Final

Planning Justification Report

215-229 Lexington Road, City of Waterloo

Prepared for Hygate Development Corp.
by IBI Group
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1 Introduction

On behalf of our client, Hygate Development Corp., please accept this Planning Justification Report ("Report") and supporting material regarding the proposed development of the subject lands municipally known as 215-229 Lexington Road in the City of Waterloo ("Subject Lands", "Site" or "Subject Property").

Our client is proposing to develop the subject lands for the purpose of two residential buildings consisting of 447 total units (608 bedrooms). The applicant has already completed 'Phase 1' of the development which included a six-storey retirement home with 216 units (248 bedrooms) and associated parking. The applicant is now proposing an Official Plan Amendment and Zoning By-Law Amendment in support of 'Phase 2' which would see the demolition of the existing Long Term Care home with 84 beds and the development of two additional residential buildings which together will form 'Phase 2' of the overall development.

Building A, as shown on the site plan, is a seven storey building fronting Lexington Road; and Building B is aa tiered 'U' shaped building, proposed to be constructed at the rear of the site. Underground parking over 2 levels will be provided beneath and between the two buildings, with limited surface parking also proposed.

This Report has been prepared as part of the complete Official Plan Amendment and Zoning By-Law Amendment applications required prior to the development of Phase 2. This Report provides an analysis of the land use planning framework applicable to the subject property, including Provincial legislation, plans and policy, the Regional Official Plan, and the City's planning framework. Based on our assessment of this planning framework, it is our opinion that the proposed development has regard for the "Matters of Provincial Interest" set out by the Planning Act, is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe and Regional Official Plan. It is our opinion that the proposed development represents context-sensitive intensification of an underutilized property, which is supported and encouraged by Provincial policy and plans. For these reasons and other matters discussed in this Report, it is our opinion that the proposed development represents good land use planning.

2 Background

2.1 Description of the Subject Lands

The subject lands are municipally addressed as 215-229 Lexington Road and are delineated legally as:

> Part Block A Plan 1313 And Part Lot 7 German Company Tract, Parts 1, 4 & 5, Plan 58r6774 & Part 3, Plan 58R2194 Subject To An Easement In Gross Over Part 1, Plan 58r17857 As In WR853469 Subject To An Easement In Gross Over Part Block A, Plan 1313 And Part Lot 7, German Company Tract, Being Part 1, Plan 58r20971 As In Wr1298354 City Of Waterloo

The subject property is approximately 1.925 hectares in area and has a frontage of approximately 105 metres along Lexington Road. Following required conveyances, the lot will have a lot area of 1.904 hectares. The property is located on the south side of Lexington Road, opposite the intersection with Davenport Road and just north of Conestoga Parkway/Highway

Number 85; with which it shares a boundary of approximately 124 metres. The Conestoga Parkway runs parallel to the western property line. An aerial image is shown in Figure 1.



Figure 1: Aerial Imagery of the Subject Lands (Source: Region of Waterloo GIS mapping)

2.2 Existing Conditions

The proposed redevelopment of this property is being completed in two Phases. Phase 1 completed in 2021 on the south-western side of the property and contains a six-storey retirement home with 216 units (248 bedrooms) and associated parking, which is now partially occupied and fully operational. The northeastern side of the property currently contains an existing Long Term Care home with 84 beds, identified as the “Pinehaven Nursing Home”. This building will be demolished as part of Phase 2 of the development to develop Building A. It is noted that while the building itself will be demolished, the long term care beds are arranged and scheduled to be relocated to another facility in the community by the current operator.

As shown in Figure 1, the subject property is square by Lexington Road, but irregular in shape toward the rear of the property which slopes steeply down from Lexington Road toward the Highway. The rear portion of the subject property contains a stormwater management pond which is proposed to be retained through the future redevelopment of the site. Figures 2 and 3 illustrate the Streetview images of the subject property.

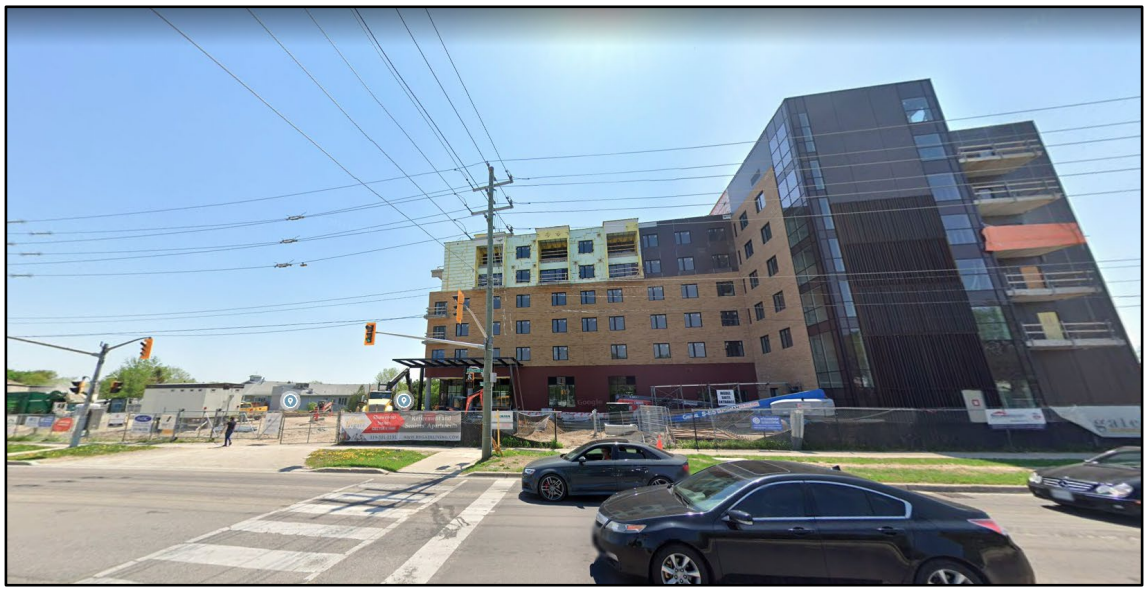


Figure 2: Streetview Image of the current Phase 1 Building, which recently completed construction (Source: Google Streetview – May 2021)



Figure 3: Streetview Image of the existing Pinehaven Nursing Home (Source: Google Streetview – May 2021)

2.3 Neighbourhood Context

The subject property is situated in a neighbourhood which contains a mix of residential, commercial and institutional uses within close proximity to the site. Abutting the subject property immediately to the northwest is a commercial Plaza with smaller, neighbourhood focused convenience stores and services. Abutting the northeast of the subject property is the Waterloo Mennonite Brethren Church which contains a large religious institutional building and an associated surface parking lot. Opposite the Waterloo Mennonite Brethren Church, on the north side of the Lexington Road/Davenport Road intersection is the Christ Lutheran Church. To the

south exists green space that is identified as a 'Parks and Other Green Space' in Schedule A3 of the City's Official Plan.

The property is also in close proximity to nearby residential uses including a predominantly low rise residential subdivision to the northwest and townhouses to the southeast of the site. It is noted that the subject property does not directly abut residentially zoned properties that may be directly impacted by the proposed development. The residential properties on the north side of Lexington Road, between the Highway and Davenport back onto Lexington Road, do not have vehicular access onto Lexington Street. Residential properties south of the Waterloo Mennonite Brethren Church do front Lexington Road.

The subject property on its southwestern property line runs parallel to Highway 85 / Conestoga Parkway, which is a provincial highway providing access to Kitchener and beyond to the west and Elmira and beyond to the north. There is no existing or planned interchange providing access to Highway 85 from Lexington Road.

Grand River Transit has bus stops located in front of the subject property with routes leading to the nearby Transit Stations at Conestoga Mall and westward toward uptown Waterloo and further west to the Boardwalk.

To the west of Highway 85, along the south side of Lexington Road are seven larger Lot single detached dwellings and employment lands, including the City of Waterloo Service Centre. On the north side of this section of Lexington Road is a larger subdivision with single detached, semi-detached and townhouse dwellings; but with no individual driveway access to Lexington Road.

The subject property is located within a 5 minute drive north-west along Davenport Road leads to Conestoga Mall, a Regional Shopping Mall proving many shops and services, including a grocery store, Food Court and Cinema. The closest ION LRT transit stop is located at Conestoga Mall along with a bus terminus.

The following table highlights these and various other land uses within close proximity of the subject property. This table is to be read in conjunction with the Neighbourhood Context Map, in Figure 4.

No.	Description
1	Waterloo Mennonite Brethren Church
2	Christ Lutheran Church
3	Neighbourhood Plaza
4	Civican Ball Diamond Park / Lexington Park
5	Sandowne Public School
6	Dunvegan Park
7	Neighbourhood Plaza
8	St. Matthew Catholic Elementary School
9	University Downs Plaza
10	Sandowne Park
11	Employment / Commercial Lands
12	Bluestream Park
13	Kingscourt Park
14	Conestoga Mall
15	ION's Conestoga Station



Figure 4: Neighbourhood Context Map

3 Proposed Development

Our client intends to develop the subject lands for the purpose of two residential buildings consisting of 447 total units (608 bedrooms). As previously noted, Phase 1 has already been approved and constructed to provide a six-storey retirement home with 216 units (248 bedrooms) and associated parking. Phase 2 includes the demolition of the existing Long Term Care home with 84 beds and the development of two more residential buildings.

Building A will be seven storeys fronting Lexington Road, consisting of 71 dwelling units (105 bedrooms). Building B will be a tiered 'U' shaped building, from 12 to 6 storeys in height. Building B consists of 382 dwelling units (512 bedrooms) and will be located to the rear of the subject lands. The tiered building design from 12 to 6 storeys allows for a smoother transition between the proposed development and low-rise residential uses to the rear. A breakdown of the unit/bedroom count and size for both Building A and B can be found below:

NAME	UNIT COUNT	BEDROOMS
Building A		
1B	18	18
1B+D	19	19
2B	34	68
Subtotal:	71	105
Building B		
1B	149	149
1B+D	103	103
2B	130	260
Subtotal:	382	503
TOTAL:	**447**	**608**

As noted above, the proposed Building B has been designed to include stepbacks that terrace from north to south. On the western side of Building B, the height transitions from 12 to 10 storeys facing the commercial plaza and Conestoga Parkway. On the eastern side of Building B, the height transitions from 10, 8, and 6 storeys as it approaches the southeast. Given the tallest portion of the building is located in the centre and steps down toward the property lines, this will minimize overlook and shadowing onto residential areas to the northwest and southeast.

A total of 551 parking spaces will be provided for the overall development (Phase 1 and 2) of which 64 spaces will be at-grade, 236 on the first level of underground parking, and 251 on the second level. A total of 14 barrier-free parking spaces are provided on the site.

A total of 332 bicycle parking spaces are provided on the site. 283 of the proposed bicycle spaces are Type A, and 49 bicycle parking spaces are Type B. This will encourage active forms of transportation and aims to make use of the existing bicycle lanes along Lexington Road adjacent to the subject property.

