

# PLANNING JUSTIFICATION **REPORT**

OFFICIAL PLAN AMENDMENT,  
ZONING BY-LAW AMENDMENT &  
PLAN OF SUBDIVISION

Southwest corner of Erb Street West  
and Ira Needles Boulevard

City of Waterloo

Date:

**January 2024**

Prepared for:

**Waterloo Commons JV Inc.**

Prepared by:

**MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)**

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Our File Y594E

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# 1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC”) has been retained by Waterloo Commons JV Inc. to prepare the Planning Justification Report and coordinate the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications, for development of the property located at the southwest corner of Erb Street West and Ira Needles Boulevard, in the City of Waterloo (“the subject lands”). The location of the subject lands is included as Figure 1 this Report.

The subject lands are currently developed with a commercial plaza and stormwater management pond/open space. The developed area of Waterloo Commons is a 72,200 square foot open concept retail centre. The retail commercial space is distributed over several single storey retail buildings. Surrounding



land uses include the hydro corridor (to the north), commercial plaza (to the east), future employment lands (to the west), and residential/commercial (to the south).

The Official Plan and Zoning By-law Amendment and Plan of Subdivision applications will facilitate the expansion of the commercial plaza through the creation of a new commercial block and associated parking. The new commercial block will accommodate approximately 52,800 square feet of commercial space and will be anchored by a 35,000 square foot supermarket. The applications will also provide for the roundabout connection to Erb Street West for the future potential extension of a collector road that is planned for future construction. The proposed development concept is included as Figure 2.

The City of Waterloo Official Plan designates the subject lands as 'Commercial' and 'Open Space' with Special Policy Area 8. Under City of Waterloo Zoning By-law 2018-050, the subject lands are zoned Commercial 2 (C2-40) Zone and Future Determination (FD) Zone. Surrounding lands are designated Employment and Open Space and zoned as Future Determination (FD) Zone, Waste Management (WM) Zone., and Open Space (OS1) Zone.

The Official Plan Amendment proposes to redesignate portions of the land from Open Space to Commercial to facilitate the expansion of the commercial plaza. The Official Plan Amendment proposes a range of permitted uses, including a food/grocery store. Amendments to other Schedules of the Official Plan (i.e., Commercial Land Uses) are also proposed to facilitate future development. The future consolidated stormwater management pond is proposed to remain in the Open Space designation. The proposed Official Plan Amendment to the Schedule A is included as Figure 3.

The other amendments to the Official Plan Schedules include:

- Re-designating a portion of the subject lands from "Open Space" to "Commercial" on Schedule 'A'
- Designating a portion of the subject lands as "Mixed Use Neighbourhood Commercial" on Schedule 'A2'
- Removing a portion of the subject lands from Schedule 'A3'
- Removing a portion of the subject lands from Schedule 'A4' and
- Adding a portion of the subject lands to Schedule 'B1' and identifying said portion of lands as "Medium High Density, 40 metres".

The Zoning By-law Amendment proposes to rezone the Future Determination (FD) Zone to Commercial 2 (C2-40) Zone and Open Space (OS1) Zone. The C2-40 Zone is proposed as an extension of the existing commercial zone on the commercial blocks. The OS1 Zone is proposed on the consolidated stormwater management pond. The proposed Official Plan Amendment is included as Figure 4.

The Plan of Subdivision proposes to create the following:

- A Road Widening Block for the conveyance of land to the Region of Waterloo for the completion of the roundabout;
- Lands for conveyance to the City of Waterloo for a future road (as shown as Street One), including a 0.3m Reserve Block;
- A Future Development Block for a temporary turning circle to be removed when the public road is extended to the west;
- A Stormwater Management Block to accommodate stormwater from the Regional Road, future City road and the commercial plaza;

- A Commercial Block for the existing commercial uses; and,
- A Commercial Block for the extension of the commercial uses on the subject lands.

The proposed plan of subdivision is included as Figure 5.

