

December 6, 2023

Sent via e-mail to: mmahofficialplans@ontario.ca and ERO portal

Ministry of Municipal Affairs and Housing
777 Bay Street – 17th Floor
Toronto, ON M7A 2J3

Dear Ministry Staff,

Re: Planning Statute Law Amendment Act, 2023 (ERO 019-7885)

We are the planning consultants for *Industrial Equities Guelph Corporation* (the “**Owner**”), owner of the lands municipally known as 384 Crawley Road in the City of Guelph (the “**subject site**”). We are writing to advise that we are supportive of Guelph City Council’s request to maintain the Minister’s modifications to the City of Guelph’s Official Plan Amendment 80 (the “OPA 80”) for the subject site. This decision will enable the development of a state-of-the-art cold storage and manufacturing facility to be owned and operated by NewCold.

Guelph City Council’s Resolution

Last night, being Tuesday December 5, 2023, at its Special Council meeting, Guelph City Council resolved the following:

“That staff take no further action on reversal of the site specific lands as described in the report, tabled as NewCold 384 Crawley Road.”

The Special City Council meeting agenda and video of the meeting, including Council’s resolutions can be found here:

<https://pub-guelph.escribemeetings.com/Meeting.aspx?Id=ad52d92c-72ad-436e-9607-d775203605f6&Agenda=Merged&lang=English>

City Council, through its discussion and resolution, stated that it wants the Minister to maintain the site-specific policy 9.13.3.13 (Item 117) and mapping changes (Items 118-126) of the Minister’s approval of OPA 80, which apply to the subject site (being Modification 15 of the Minister’s decision regarding OPA 80). Multiple Council members acknowledged the unique and substantial opportunity that NewCold’s facility would bring

in terms of employment and economic development to the City, and that these would be significantly at risk if the OPA policy and mapping changes noted above were reversed.

Advancing the Development of 384 Crawley Road

The subject site and the remainder of the Southgate Business Park have been planned for employment uses since at least 2001 in the City's Official Plan. It has also been identified as a *Provincially Significant Employment Zone* (the "**PSEZ**") when these zones were first designated in 2019. In this regard, the PSEZ is an important part of the provincial land use structure and are areas that are planned for long-term job creation and economic development that contain a significant number of jobs.

In early 2022, the Owner engaged a consulting team to advance development of the subject site for a Sustainability Campus to accommodate a state-of-the-art cold storage and manufacturing facility to be owned and operated by NewCold. Initiation of the project included multiple meetings with City Staff and a pre-consultation meeting in November 2022. In this regard, the proposed development conforms to and implements the land use permissions in the Guelph Official Plan and Zoning By-law, since it would add a significant amount of employment development and new jobs.

On January 4th, 2023, the Owner submitted a request to amend OPA 80 through the Provincial ERO process publicly available. There were multiple submissions in support of NewCold's project and no opposition. Following the Minister's decision on April 11, 2023, to amend OPA 80, the Owners and NewCold continued to invest significant time, effort, and resources into moving the project forward.

A minor variance application was filed and approved by the Committee of Adjustment on May 1, 2023.

A pre-submission Site Plan Review Committee was held on May 21, 2023, prior to and in preparation for a site plan application (the "**SPA**") submission.

On July 28, 2023, a formal SPA was filed for the subject site in order to facilitate development of the NewCold Guelph Sustainability Campus.

Both the Minor Variance and Site Plan applications were filed after the Minister's approval of OPA 80 on April 12, 2023 and before the Minister's announcement to bring forward legislation that, if passed, will bring into effect the official plans and official plan amendments (including OPA 80) as adopted by municipal council without provincial modifications, except for any modifications that are necessary to protect matters of public

health and safety, or which are required to align with legislation or regulations on November 2, 2023.

In our opinion, rolling back the Modification 15 of OPA 80 is unfair to the approved minor variance application and site plan application and would delay the development of the subject site for a major employment use in a provincially significant employment zone.

Benefits of Maintaining the Minister's Modification 15

In our opinion, Modification 15 of OPA 80 appropriately removes process obstacles related to the development of the subject site. More specifically, these policy modifications:

- Allow for development of the lands for a desirable employment use, being the planned NewCold Guelph Sustainability Campus, including the required gross floor area and building height.
- Allow for the City and Owner to confirm an appropriate alignment for the future public road and to implement and deliver it through the already filed SPA.
- Allow for the SPA and required (and filed) Environmental Impact Study (the “EIS”) to delineate and protect the natural heritage system.

The City is the approval authority for the SPA, and it can ensure orderly development of the subject site, including any additional requirements that would be generated by not having the site-specific policies that were added via Modification 15 to OPA 80.

There are numerous benefits associated with the Site Plan Application for the proposed NewCold Sustainability Campus development on the subject site, including:

- The development vacant and underutilized employment lands in a *Provincially Significant Employment Zone*, which is a provincial area that is planned for long-term job creation and economic development. The construction of 160,000 square metres of new high-technology employment buildings.
- The creation of approximately 570 new permanent skilled full-time jobs for the City, not including additional construction jobs.
- A significant increase in the property taxes for the subject site.
- Economic benefits for the surrounding business park and regional agri-food industry.
- Providing a much-needed innovative cold storage facility to the City and region's agri-food sector.

Concluding Thoughts

For the reasons outlined herein, we respectfully request that the Minister maintain Modification 15 to OPA 80 for the subject site in the Planning Statute Law Amendment Act, 2023, in alignment with decision of Guelph City Council.

Respectfully Submitted,

Bousfields Inc.



David Falletta MCIP, RPP

cc. Guelph City Council
Guelph Staff
Owner

/DF:jobs