The proposed development features indoor amenity space on the ground floors of each building. A courtyard is provided to the rear of Building B for outdoor common amenity space. This extensive courtyard will stretch between the buildings and provide outdoor amenity space that is internal to the site. This will provide a balance between green space and pavement on the site, as well as provide opportunities for social gatherings and interaction among residents.

The proposed development also retains the existing stormwater management (SWM) pond to the rear. From a planning perspective, the proposed SMW pond will provide a buffer to the nearest residential properties in order to provide a smoother transition, greater setback, and minimize shadowing impacts from the buildings.

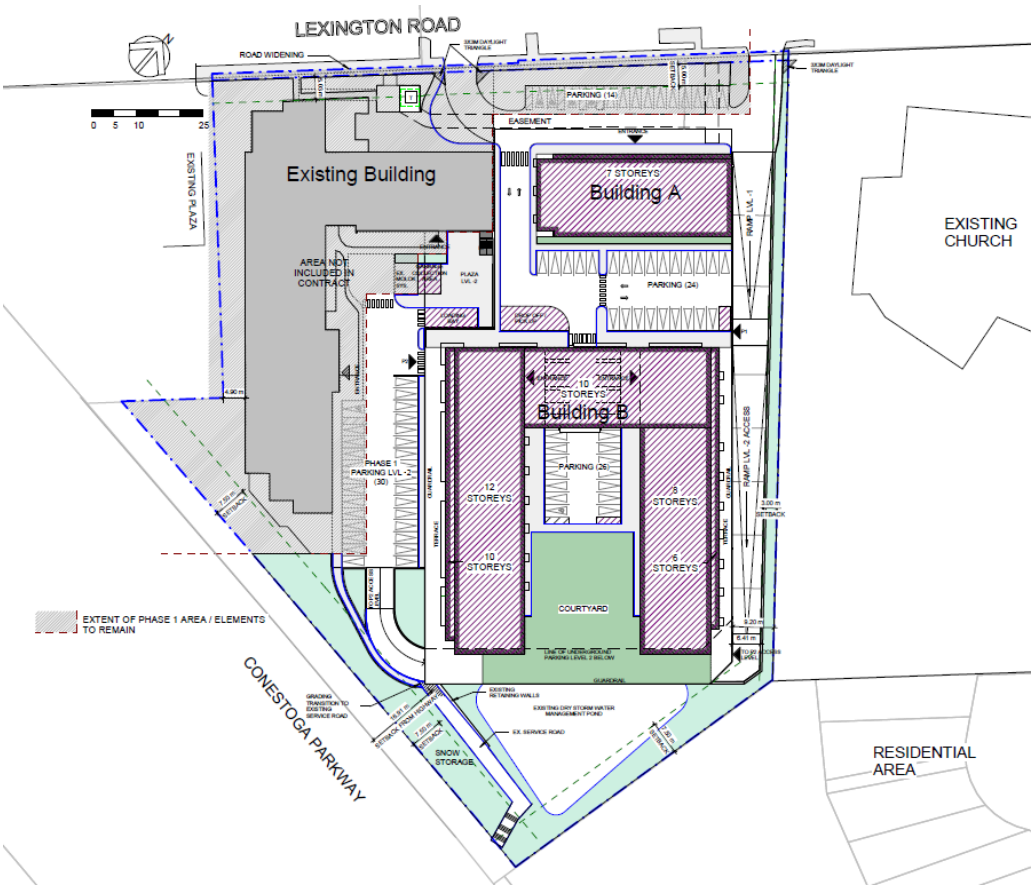


Figure 5: Site Plan prepared by IBI Group

3.1 Proposed Land Use Planning Applications

This section of the Planning Justification Report discusses the land use planning approvals required to accommodate the proposed development concept. The subject lands require an Official Plan Amendment and Zoning By-Law Amendment to advance the proposed development. A Site Plan application is also required to advance the proposed development.

3.1.1 Official Plan Amendment

The subject lands are currently designated 'Mixed-Use Medium Density Residential' and permits the proposed residential use. Further, the proposed density of 450 bedrooms per hectare is also supported and does not exceed the maximum net residential density of 450 bedrooms per hectare.

The proposed development does, however, exceed the maximum permitted height of 20.0 metres as a maximum height of 40.0 metres is proposed. Therefore, the applicant is requesting an Official Plan Amendment by way of a Special Policy Area as follows:

- Notwithstanding the provisions of policy 10.1.4(3)(b), the maximum building height of any building shall not exceed 40 metres.

3.1.2 Zoning By-Law Amendment

The subject lands are currently zoned RMU-20 (Residential Mixed-Use Zone) and subject to site specific regulation no.99 which permits the proposed residential use. However, site specific relief from the existing Zoning is proposed to:

- Notwithstanding Table 7O of the Zoning By-Law, the maximum building height of any building shall not exceed 40 metres.
- Notwithstanding Table 7O of the Zoning By-Law, the minimum Low Rise Residential Lot Line Setback of any building shall not exceed 9.2 metres.
- Notwithstanding Section 7.10.7 of the Zoning By-Law, the minimum residential parking rate shall be 1.0 spaces per dwelling unit.
- Notwithstanding Section 7.10.7 of the Zoning By-Law, the minimum visitor parking rate shall be 0.05 spaces per dwelling unit.
- Notwithstanding Section 6.8.3 and Table 6H of the Zoning By-law, the maximum driveway dimension for a lot containing 10 or more parking spaces shall not exceed 7.3 metres.
- Notwithstanding Table 7O, permit a landscape open space coverage of 26%, whereas 30% is required.
- Modify Site Specific Zoning Provision 99 to require 0.48 per unit for seniors apartments.

3.1.3 Site Plan Application

The proposed development will be subject to Site Plan review and approval by the City of Waterloo. It is anticipated that the formal Site Plan approvals process will be initiated following the initial review of the Official Plan and Zoning By-Law Amendment application by City, technical agencies, consultation with City Council and area residents. It is understood that final approval of the Official Plan and Zoning By-Law Amendment application with no appeals will be required prior to the approval of the Site Plan application.

4 Existing Planning Controls

The development of the subject property is guided by a range of Provincial legislation, policies and plans, the Region of Waterloo Official Plan, City of Waterloo Official Plan and Zoning By-Law. This section of the Report discusses the application and how it adheres and responds to the applicable land use planning framework.

4.1 Planning Act

The Planning Act, R.S.O. 1990 sets out the legislative framework for land use planning in Ontario and provides the authority for the Minister of Municipal Affairs and Housing to issue policy statements and plans to guide land use planning and development in the province. The Act also sets out the legislative framework for local land use planning tools and plans, including Official Plans, Zoning By-Laws and Site Plan Approvals.

4.1.1 Matters of Provincial Interest

Section 2 of the Planning Act outlines various "Matters of Provincial interest", which decision-makers must have regard to in carrying out their duties under the Act. These Matters are summarized and addressed in the following table:

Provincial Interest	Demonstration of Regard
a) The protection of ecological systems, including natural areas, features, and functions;	• The subject property does not contain any significant natural features or areas, nor is it designated as a natural heritage area in the Regional or Local Official Plans.
b) The protection of agricultural resources of the Province;	• The lands are not identified as prime agricultural lands.
c) The conservation and management of natural resources and the mineral resource base;	• No natural resources or mineral resources are anticipated to be impacted by the proposed development.
d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	• No features of significant architectural, cultural, historical, archaeological or scientific interest are anticipated to be impacted by the proposed development.
e) The supply, efficient use, and conservation of energy and water;	• The proposed development will connect to existing municipal servicing. Please see the Functional Servicing Report and Stormwater Management Report enclosed for details related to this Matter of Provincial Interest.
f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;	• It is anticipated that the proposed development will connect to existing communication infrastructure, which will be confirmed through the Site Plan approvals process. The proposed development will also connect to existing municipal servicing. Please see the Functional Servicing Report and Stormwater Management Report enclosed for details related to this Matter of Provincial Interest.

Provincial Interest	Demonstration of Regard
g) The minimization of waste;	• The proposed infill development is located within the existing Built-Up area of the City of Waterloo and is proposed to be connected to existing municipal servicing. It does not propose the expansion of infrastructure of the loss of greenfield land.
h) The orderly development of safe and healthy communities;	• The proposed development facilitates intensification on an underutilized property within the City's Built-Up Area. The site is located in a neighbourhood with an existing mix of low-density and medium-density residential development. • The proposed development is located in walking/cycling distance to greenspaces/trails. Further, the applicant is proposing a trail connection along the western portion of the subject property to connect to the existing park/green space to the south.
h.1) The accessibility for persons with disabilities to all facilities, services, and matters to which this Act applies;	• The proposed development will conform to the minimum requirements of the OBC and the AODA to ensure that accessibility for persons with disabilities is provided.
i) The adequate provision and distribution of educational, health, social, cultural, and recreational facilities;	• Not applicable.
j) The adequate provision of a full range of housing, including affordable housing;	• Phase 1 currently includes a mix of independent living and senior apartments. • The proposed Phase 2 will contribute 447 dwelling units (608 bedrooms) to the City's housing stock in order to provide apartment-style units. The development proposes 167 one bedroom suites, 122 one bedroom plus den suites, and 328 two bedroom suites.
k) The adequate provision of employment opportunities;	• The proposed development will provide employment opportunities through construction and property maintenance. The proposed development does not contemplate commercial uses, as it is strictly residential.
l) The protection of the financial and economic well-being of the Province and its municipalities;	• The construction of the development will contribute to the local economy for building supplies and labour.
m) The co-ordination of planning activities of public bodies;	• The proposed development applications will be subject to municipal and agency review to ensure the coordination of development activities and the adherence of public policy.
n) The resolution of planning conflicts involving public and private interests;	• The development has been designed in order to minimize compatibility issues with adjacent lands, with the bulk of the massing being positioned centrally on the site and terracing toward lower density land uses. This parametric design approach aims to minimize shadowing and overlook onto adjacent lands.

Provincial Interest	Demonstration of Regard
o) The protection of public health and safety;	• The proposed development will promote the protection of public health and safety by conforming to the requirements of the OBC and the AODA.
p) The appropriate location of growth and development;	• The subject lands are currently zoned RMU-20 in the City's Zoning By-Law, which supports the proposed density. The purpose of the application is to increase the maximum permitted height in order to implement the permitted 450 dwelling units per hectare contemplated by the Official Plan and Zoning By-Law, and to implement parking ratios appropriate for the development.
q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	• The subject property is located within proximity of municipal transit services, including the GRT's 29 (Keats-University) and 31 (Columbia) bus routes.
r) The promotion of built form that, i) is well-designed, ii) encourages a sense of place, and iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.	• The proposed development has been designed to acknowledge and compliment the neighbourhood which predominantly consists of residential, institutional, and green spaces uses. Further, the proposed development aims to achieve a high level of urban design to create a unique sense of place for future residents and surrounding land uses.
s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.	• Energy saving and environmental design considerations will be implemented into the development which will be confirmed through the Site Plan Approval process.

