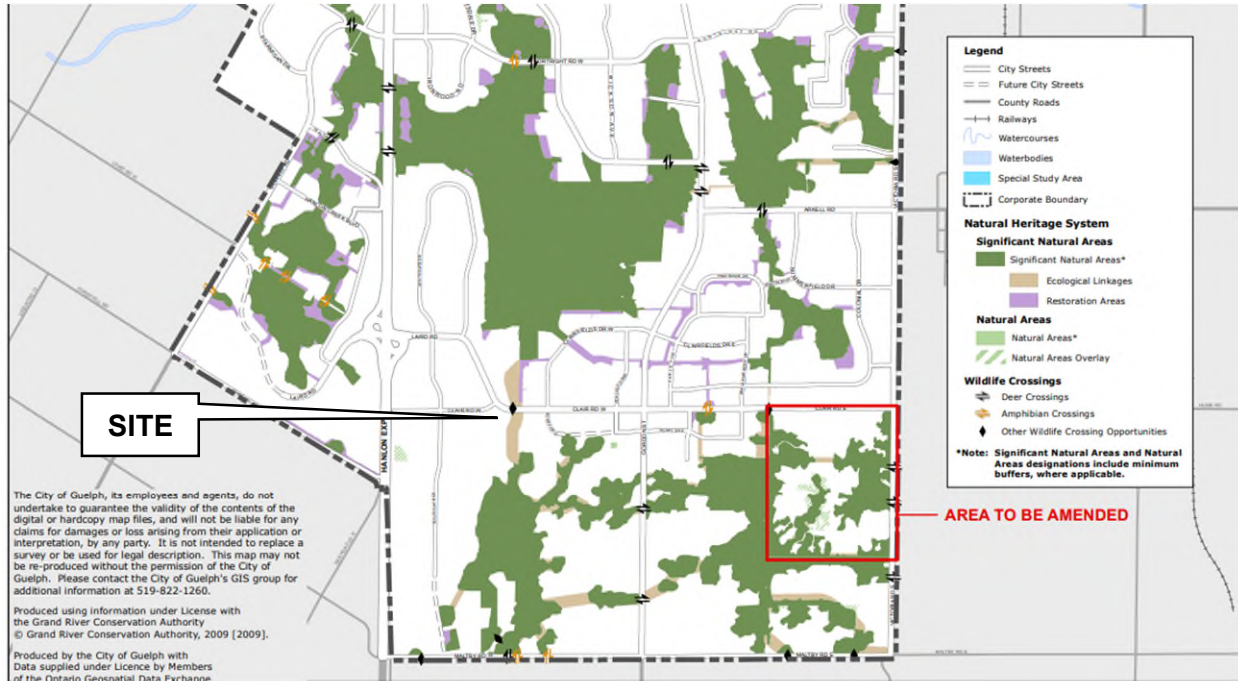
APPENDIX 2

Schedule from Ontario Municipal Board Minutes of Settlement now incorporated into the Official Plan



Extract of OPA 80 Schedule 4

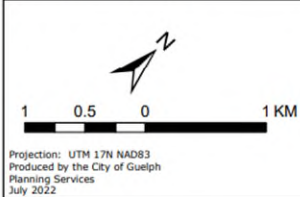
Natural Heritage System



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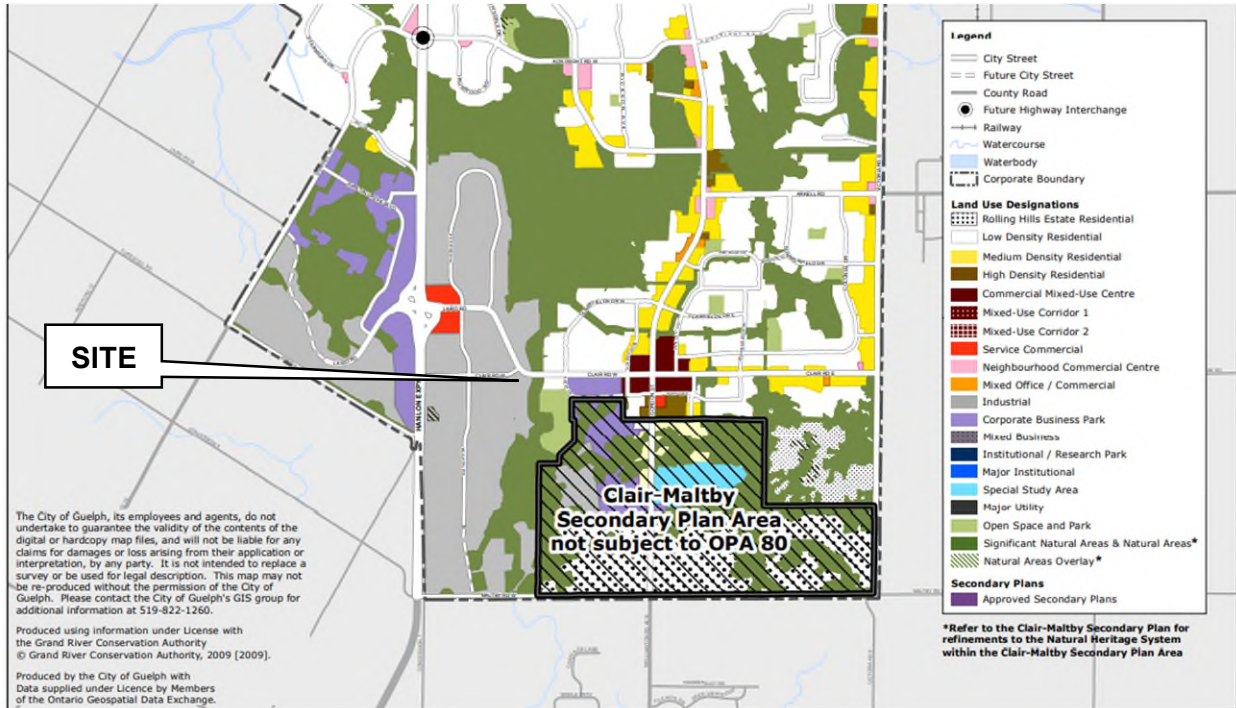
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CITY OF GUELPH OFFICIAL PLAN SCHEDULE 4: NATURAL HERITAGE SYSTEM Natural Heritage System