The proposed applications include a portion of the lands are owned by the Region of Waterloo for stormwater management purposes and a land exchange with the Region of Waterloo is required to consolidate the stormwater management facility and to create the larger and contiguous block for the future commercial use. The plan subdivision can be developed independently from any adjacent lands and provides the public road connection that would be available to adjacent lands.

All of the applications are intended to redesignate and rezone the lands currently owned by the Region of Waterloo.

This planning report supports the required application and includes:

- An introduction and general description of the subject lands, surrounding uses and existing conditions, to provide an understanding of the locational and policy context;
- A description of the proposed Official Plan Amendment, Zoning By-law Amendment and overview of the proposed development;
- An assessment of the policy framework in relation to the proposed development and assessment of consistency with the Provincial Policy Statement and conformity with the Growth Plan, the Region of Waterloo Official Plan and the City of Waterloo Official Plan; and,
- Consideration and integration of recommendations from the supporting studies and reports.

MHBC has been responsible for the overall coordination of the applications. All required reports have been prepared and submitted concurrently with the planning applications.

## 1.1 Pre-Consultation

A pre-consultation meeting was held on May 2, 2023 to discuss the proposed planning applications. A list of the technical requirements for the submission of a complete Official Plan / Zoning By-law Amendments and Plan of Subdivision were discussed during the meeting. The pre-application meeting comments are attached as Appendix "A".

# 1.2 Overview of Previous Studies Associated with the Proposed Applications

## **Regional Class EA for Erb Street West**

A Class Environmental Assessment (Class EA) was completed by the Region of Waterloo for Erb Street West road improvements. The Class EA makes provision for the introduction of a new roundabout, at a location on Erb Street West to the north of the existing roundabout and on the subject lands. The roundabout is intended as the connection to Erb Street West for a collector road that extends from the Thorndale Drive roundabout. The new roundabout on Erb Street is in the general location shown in the Class Environmental Assessment document associated with the Erb Street road improvements. The City’s Development Charges By-law includes the ‘Ira Needles Boulevard By-Pass’ in the 2024/2025 in the 2023 Approved Capital Budget. The project includes new services, including sanitary sewers, watermain and storm sewers, a new collector road to include sidewalks, bike lanes, culvert crossings, pond restoration/ relocations and a roundabout at Erb Street West.

## **‘Waterloo West Side Integrated Multi-Modal Transportation Study’ (IMMTS).**

WSP prepared the ‘Waterloo West Side Integrated Multi-Modal Transportation Study’ (IMMTS). The study reviewed existing traffic conditions and intersection operations, and planned city and regional transportation improvements and the additional traffic that was expected as a result of urban growth in the Westhill District, specifically the projected employment growth.

The IMMTS notes the inclusion of a new road (The Boardwalk) from Thorndale Drive, northerly to intersect with Erb Street. The study recommends a controlled intersection (a new roundabout) at the intersection of The Boardwalk Avenue and Erb St West. Figure 3-9 of the IMMTS identifies the extension of the Boardwalk Avenue and the proposed roundabout location and at Erb Street W.

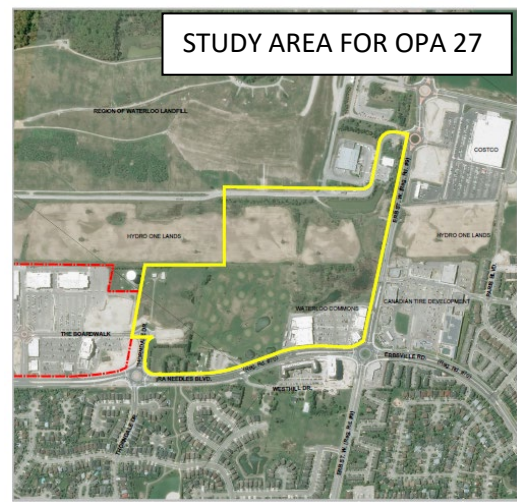
The IMMTS developed a number of Active Transportation and Transportation Demand Management (TDM) measures intended to provide current and future residents and employees in and surrounding the study area with viable active transportation options beyond the private automobile. The proposed road extension would be designed with cycling and pedestrian facilities.