Based on the information presented in the table above, it is our opinion that the proposed development has regard for the 'Matters of Provincial Interest' set out by the Planning Act.

4.1.2 Official Plan and Zoning By-Law Amendments, and Site Plan Applications

The Planning Act establishes the legislative basis for Official Plan and Zoning By-Law Amendment applications, as well as Site Plan applications. The proposed applications are being requested pursuant to:

- Section 16 of the Planning Act, which establishes the legislative basis for privately initiated Official Plan Amendments;
- Section 34 of the Planning Act, which establishes the legislative basis for Zoning By-Law Amendments; and
- Section 41 of the Planning Act, which establishes the legislative basis for Site Plan applications.

4.2 Provincial Policy Statement 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. In accordance with the Planning Act, land use planning decisions are to be consistent with the PPS. The PPS sets the policy framework for efficient land use and development patterns that support sustainability by promoting strong, livable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth, as follows:

Policy No.	Policy	Discussion of Consistency
1.1	**Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns**	
1.1.1	Healthy, livable and safe communities are sustained by:	
	a) promoting efficient development and land use patterns which sustain the financial well being of the Province and municipalities over the long term;	a) The proposed development facilitates intensification within the City's Built-Up Area using existing municipal services, promoting the efficient use of land and infrastructure.
	b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;	b) The proposed development will add to a mix and range of residential units to the City's housing stock by providing apartment style units. Additionally, the existing Phase 1 building contains a total of 216 dwelling units dedicated to a mix of independent living and seniors apartment-style dwellings.
	c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;	c) It is not anticipated that the proposed development will cause an environmental or public health and safety concern. The proposed development will conform to the requirements of the OBC and the AODA.
	d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;	d) The proposed development will not prevent the efficient expansion of settlement areas, as it is located within the existing Built-Up area.
	e) promoting the integration of land use planning, growth management, transit-supportive development,	e) The proposed development facilitates intensification within the City's Built-Up Area. Existing

	intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;	services will accommodate this intensification, promoting a cost-effective development pattern and minimizing land consumption and servicing costs. The proposed development is also well-serviced by 2 bus routes.
	f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;	f) The proposed development will conform to the requirements of the OBC and the AODA.
	g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;	g) It is anticipated that the necessary infrastructure, electricity generation facilities and distribution systems, and public service systems are available to meet the projected needs of the proposed development.
	h) promoting development and land use patterns that conserve biodiversity; and	h) No negative impacts to designated environmental features are anticipated.
	i) preparing for the regional and local impacts of a changing climate.	i) Energy saving and environmental design elements will be incorporated into the project, which will be confirmed through the Site Plan Approvals process.
1.1.3 Settlement Areas		
1.1.3.1	Settlement areas shall be the focus of growth and development.	a) The proposed development will facilitate intensification within the City's Built-Up Area on a site that has been designated and zoned for intensification. The applicant is not proposing to exceed the residential density already permitted in the Official Plan and Zoning By-Law.
1.1.3.2	Land use patterns within settlement areas shall be based on densities and a mix of land uses which:	
	a) efficiently use land and resources;	a) The proposed infill development will include the development of underutilized lands, existing municipal infrastructure, and is transit supportive.
	b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for	b) It is anticipated that the proposed development will connect to existing municipal services.

	their unjustified and/or uneconomical expansion; c) minimize negative impacts to air quality and climate change, and promote energy efficiency; d) prepare for the impacts of a changing climate; e) support active transportation; f) are transit-supportive, where transit is planned, exists or may be developed; and g) are freight-supportive.	c) Various energy saving and environmental design elements will be incorporated into the project, which will be confirmed through the Site Plan Approvals process. d) Various energy saving and environmental design elements will be incorporated into the project, which will be confirmed through the Site Plan Approvals process. The proposed development will provide residential uses within walking/cycling distance to surrounding commercial, retail, and greenspace uses. e) The proposed development will connect to the existing municipal sidewalk system and contain 332 bicycle parking spaces. A trail connection is also proposed in order to connect to the City's existing trail network to the south. This will support and encourage active transportation. f) The proposed development is also within walking / cycling distance of 2 GRT bus routes, thus providing greater mobility for future residents g) Not applicable.
1.4 Housing		
1.4.1	To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall: a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and b) maintain at all times where new development is to occur, land with	a) The proposed development will provide for an opportunity to achieve infill development with a density that will contribute to the City's housing stock. b) The proposed development is located in an area of the City that

	servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.	has already been designated and zoned to accommodate residential development and will connect to existing municipal services.
1.6.6 Sewage, Water and Stormwater		
1.6.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.	• The proposed development facilitates intensification within the City's Built-Up Area on lands that are underutilized. Existing municipal sewage and water services will support the proposed development. Please see the Functional Servicing Report and Stormwater Management Report enclosed for details related to this Matter of Provincial Interest.
1.6.6.7	Planning for stormwater management shall: a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term; b) minimize, or, where possible, prevent increases in contaminant loads; c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure; d) mitigate risks to human health, safety, property and the environment; e) maximize the extent and function of vegetative and pervious surfaces; and f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.	• Stormwater management principles and best practices have been incorporated into the development which are summarized in the Stormwater Management Report. Please see the Functional Servicing Report and Stormwater Management Report enclosed for details.

Based on the foregoing, it is our opinion that the proposed Official Plan Amendment and Zoning By-Law Amendment required to advance the proposed development is consistent with the Provincial Policy Statement.

4.3 Growth Plan for the Greater Golden Horseshoe 2020

As the subject property is located within the Growth Plan for the Greater Golden Horseshoe Area, any related planning decisions must conform to the applicable provisions of this Plan. The Growth Plan sets out a long-term plan for growth and development within the Greater Golden Horseshoe Area of Ontario. The current Growth Plan came into effect on August 28, 2020.

Section 1.2.1 of the Growth Plan sets out its guiding principles, which include:

- Supporting the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;
- Prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability;
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors;
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government;
- Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households;
- Provide for different approaches to manage growth that recognize the diversity of communities in the GGH;
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions;
- Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network;
- Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities; and
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving toward environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

In our opinion, the proposed development conforms to the guiding principles noted above for the following reasons:

- The proposed development will contribute to the City's housing stock by providing apartment-style units for future residents;
- Facilitates context-sensitive intensification on underutilized lands within the City of Waterloo's Built-Up Area;
- The proposed development will be supported by existing municipal services, promoting the efficient use of this infrastructure;
- The subject property is located within walking/cycling distance to two (2) GRT bus routes;

- The proposed development is not anticipated to impact the Province's agricultural resources;
- The proposed development is not anticipated to impact the Province's cultural heritage resources; and
- The proposed development will achieve a high standard of urban design and have consideration for the surrounding lands, most notably through massing and built-form in relation to the existing residential uses to the rear.

Based on the foregoing, it is our opinion that the proposed development conforms to the Growth Plan.

4.4 Region of Waterloo Official Plan

The Regional Official Plan (ROP) sets out the policy direction of land use planning in the Region of Waterloo over a 20-year planning horizon. The Ministry of Municipal Affairs and Housing approved a new ROP in 2010. The decision was subsequently appealed to the Ontario Municipal Board (OMB), who issued a decision in June 2015, allowing the ROP to come into full force and effect. All planning decisions within the Region of Waterloo must conform to the ROP, including the proposed Official Plan and Zoning By-Law Amendment application.

The ROP determines areas for growth and development, sets out population and employment forecasts and density targets, establishes an Urban Boundary, promotes multi-modal transportation options, and sets out policies to protect the Region's valuable environmental and agricultural resources.

4.4.1 Urban Area and Built-Up Area

The ROP identified the subject property as Urban Area and Built-Up Area, as displayed in Figure 6. The Built-Up Area includes all lands within the built boundary of the Region's Urban Area and Township Areas as of June 16, 2006.



Figure 6: Region of Waterloo Official Plan – Schedule 3a (Urban Area)

The ROP directs that 45 per cent of new residential development should be directed to the Built-Up Area by the local municipalities in order to support the efficient use of land and physical and community infrastructure/services. It is further stated that the Built-Up Area is mainly comprised of established residential neighbourhoods which are not expected to experience a significant amount of change within the horizon of the ROP. The proposed development will help satisfy the Region's density target for infilling, by providing context-appropriate intensification within the existing Built-Up Area.

The proposed development conforms to the general policies of the ROP due to its location in the Built-Up Area, which optimizes the use of municipal services, contributes to the creation of complete communities, and respects the scale, character, and context of the surrounding established neighbourhood.

Development within the Built-Up Area is subject to Policy 2.D.1 of the ROP, which is discussed in the following table.

Policy	Discussion of Conformity
In preparing or reviewing planning studies, or in reviewing development applications or site plans, the Region and/or Area Municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that:	
a) supports the Planned Community Structure described in this Plan;	The proposed development provides intensification within the Regional and City Built-Up Area, as contemplated by the Regional Official Plan.
b) is serviced by a municipal drinking-water supply system and a municipal wastewater system;	The proposed development will be serviced by existing municipal water and wastewater services.

c) contributes to the creation of complete communities with development patterns, densities and an appropriate mix of land uses that supports walking, cycling and the use of transit;	The proposed development will make efficient use of underutilized lands in the Built-Up Area designated for medium to high density development. The subject property is located in walking/cycling distance to green spaces and institutional uses. The subject property is also located within walking / cycling distance of GRT services, including routes 29 and 31.
d) protects the natural environment, and surface water and groundwater resources;	The subject lands do not contain significant natural heritage features and are not located within a Source Water Protection Area.
e) conserves cultural heritage resources and supports the adaptive reuse of historic buildings;	The subject property does not currently contain any cultural heritage resources or historic buildings.
f) respects the scale, physical character and context of established neighbourhoods in areas where reurbanization is planned to occur;	The scale, character, and context of the subject property of the surrounding neighbourhood will be respected by the proposed development based on the proposed orientation, siting, and setbacks of the retirement community. The proposed massing and built-form of the development respects the established low-rise residential neighbourhood to the rear, as the Building B transitions from 10, 8 and 6 storeys in height. More specifically, the proposed development features a maximum height of 40.0 metres that transitions down to approximately 26.9 metres to the rear. Please see the Urban Design Brief enclosed for further details.
g) facilitates residents' access to locally grown and other healthy foods in neighbourhoods; and	The subject property is located within a short driving distance to multiple grocery stores. Access to GRT routes 29 and 31 provide access to grocery stores via public transit.
h) promotes building designs and orientations that incorporate energy conservation features and the use of alternative and/or renewable energy systems.	This will be confirmed through the Site Plan and Building Permit applications required for the project. The proposed development will conform to the standards of the OBC.