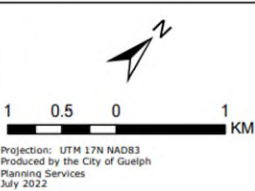
APPENDIX 3
Extract of OPA 80 Schedule 2
Land Use Plan



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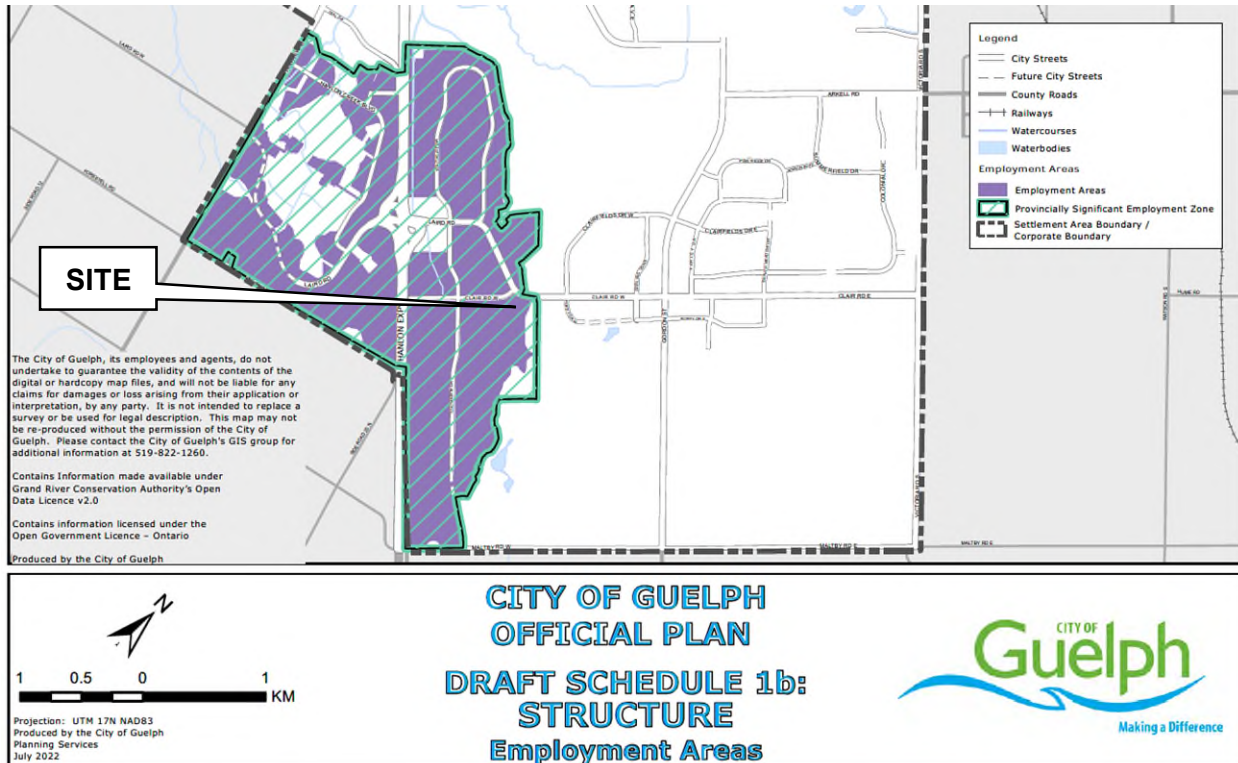
CITY OF GUELPH
OFFICIAL PLAN
SCHEDULE 2:
LAND USE PLAN



APPENDIX 4

Extract of OPA 80 Draft Schedule 1b

Provincially Significant Employment Zone in City of Guelph



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