Based on the above, it is our opinion that the proposed development conforms to the ROP's Urban Area and Built-Up Area policies.

4.4.2 Regional Cycling Routes

The subject property is adjacent to the 'Planned Cycling Routes' designation according to Schedule 5c of the ROP (Figure 7). It is understood that this Schedule reflects the Regional Cycling Master Plan as adopted by Regional Council in 2004. While this stretch of Lexington Road is "planned" for a cycling route, it is our understanding that the Region has already implemented the ROP and dedicated bicycle lanes currently exist along Lexington Road.

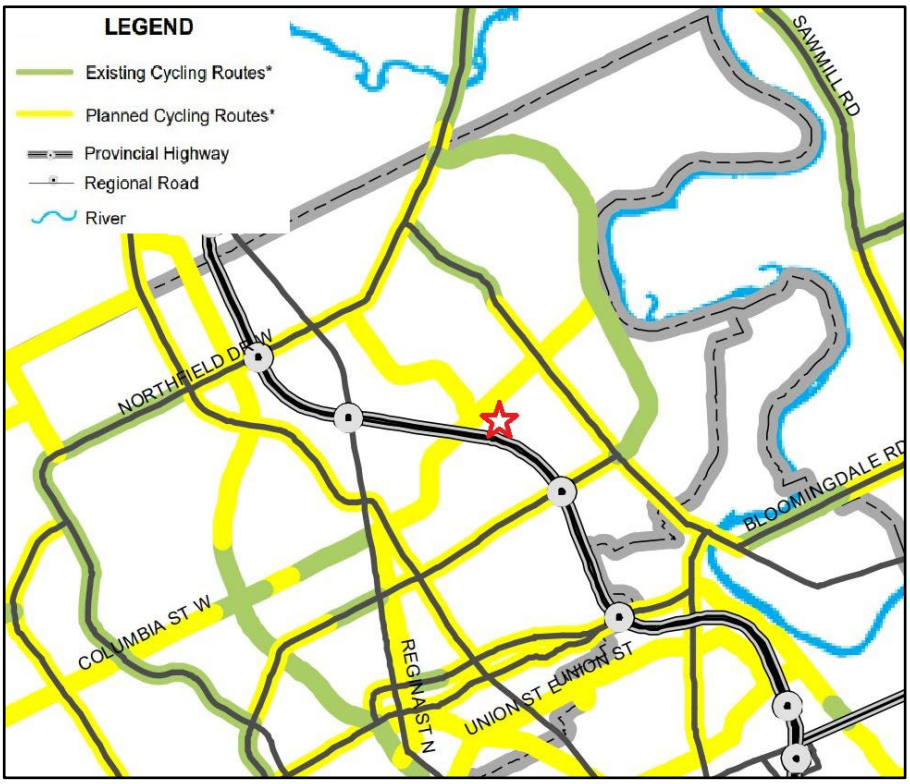


Figure 7: Region of Waterloo Official Plan – Schedule 5c (Regional Cycling Routes)

It is our opinion that the proposed development has consideration for the existing Regional Cycling Network, as 322 bicycle spaces will be provided. This will provide residents the opportunity to utilize the existing cycling networks and promote active transportation to and from the subject property.

Additionally, it is understanding that the City of Waterloo is looking to implement a multi-use trail along the south-western property line. The proposed development contemplates a pedestrian connection that would connect to the lands owned by the City of Waterloo where a future multi-use trail is envisioned. Please see Section 4.6.4 of this Report for additional details.

4.5 Draft Region of Waterloo Official Plan Review

It is our understanding that the Region of Waterloo Official Plan is currently under review, as required every five (5) years under the *Planning Act*. The proposed draft Regional Official Plan is intended to reflect significant Provincial policy initiatives, including the PPS 2020 and Growth Plan 2019. At this time, the proposed Draft ROP is not in-force and effect, as Regional staff are still conducting community engagement meetings and activities with the public and special interest groups since 2019. Therefore, the proposed development reflects the direction and policies outlined in the current and approved ROP 2015, as noted in Section 4.4 of this Report.

4.6 City of Waterloo Official Plan

The City of Waterloo Official Plan was adopted by Municipal Council in 2012 and sets out the policies that direct growth and change until 2031. The City of Waterloo Official Plan established a policy framework to guide public and private sector decisions relating to development and the provision of community infrastructure and services. The local Official Plan also sets out the intentions of City Council relating to future economic, social and land use changes to the year 2031.

The following subsections of this Report discuss the policies and land use designations that apply to the subject lands and which are relevant to the proposed Official Plan and Zoning By-Law Amendment applications.

4.6.1 Land Use Designation

The subject property is currently designed 'Mixed-Use Medium Density Residential' according to Schedule A of the City of Waterloo Official Plan (Figure 8). As outlined in Section 10.1.4 of the Official Plan, the intent of this land use designation is to support medium density, mixed-use, primarily residential development within Minor Corridors, recognizing that properties may also function as a transition from low density areas to medium high and high density areas.

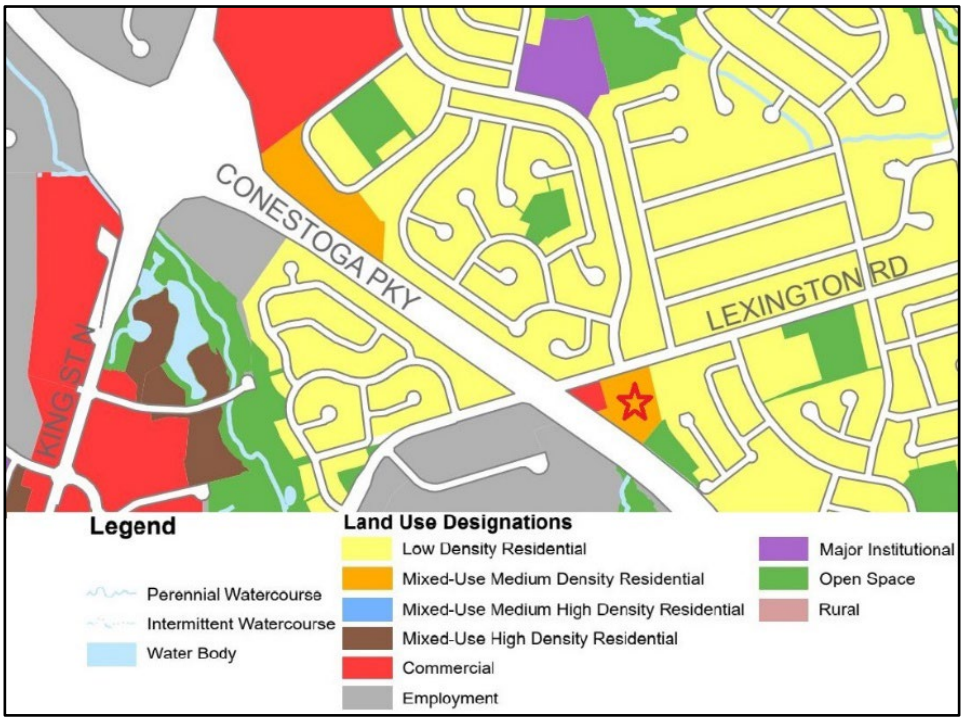


Figure 8: City of Waterloo Official Plan – Schedule A (Land Use)

Section 10.1.4(1) of the Official Plan states that multiple unit residential buildings that are greater in intensity than duplexes may be permitted. Therefore, the proposed multi-unit residential buildings (i.e., Building A and B) are permitted within the current land use designation.

In terms of the permitted height and density, Section 10.1.4(3)(a) and (b) of the Official Plan requires that the maximum net residential density permitted on any one site shall not exceed 450 bedrooms per hectare, while the maximum height of any building shall not exceed 20 metres. As shown in Figure 9 below, Schedule B1 of the City of Waterloo Official Plan illustrates that a maximum height of 20.0 metres is permitted.

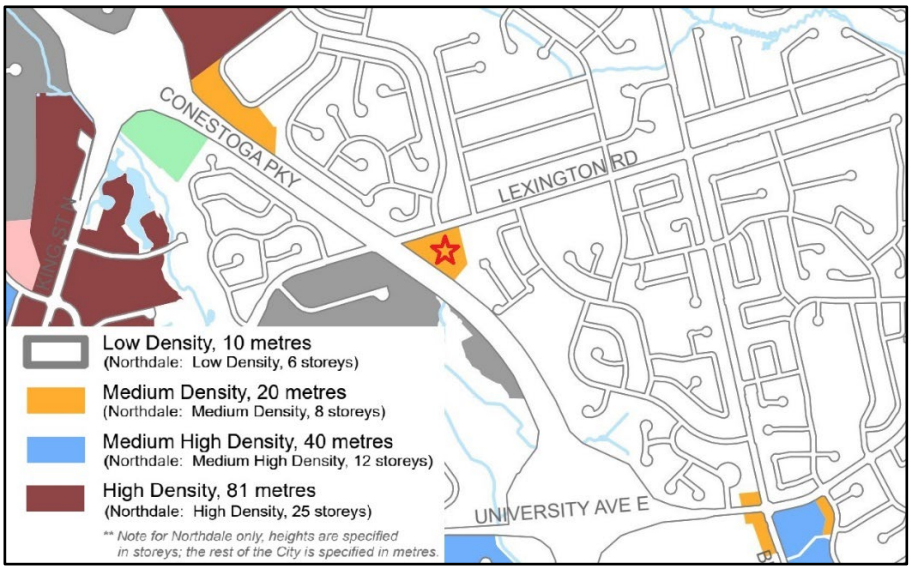


Figure 9: City of Waterloo Official Plan – Schedule B1 (Height and Density)

The proposed residential development will have a maximum height of 40 metres, as well as density of 450 bedrooms per hectare. The proposed density combines the existing 248 bedrooms from Phase 1 and the 608 bedrooms being proposing from Phase 2 over an area of approximately 1.904 hectares (856 bedrooms/1.904 hectares = 450 bedrooms/hectare). Given that the proposed development exceeds the maximum permitted height, the applicant is requesting an Official Plan Amendment to the existing land use designation by way of a Site-Specific Provision as follows:

- Notwithstanding the provisions of policy 10.1.4(3)(b), the maximum building height of any building shall not exceed 40 metres.

While the proposed development exceeds the maximum height permitted in the designation, it is our opinion adheres to the overarching planned function of the site, and the massing of the development is responsive to its location. The proposed development contemplates a stepped building which transitions in height from its tallest point at the centre of the site, toward the nearest low rise residential uses to the southeast. The proposed development provides context-sensitive intensification on lands supportive of medium-density development and has regard for the neighbouring low-rise residential housing through massing and height.

It is also noted that while the development exceeds the permitted height as set out in the Official Plan, the proposed density is in conformity with the maximum density permitted on the site. This is an important distinction, as the overall purpose of the application is not to increase the overall intensity of the proposed residential use, but rather to facilitate the planned intensification in a built form that is more conducive to the challenging topographic conditions of the site and irregular property configurations.

4.6.2 Designated Nodes and Corridors

Schedule B1 of the Official Plan designates the subject property for Medium Density and a maximum height of 20 metres. While the subject property is supportive of medium-density development, it is understood that the subject property is not located within a designated Node or Corridor in Schedule B of the Official Plan.

Based on our review of the Official Plan, Section 3.6.3 of the Official Plan states that expansions to existing designated Nodes or the designation of new Nodes will be considered by Amendment to this Plan where the City is satisfied that there is a demonstrated community benefit associated

with additional medium, medium-high or high density uses, and subject to *consideration* of the following criteria in the table below. Based on our analysis of the following policies and subject lands, it is our opinion that identification of the site and adjacent area as a Minor Nodes could be considered based on the analysis set out in the following table:

Policy	Discussion of Consideration
a) Whether the area is a destination point, or is planned to be a destination point, with a concentration of employment and commercial uses;	Given the existing commercial plaza, retirement complex (Phase 1) and institutional use adjacent to the subject property, it is our opinion the area is a destination point which is distinct from the residential areas to the north, east and southeast. Based on our review of the surrounding lands and existing Minor Nodes of similar nature and size, Figure 10 below this table provides an illustration of the potential Minor Node designation over approximately 7.0 hectare.
b) There is potential for intensification due to the location, size, and configuration of the properties;	The subject property is supportive of 'Mixed-Use Medium Density Residential' uses given its adjacency to lands designated for commercial and employment uses to the west of Lexington Road and the Conestoga Parkway. The property does not directly abut any sensitive land uses and has already been planned to support infilling and intensification, such as the Phase 1 development. The subject lands and surrounding area have a comparable area and size to other existing Minor Nodes, including the designated node at the intersection of Bridge Street West and University Avenue East to the southeast. This existing node contains a range of commercial and medium density residential development of similar nature to the proposed development and surrounding uses.
c) The scale of the present use would allow for greater density;	The site currently contains a six-storey retirement home with 216 units (248 bedrooms) and Long Term Care home with 84 beds. While the front portion of the subject lands are currently developed, it is our opinion that the rear portion of the property is underutilized and does not make full use of the site which has an area of approximately 1.904 hectares. Further, the subject lands are currently designated and zoned to accommodate the proposed density, which cannot be achieved on the site within the current height limitations due in large part to the challenging topographic conditions of the property coupled with the irregular lot lines/configuration. By permitting an increase

Policy	Discussion of Consideration
	in height, the planned residential density of the property can be achieved.
d) The area serves, or is planned to serve, as a service centre for the day to day needs of people living or working in nearby residential or employment areas;	The surrounding area provides many services supporting the day-to-day needs of nearby residential and employment areas, as there is currently a commercial plaza and institutional uses adjacent to the lands. The commercial plaza consists of a range of uses, including a convenience store, pharmacy, fast-food services, and boutique shop. It is our opinion that this is a unique area in the City that currently serves individuals in the immediate neighbourhood, and the proposed residential development will add to the functionality of these lands. There are many examples of Minor Nodes throughout the City of similar nature which provide a similar function. For example, an existing Minor Node at the intersection of Bridge Street West and University Avenue East to the south-east contains a range of commercial and medium-to-high density residential development. Further, the Minor Node located at Erbsville Road & Laurelwood Drive also a mix of commercial, residential and an institutional use (Sir John A MacDonald Secondary School).
e) The area is, or is planned to be: (a) In the case of Minor Nodes, an intersection of multiple transit routes. (b) In the case of Major Nodes, an intersection of higher frequency transit routes; and	The subject property is adjacent to the two (2) public transit bus routes that service the northern area of Waterloo, including the 29 (Keats-University) and 31 (Columbia). It is our opinion that the subject lands are well-serviced by multiple public transit routes to be considered a Minor Node, which will provide future residents and visitors transit options to and from the site. The presence of the existing transit routes will also provide individuals access to the adjacent commercial plaza and institutional use, thus contributing to the viability of these establishments.
f) The expansion to an existing designated Node or designation of a new Node is compatible with the surrounding neighbourhood	It is our opinion that the request for a new Minor Node is compatible with the surrounding neighbourhood, as the subject lands are designated for medium-density, mixed-use development and adjacent to commercial and institutional uses. The proposed development has consideration for the low-rise residential housing to the rear by

Policy	Discussion of Consideration
	using a staggered building design for a smoother transition in height.

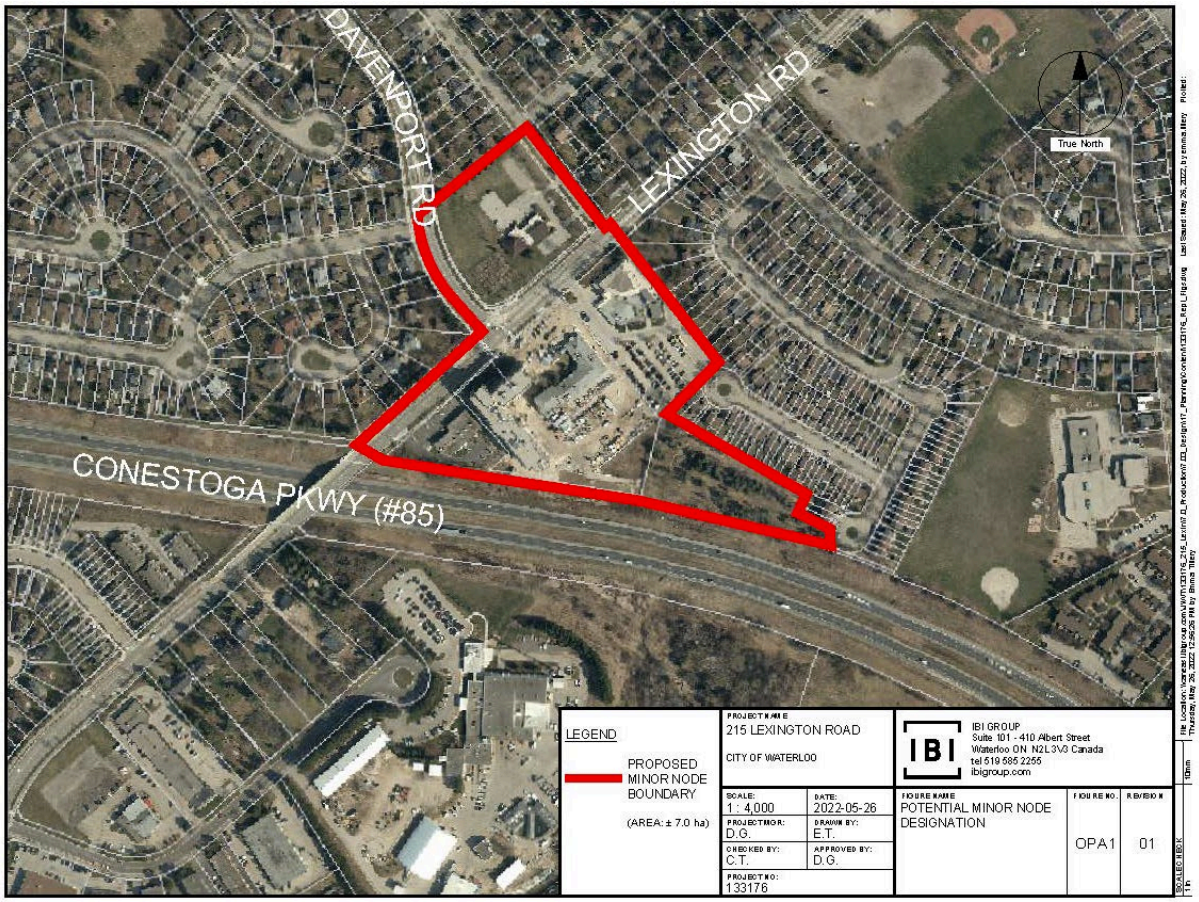


Figure 10: Potential Minor Node Designation prepared by IBI Group

It is our opinion that subject lands and immediate area should be considered as a Minor Node given the policy consideration in Section 3.6.3 of the Official Plan noted above. Notwithstanding the above, as an alternate to identifying the suggested area as a minor node, a site-specific policy area could be created to provide for the increased building heights proposed on the subject property.

4.6.3 Residential Density Policies

Section 10.1.1.(12) of the Official Plan outlines a number of criteria to consider regarding, “development applications proposing to re-designate lands to the Mixed- Use Medium Density Residential designation, Mixed-Use Medium High Density Residential designation, or Mixed-Use High Density Residential designation.” While it is our opinion that this policy does not specifically apply to the proposed development given that the applicant is not “re-designating” the lands, but rather asking for a Special Policy Area to the existing ‘Mixed-Use Medium Density Residential’ designation, the following provides an analysis of Section 10.1.1.(12) of the OP:

Policy	Discussion of Consideration
a) The proposed density is deemed appropriate for the neighbourhood and contributes to an appropriate height and density transition by buffering or being buffered from lands designated Low Density Residential;	It is our opinion that the proposed density is appropriate for the existing neighbourhood, as the current Official Plan designation and Zoning of the subject property permits a maximum density of 450 bedrooms/ha. Given that the overall density proposed by the development concept is permitted on the subject lands, no density increase is contemplated. The request to increase the maximum permitted height from 20 metres to 40 metres will allow the applicant to implement the approved/planned density for the site, which is 450 bedrooms per hectare. It is our opinion that the increase in height, being mindful of the low-rise residential buildings to the rear, is necessary to facilitate the proposed density that is already supported by approved local planning documents. It further our opinion that the proposed height increase can mitigate computability issues with the low-rise residential development through good design and built-form.
b) There is a demonstrated community benefit associated with additional medium, medium-high or high density uses to accommodate additional population in the context of Waterloo's population forecast and the supply of lands within existing designated Nodes and Corridors;	The subject property is located within existing Built-Up Area and designated for Mixed-Use Medium Density Residential development which both support infill and intensification on existing urbanized lands. It is understood that 45 percent of new residential development should be directed to the Built-up Area by the local municipalities in order to support the efficient use of land and physical and community infrastructure/services. The proposed development would be contributing to the development of additional residential units within the built boundary of the City of Waterloo. While the subject property is not located within a Node or Corridor, as noted previously in Section 4.6.2 of this Report, it is our opinion that the proposed density is contemplated by the existing Mixed-Use Medium Density Residential designation and RMU-20 zone.
c) Lands are proposed to be located within a designated Node or Corridor and satisfy all relevant policies of the City Form Chapter;	As mentioned in Section 4.6.2 of this Report, the proposed development is not located within an existing Node or Corridor, however, the permitted density of 450 bedrooms/ha. on the subject property is consistent with the relevant Node or Corridor policies. The

Policy	Discussion of Consideration
	proposed development is serviced by public transit, has direct access to a collector road (Lexington Rd), and is adjacent to a range of commercial, institutional and residential uses supportive of the development.
d) The proposal achieves the applicable performance standards set out in this Official Plan and implementing Zoning By-Law;	It is our opinion that the proposed development is consistent with the performance standards of the Official Plan and regulations associated in the Zoning By-law. The proposed Official Plan Amendment by way of a Special Policy Area and Zoning By-law Amendment to seeking site-specific relief to the existing zoning meets the general intent of the Official Plan and Zoning By-law.
e) Surface parking is minimized in favour of more intensive forms of parking;	The proposed development includes two (2) levels of underground parking in order to minimize surface parking visible from the public realm. Any remaining surface parking is located behind Building A and B, as well as the existing Building from Phase 1 to minimize visual impacts.
f) Cultural heritage resources are conserved;	Not applicable, as there are no existing cultural heritage resources on the subject lands and surrounding area.
g) The proposal demonstrates a high standard of urban design;	It is our opinion that the proposed development achieves a high-level of urban design and has regard for the City's Urban Design Guidelines. Please refer to the Urban Design Brief prepared by IBI Group for greater details.
h) The proposal identifies and implements any required transportation improvements, with a particular focus on transportation demand management measures;	Based on the Transportation Impact Study / Parking Justification Report prepared by IBI Group, a number of transportation demand management measures were discussed in relation to the proposed development. For example, the site is located along the GRT's 29 (Keats-University) and 31 (Columbia) bus routes. This provides an opportunity to encourage the use of public transit over automobile ownership. The proposed parking spaces to be "unbundled" (sold separately from the dwelling unit) due to the parking reduction. Further, a total of 332 bicycle parking spaces are provided on-site to encourage active transportation.
i) Medium to high density residential uses are located with direct vehicular access to arterial or collector roads to the extent	The proposed development has direct vehicular access to Lexington Road which is identified as a collector road. Based on the

Policy	Discussion of Consideration
possible. Where such access is deemed by the City to be undesirable or not feasible, vehicular access may be provided by local streets if traffic is directed to the nearest arterial or collector road via a route that minimizes vehicular travel within the low density residential neighbourhood	Transportation Impact Study / Parking Justification Report prepared by IBI Group, the proposed development will not have adverse impacts to the local traffic.
j) Infrastructure capacity is not exceeded;	Based on the Servicing Feasibility Study (Functional Servicing Report) and Transportation Impact Study / Parking Justification Report prepared by IBI Group, infrastructure capacity will not be exceeded. The proposed development will have adequate servicing (water, sanitary and storm), and will not have adverse impacts to the City's / Region's transportation network.
k) If applicable, safe access, flood protection and geotechnical stability is achieved to the satisfaction of the City and the Grand River Conservation Authority; and,	There are no concerns with regard to safe access, flood protection and geotechnical stability. The subject lands are not regulated by the Grand River Conservation Authority.
l) The proposal satisfies all other applicable policies of this Official Plan.	It is our opinion that the proposed development application conforms to the Official Plan and meets the general intent. Please see Section 4.6 of this Report in full for a review of the Official Plan policies applicable to the proposed development application.

Based on the discussion provided in the table above, it is our opinion that the proposed development has due consideration for Policy 10.1.1.(12) of the Official Plan.

4.6.4 Height/Density Bonusing

Section 12.3.1 of the Official Plan provides policies relating to Height/Density Bonusing to authorize increases in height and/or density in return for facilities, services or matters that would comply with the general intent of the Official Plan. Notwithstanding this, it is noted that the ability to employ density bonusing will expire in September 2022 in accordance with recent legislative changes enacted by the province. Given this and as an increase is also requested from the maximum height permissions of the Official Plan, the applicant is proposing a site specific Official Plan Amendment and corresponding Zoning By-Law Amendment to contemplate the increase in building heights to the proposed 12 storeys/40 metres rather than through the use of a Section 37.

4.6.5 Active Transportation System

The subject property is adjacent to a 'City-Wide Cycling and Multi-Use Route' to the front and south-western property lines to Schedule F of the City of Waterloo Official Plan (Figure 11). As mentioned earlier, dedicated cycling lanes have already been implemented and/or constructed along Lexington Road. The proposed development acknowledges the existing bicycle lanes by

providing 332 bicycle space for future residents in order to make use of the existing infrastructure.

It is further our understanding that the City of Waterloo is looking to implement a multi-use trail along the south-western property line. The proposed development contemplates a pedestrian connection that would connect to the lands owned by the City of Waterloo where a future multi-use trail is envisioned. This will provide greater connectivity to the City's multi-use trail system and will encourage walking/cycling as a means of transportation.

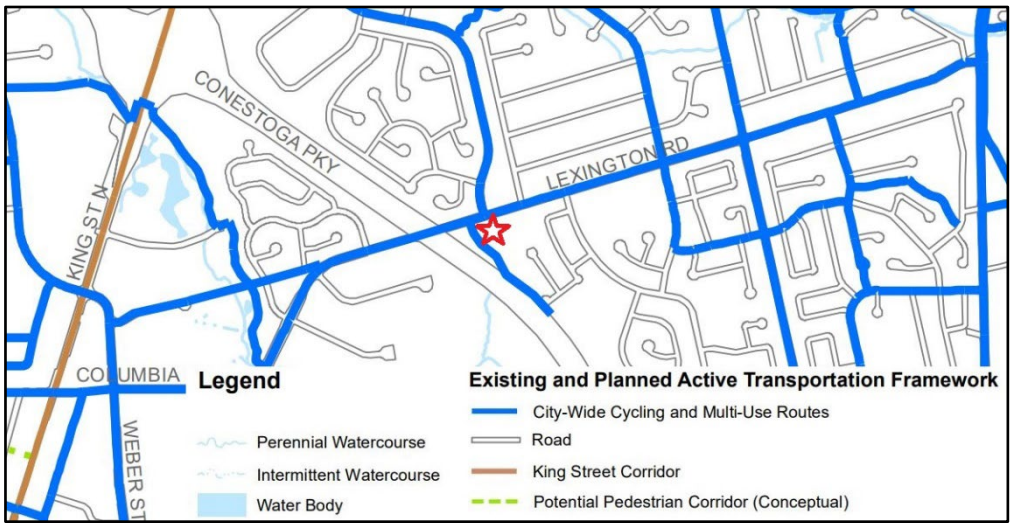


Figure 11: City of Waterloo Official Plan – Schedule F (Active Transportation System)

4.6.6 Road Allowance

As per Schedule G of the City of Waterloo Official Plan, a road allowance of up to 30.0 metres exists along Lexington Road adjacent to the subject property (Figure 12). Through the site plan approvals process, it is anticipated that the required widening will be granted to the City of Waterloo.



Figure 12: City of Waterloo Official Plan – Schedule G (Road Widths)

4.7 City of Waterloo Zoning By-Law

The subject property is currently zoned RMU-20 (Residential Mixed-Use) according to Schedule A of the City of Waterloo Zoning By-Law (Figure 13). As per Section 7.10.1.1 of the Zoning By-Law, *MULTI-UNIT RESIDENTIAL BUILDING* (including *APARTMENT BUILDING*) is permitted within this zone. Given the proposed development is strictly for two (2) apartment buildings, this means the proposed residential buildings are permitted within the RMU-20 Zone.

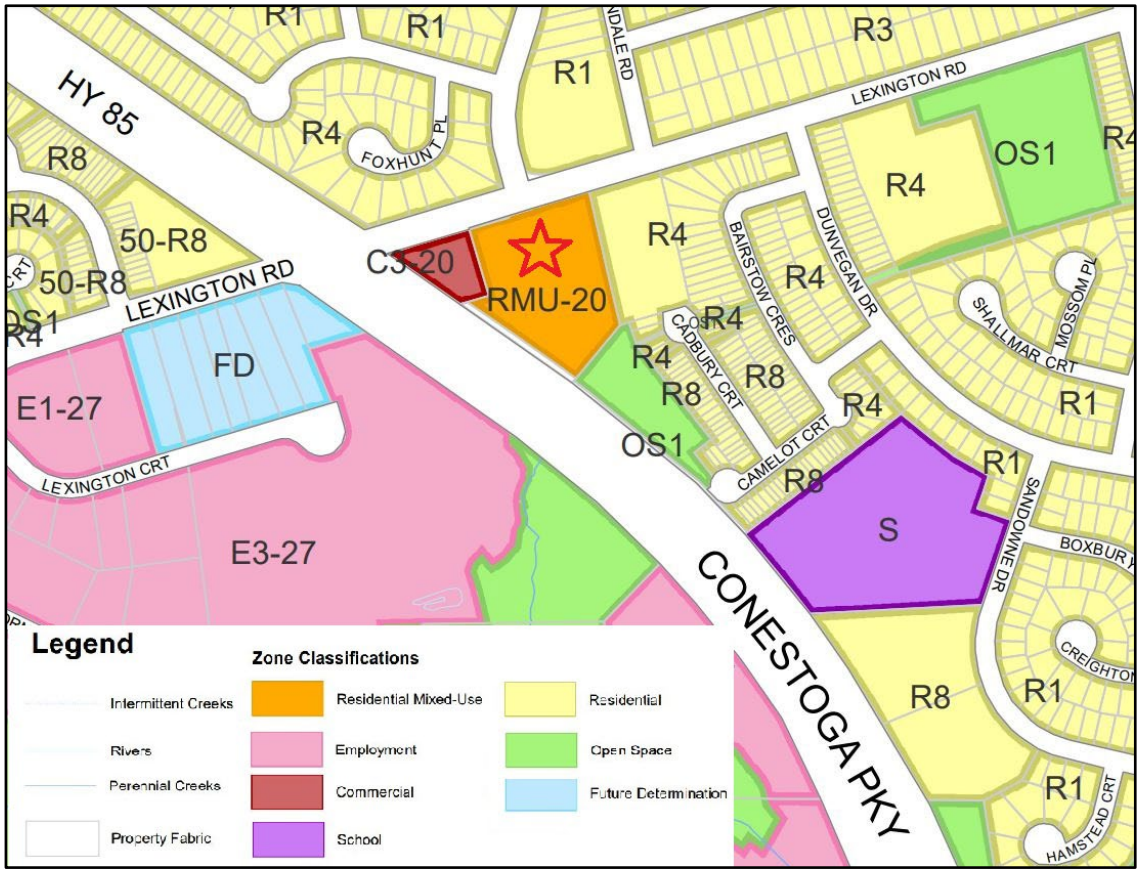


Figure 13: City of Waterloo Zoning By-Law – Schedule A (Zoning Map)

As shown in Schedule C1 (Figure 14), Site Specific Zoning Provision 99 also applies to the subject lands as follows:

a) Notwithstanding anything to the contrary, the following additional regulations shall apply to the lands known municipally as 215-229 Lexington Road:

   i. PARKING SPACES (minimum):

      A. 1 per 3 beds to the MAXIMUM DESIGNED CAPACITY of a LONG TERM CARE FACILITY.

      B. 1 per 3 suites in an ASSISTED LIVING FACILITY that do not have a full kitchen (stove, fridge, and sink).

      C. 0.7 per suite in an ASSISTED LIVING FACILITY that has a full kitchen (stove, fridge, and sink).

      D. 3 per 100 square metres of BUILDING FLOOR AREA for non-residential uses

ii. LOT LINE setback from a Provincial Highway (minimum): 14 metres
iii. STREET LINE setback (maximum) in section 7.10.2 shall not apply
iv. A maximum of 14 PARKING SPACES shall be permitted in the FRONT YARD

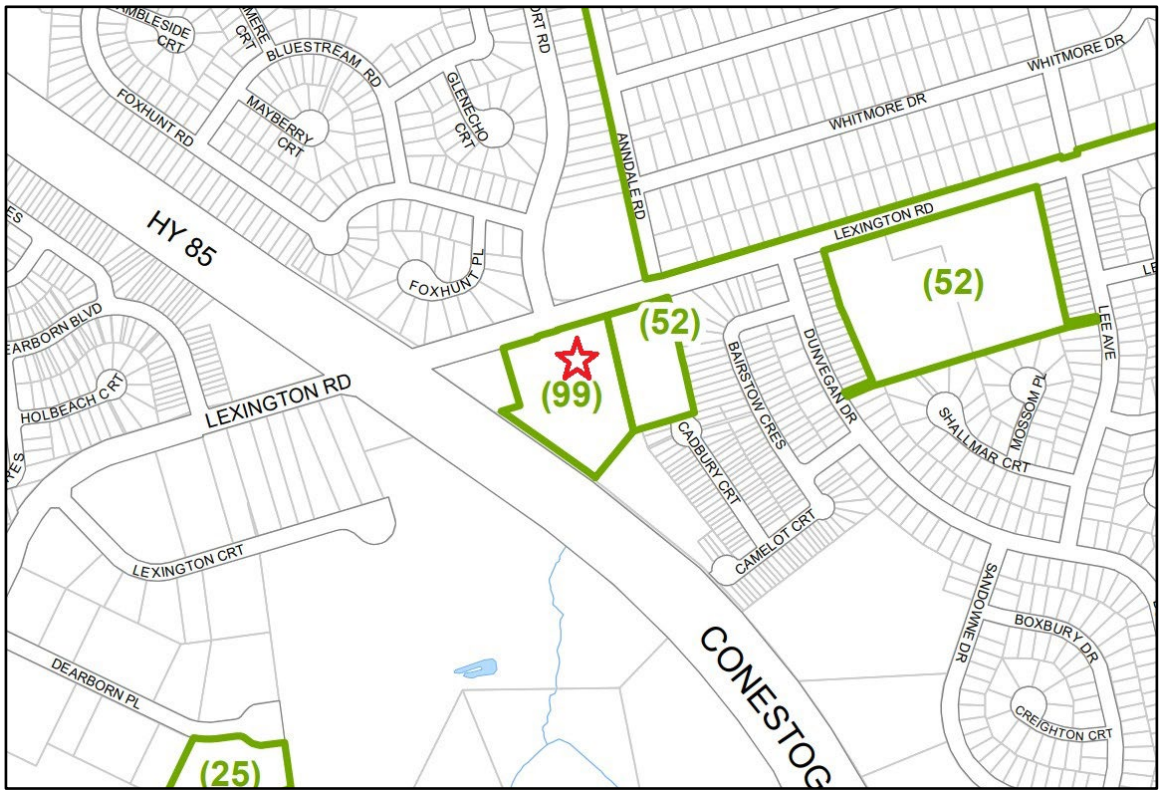


Figure 14: City of Waterloo Zoning By-Law – Schedule C1 (Site Specific Zoning)

The following table assesses the RMU-20 Zone Performance Standards outlined in Section 7.10.2 of the Zoning By-Law and Site Specific Zoning Provision 99 in relation to the proposed development (please note that the Site-Specific requests are highlighted in red below):

Regulation	Requirement	Proposed
Minimum Lot Frontage	20.0 m	105.0 m
Minimum Street Line Setback	5.0 m	5.0 m
Maximum Street Line Setback	Not Applicable (Site Specific Zoning Provision 99)	N/A
Minimum Lot Line Setback from a Provincial Highway	14.0 m	16.91 m
Minimum Side Yard	3.0 m	4.9 m (west side yard)
Minimum Low Rise Residential Lot Line Setback	7.5 m or half the height of the building, whichever is greater (12 m)	9.2 m (east side yard)
Minimum Rear Yard	7.5 m	7.5 m

Regulation	Requirement	Proposed
Minimum Low Rise Residential Lot Line Setback	7.5 metres or half the height of the BUILDING, whichever is greater, except for TOWNHOUSE BUILDINGS and FREEHOLD TOWNHOUSE BUILDINGS where no LOW RISE RESIDENTIAL LOT LINE setback shall apply	N/A
Maximum Building Height	20.0 m and 6-storeys	40.0 m
Minimum Density	None	-
Maximum Density	450 bedrooms per hectare	450 bedrooms per hectare
Minimum Landscaped Open Space	30%	26%
Maximum Number of Buildings on a Lot	More than one (1) permitted	2
Minimum Height of the First Storey	4.5 m	4.5 m
Minimum Amenity Area	3 square metres for the first BEDROOM and 2 square metres for each additional BEDROOM in the DWELLING UNIT 2,745 m^2	3,021 m^2
Minimum Residential Parking Rate	**Phase 1** Assisted Living: 1 space per 3 units = 56 Stalls Seniors Apartments: 0.7 space per unit = 35 Stalls Total: 91 Stalls	**Phase 1** Assisted Living: 1 space per 3 units = 56 Stalls Seniors Apartments: 0.48 spaces (24) Total: 80
	Phase 2 Resident: 1.15 space per unit = 521 Stalls Visitor: 0.10 space per unit = 46 Stalls Total: 567 Stalls	**Phase 2** Resident: 1.0 space per unit = 447 Stalls Visitor: 0.05 space per unit (24) Total: 471 Stalls
	Total: 658 spaces	Total: 551 spaces

Regulation	Requirement	Proposed
Location of Parking	A maximum of 14 Parking Spaces shall be permitted in the Front Yard (Site Specific Zoning Provision 99)	14 parking spaces in the front yard provided.
Barrier Free Parking	551 – 600 parking spaces = 14 Barrier-free spaces (7 Type A and 7 Type B)	14 Barrier-Free Parking Spaces (7 Type A and 7 Type B)
Minimum Bicycle Parking	0.3 Type A Bicycle Parking spaces per dwelling unit (551 x 0.3 = 166 spaces) 0.3 Type B Bicycle Parking spaces per dwelling units (551 x 0.3 = 166 spaces) (noting that the Zoning By-Law allows the requirement of Type B spaces to be satisfied by Type A spaces.	332 total Type A = 283 spaces Type B = 49 spaces
Maximum Driveway Dimension	7.0 m for a lot containing 10 or more parking spaces	7.3 m

Based on the information provided above, the subject lands require a Zoning By-Law Amendment by way of Site-Specific Provisions as follows:

- Notwithstanding Table 7O of the Zoning By-Law, the maximum building height of any building shall not exceed 40 metres.
- Notwithstanding Table 7O of the Zoning By-Law, the minimum Low Rise Residential Lot Line Setback of any building shall not exceed 9.2 metres.
- Notwithstanding Section 7.10.7 of the Zoning By-Law, the minimum residential parking rate shall be 1.0 spaces per dwelling unit.
- Notwithstanding Section 7.10.7 of the Zoning By-Law, the minimum visitor parking rate shall be 0.05 spaces per dwelling unit.
- Notwithstanding Section 6.8.3 and Table 6H of the Zoning By-law, the maximum driveway dimension for a lot containing 10 or more parking spaces shall not exceed 7.3 metres.
- Notwithstanding Table 7O, permit a landscape open space coverage of 26%, whereas 30% is required.
- Modify Site Specific Zoning Provision 99 to require 0.48 per unit for seniors apartments.

In order to provide increased certainty with regard to the location of permitted height on the site, it is recommended that site specific regulations be applied to the property restricting where the twelve-storey massing can be located in relation to front and side lot lines.

It is our opinion that the requested minimum Low Rise Residential Lot Line Setback of 9.2 metres, whereas the Zoning By-law requires 12 metres (based on an adjacent building height of 24 m), is justified and has regard for the adjacent residential zone. This can be considered a unique case, given that the eastern property line of the subject property is adjacent to an institutional use (WMB Church) that is zoned R4 for residential use, which has a large surface parking lot towards the rear of the site. The proposed development is adjacent to an institutional use, rather than a residential use. Further, the proposed building height has regard for the

adjacent properties, as Building B features a “tiered” design along the eastern side that transitions from 10, 8, and 6 storeys. Therefore, it is our opinion that the proposed Site-Specific Provision for the Low Rise Residential Lot Line Setback of 9.2 metres is appropriate.

With regard to the requested Site-Specific Provision to increase the maximum driveway dimension for a lot containing 10 or more parking spaces from 7.0 metres to 7.3 metres, it is our opinion that the proposed surplus is justified and appropriate for the lands. The proposed increase in the driveway width has been designed to provide the necessary width/space for servicing vehicles to maneuver throughout the site. This will improve the overall function of the site. In addition, the proposed driveway is located to the rear of Building B and underground parking structure, thus minimizing any impacts to the public realm and adjacent properties. Therefore, it is our opinion that the proposed Site-Specific Provision to increase the maximum driveway dimension for a lot containing 10 or more parking spaces to 7.3 metres is appropriate.

It is also noted that the proposed landscape space for the development is 26% which is 4% deficient of the requirement set out in the by-law. Notwithstanding this, it is our opinion that the development provides ample landscape space including a large outdoor terrace at grade, on top of the structure parking. This area is planned to be provided with adequate soil volumes to support tree planting and ample landscaping between the two wings of the building. If this area were included within the definition of landscape coverage, the overall landscape coverage would by 36%, exceeding the requirements of the by-law. Based on this, it is our opinion that the landscape coverage is appropriate and the site-specific regulation justified.

5 Planning Justification

The following section of this Report summarizes the rationale in support of the proposed Official Plan and Zoning By-Law Amendment application.

5.1 No Increase in Planned Density for Site

The proposed development conforms to the permitted maximum density of 450 bedrooms per hectare prescribed in the Official Plan and Zoning By-Law. The proposed density combines the existing 248 bedrooms from Phase 1 and the 608 bedrooms being proposing from Phase 2 over an area of approximately 1.904 hectares (856 bedrooms/1.904 hectares = 450 bedrooms/ hectare). As such, the proposed total density of 450 bedrooms/hectare is supported by the Official Plan policies and Zoning By-Law regulations applicable to the subject lands.

Given that the overall density is permitted on the subject lands, the request to increase the maximum permitted height from 20 metres to 40 metres will allow the applicant to maintain the proposed density of 450 bedrooms per hectare. It is our opinion that the increase in height, being mindful of the low-rise residential buildings to the rear, is necessary to facilitate the proposed density that is already supported by local planning documents. It further our opinion that the proposed height increase can mitigate computability issues with the low-rise residential development through good design and built-form.

5.2 Appropriate Location for Infilling

The subject lands are located within existing urbanized lands that are underutilized in the rear yard. It is our opinion that the proposed residential buildings provide an opportunity for infill development in a location surrounded by a range of commercial, residential, institutional and employment uses. The lands are supported by existing municipal infrastructure in the area and focusses development within the urban boundary. Further, it is our opinion that the this is a unique location in the City of Waterloo, being that it is not designated as a Minor Node, but is

designated for medium density, mixed use development and surrounded by a range of supporting uses.

The proposed development is located at the intersection of two (2) Major Collector roads that are supported by two (2) GRT transit routes 31 and 29, adjacent to Conestoga Parkway, and abuts dedicated bike lanes along Lexington Road. It is our opinion that the location of the subject lands support infill development that is transit-oriented and encourages active transportation.

Further, the subject property currently contains a medium density building (Phase 1) and is surrounded by two institutional uses, a commercial plaza and a park/green space. As such, it is our opinion that the current use is established, and the proposed infill project will be in keeping with the nature of the site and surrounding lands.

5.3 Appropriate Massing and Built-Form in an Established Area

The proposed development has regard for the established low-rise residential neighbourhood to the south through massing and built-form. Although the overall development exceeds the maximum permitted height of 20 metres, the rear portion of Building B includes a “tiered” design that transitions from 12, 10, 8, and 6 storeys in height as it approaches the residential area.

Further, the subject property is within the existing Built-Up Area and designated for Mixed-Use Medium Density Residential development which both support infill and intensification on existing urbanized lands. The lands are supported by a maximum density of 450 bedrooms per hectare in the City’s Official Plan and Zoning By-Law, to which the applicant is proposing 450 bedrooms per hectare. It is our opinion that the proposed development is in keeping with the existing Official Plan policies and is consistent in form and function with the surrounding area.

Additionally, it is our opinion that the proposed design ensures that the development does not impose over the established residential area and minimizes privacy and shadowing concerns. As demonstrated in the Shadow Study prepared by IBI Group, the proposed development is consistent with the Shadow Study Criteria set out in ‘Section K’ of the City’s Site Plan Review Guidelines as the proposed building will not cause 50% or more of any adjacent property to be shaded for more than two interval times at different times throughout the year.

5.4 Alignment with Overarching Planning Framework

Based on the analysis provided in Section 4 of this Report, it is our opinion that the proposed development demonstrates regard for the “Matters of Provincial Interest” set out by the Planning Act and is consistent with the PPS. We further believe that the proposed development conforms to the applicable policies of the Growth Plan for the Greater Golden Horseshoe, and the Region of Waterloo Official Plan.

In our opinion the proposed residential development will provide context appropriate intensification of an underutilized parcel designated for Mixed-Use Medium Density Residential development. The proposed development is in keeping with the permitted density requirements of the City’s Official Plan and Zoning By-Law.

5.5 Efficient Use of Infrastructure and Municipal Servicing

As demonstrated in the enclosed Functional Servicing Report and Stormwater Management Report prepared by IBI Group**,** the subject property has access to full municipal services and it is anticipated that the proposed units can be adequately serviced via existing infrastructure. Developing residential dwellings where underutilized lands currently exist serves as a more efficient use of the existing infrastructure, which is in keeping with both Provincial and municipal policy. The subject lands are also located within a walking / cycling distance of two (2) GRT bus routes, thus providing improving accessibility to surrounding uses in the neighbourhood and City.

6 Supporting Studies

As part of the complete application for the proposed Official Plan and Zoning By-Law Amendment, the following supporting studies have been prepared and submitted for City, Regional, and Agency Review. This section will provide a short overview of the findings of each of these supporting studies.

6.1 Urban Design Study

An Urban Design Brief was prepared by IBI Group as part of the complete application. This study provided an overview of the urban design framework applicable to the site, the existing conditions of the property and its neighbourhood context, and summarized how the design of the proposed development reflects the urban design objectives of the City.

6.2 Road Traffic and Stationary Noise Impact Study

JJ Acoustic Engineering Ltd. (JJAE) prepared a Road Traffic and Stationary Noise Impact Study (Study) for the proposed development. The Study was prepared consistent with Ontario Ministry of the Environment, Conservation and Park (MOECP) NPC 300, "Environmental Noise Guideline, Stationary and Transportation Sources–Approval and Planning" dated August 2013. Road traffic noise control requirements for the Site were determined based on road traffic volumes provided by the Region of Waterloo (Region) and forecasted to 10 years from the date of the Study.

As concluded by JJAE, the proposed development will need to include the following noise mitigation measures:

Building A:

- Warning Clause Type C for the South and East façades.
- Warning Clause Type D for North and West façades.
- Requirement for Air Conditioning for the entire building.
- A minimum of STC 30 is required for all exterior glazing for the North façade.
- A minimum of STC 31 is required for all exterior glazing for the West façade.

Building B:

- Warning Clause Type C for the East façades.
- Warning Clause Type D for North, South and West façades.
- Requirement for Air Conditioning for the entire building.
- A minimum of STC 25 is required for all exterior glazing for the North and South façade.
- A minimum of STC 31 is required for all exterior glazing for the West façade.

6.3 Transportation Impact Study and Parking Analysis

A Transportation Impact Study was prepared by IBI Group assessing the transportation impacts of the proposed development and its impacts on the surrounding transportation network. The Study found that the proposed development is expected to generate 193 vehicle trips during the Weekday AM Peak hour (54 inbound trips and 139 outbound trips). During the Weekday PM Peak hour, the proposed development is anticipated to generate 243 vehicle trips 145 inbound trips inbound and 98 outbound trips). When compared to the 2027 Future Background Conditions scenario, impacts to traffic operations are anticipated to be minimal with the addition of development site traffic.

The study also included a Parking Analysis to assess the existing and proposed parking from Phase 1 and 2. For the recently-constructed Phase 1 development, assisted living facility uses are to provide 1 parking space for every 3 units and seniors apartment uses are to provide 0.7 parking space per unit. As 167 assisted living units and 49 senior apartment units have been constructed in Phase 1, the parking requirement would be 56 spaces for assisted living facility and 35 spaces for seniors apartment (a combined 91 parking spaces).

As Phase 1 proposes to supply 73 parking spaces (56 spaces for assisted living facility and 17 spaces for seniors apartment) under a revised parking arrangement, a Zoning By-Law deficiency of 18 parking spaces is expected.

For Phase 2 of the proposed development, apartment buildings are to provide 1.15 parking spaces per dwelling for residents, and 0.10 parking spaces per dwelling for visitors (a combined 1.25 parking spaces per dwelling) for apartment uses. As 453 apartment units are proposed in Phase 2, the parking requirement would be 521 spaces for residents and 46 spaces for visitors (a combined 567 parking spaces). As Phase 2 proposes to supply 478 parking spaces (453 spaces for residents and 25 spaces for visitors), a Zoning By-Law deficiency of 89 parking spaces is expected.

This translates to a proposed parking supply of 551 parking spaces, a parking requirement of 658 spaces, and a Zoning By-Law deficiency of 107 spaces. The proposed development is well served by Grand River Transit routes, bicycle parking / storage is provided on-site, and was determined that the proposed parking spaces between Phase 1 and 2 are expected to be sufficient to accommodate anticipated demand.

6.4 Preliminary Functional Servicing and Stormwater Management Report

IBI Group prepared a Preliminary Functional Servicing and Stormwater Management Report for the proposed development. The purpose of the report is to demonstrate servicing feasibility of the proposed development. The following provides a summary of the findings and conclusions:

- The site will be graded per municipal guidelines, and ground elevations at the site limits will be matched into existing grades at property lines.
- The preliminary stormwater management will provide quantity and quality control for stormwater runoff generated by the proposed development for the 5 year and 100 year storm events, and the onsite storm network will convey the minor stormwater flows to the existing storm water management pond.
- The development will be serviced by the existing 200mm diameter watermain on site, which is connected to the 300mm diameter municipal watermain on Lexington Road, and a private fire hydrant is located at the entrance to the site. The nearest public fire hydrant is at the intersection of Lexington Road and Davenport Road across from the\ development.
- At the final design stage, detailed grading, servicing and stormwater management control designs will be prepared and provided to the approval authorities. All design will conform to local and provincial municipal design standards.

6.5 Shadow Study

A Shadow Study was prepared by IBI Group assessing the shadowing impacts of the proposed development on adjacent lands and uses. Based on the study, it was found that the shadow criteria of the City would be met/maintained through the proposed development.

6.6 Wind Study

A Pedestrian Wind Assessment was prepared by SLR Consulting to assess wind impacts on and from the development. The pedestrian wind conditions predicted for the proposed development at 215 Lexington Road were assessed through computational fluid dynamics modeling techniques. Based on the assessment, the SLR found that:

- The wind safety criterion is met at all areas on-site and surrounding the development in both the Existing and Proposed Configurations.
- Wind conditions on the site, including entrances are generally expected to be suitable for the intended use year-round.
- On the sidewalks surrounding the proposed development, wind conditions are suitable for the intended use throughout the year.

7 Conclusions and Recommendations

This Planning Justification Report provides an overview of the proposed development of the subject lands known municipally as 215-229 Lexington Road, as well as the surrounding context and the applicable land use planning policy. It also describes the required planning applications to permit the proposed development on the subject lands, which include an Official Plan Amendment, Zoning By-Law Amendment, and future Site Plan Approval.

Based on the rationale provided in this Report, it is our opinion that the proposed Official Plan and Zoning By-Law Amendments are justified, have regard to the “Matters of Provincial Interest” set out in the Planning Act and are consistent with the PPS. The proposed development also conforms to the general intent of the Growth Plan for the Greater Golden Horseshoe and the Region of Waterloo Official Plan. It is further our opinion that this application serves the public interest and overall facilitates good planning.

It is, therefore, our recommendation that the City of Waterloo:

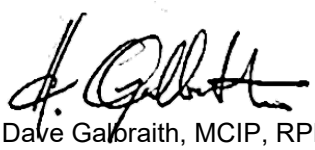
- Together with the completed application forms and fees, deem the Official Plan and Zoning By-Law Amendment applications complete and process the application in accordance with the municipal process;
- Schedule a Public Meeting to obtain comments from neighbouring residents, applicable commenting agencies and Council; and
- That City staff Circulate the application materials, including this Report, to the City of Waterloo Council, technical review agencies, and the community as appropriate.

Sincerely,

IBI GROUP



Christian Tsimenidis, BES
Urban Planner



Dave Galbraith, MCIP, RPP
Associate – Manager, Planning

DG/CT/baw