In summary, the ongoing studies have recognized the need for road improvements to address existing and future traffic considerations. The policy framework and ongoing studies have informed the application to amend the Official Plan and Westhill District Plan.

## **Official Plan Amendment for New Collector Road – Official Plan Amendment No. 27**

The subject lands are subject to a broader Official Plan Amendment application that was made in December 2018 for the identification of a new collector road for the extension of The Boardwalk Avenue to Erb Street West and to identify a servicing strategy to be implemented through amendment to the Westhill District Plan.

This amendment has not proceeded and the proposed amendment will identify the collector road within the limits of the subject lands. The previous analysis confirmed the proposed roundabout, as shown on the proposed plan of subdivision, is the logical termination of this portion of the collector road. The subject lands were part of a previous study associated with a future collector road that would extend from Erb Street West to The Boardwalk, which was Phase 1 of a two-phased approach for development of lands within the Westhill District Plan Area. The Phase 1 study included background information and characterized the existing conditions as identified in the reports prepared by MTE and WSP.



The study was determined to be comprehensive in relation to the assessment of the road network and servicing alternatives, based on evaluation criteria, and recommended a road alignment to implement the connection to Erb Street West and future collector road (as shown on the image to the right).



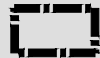

Phase 2 was identified to include the property specific applications to implement the preferred road alignment and the recommended servicing strategy. The submission of these applications for Waterloo Commons reflect the general intent of the previous study. Background information and analysis associated with Phase 1 has been considered in studies and reports associated with these planning applications.

# Context Plan

## Waterloo Commons

City of Waterloo  
Region of Waterloo

### LEGEND

-  Subject Lands
-  Parcel Fabric (MPAC)

### The INCC Corp. Property Ownership

Area by Property Ownership		
Ownership	*Area (ha)	% of Total Area
The INCC Corp.	0.40	2.5
Waterloo Commons JV Inc.	2.54**	15.8
1130814 Ontario Inc.	5.13	31.9
The Badlands Golf Company	7.99	49.8
<b>Total</b>	<b>16.06</b>	<b>100</b>

\*Area based on Geowarehouse (Teranet) parcel mapping that was compiled using plans and documents recorded in the Land Registry System and is approximate.

\*\*Area includes 0.38 ha SWM Pond currently owned by the Region of Waterloo



Air Photo Source: Bing

DATE: January 26, 2024

FILE: Y594E

SCALE: 1:3,000

DRAWN: DGS



K:\Y594E WESTHILL DISTRICT PLAN\PTWESTHILL EVALUATION STUDY REPORT JUNE 2020\CONTEXT PLAN.DWG



# 2.2 Existing Land Use and Site Description

The subject lands are currently developed with a commercial plaza and stormwater management pond/open space. The developed area of Waterloo Commons is a 72,200 square foot open concept retail centre. The retail commercial space is distributed over several single storey retail buildings.



Prior to the construction of Erb Street West, Ira Needles Boulevard and subsequent development, the land was used for agricultural purposes. Historical aerial photos show the lands under agricultural use and the changes to the landscape associated with the construction of roads and development of the lands. The landscape evolved through the development on the lands and surrounding area, which resulted in the creation of anthropogenic features.

# 3.0 DEVELOPMENT PROPOSAL

## 3.1 Overview of Development Concept

The proposed development includes the creation of a new commercial block that includes additional single-storey commercial buildings for the expansion to the existing plaza. The new commercial building area will accommodate approximately 52,800 square feet of commercial space and will be anchored by a 35,000 square foot supermarket.

The development includes the creation of blocks for a new public road and consolidated stormwater management facility. As noted earlier, the existing Regionally-owned stormwater management facility will be reconstructed as part of the new stormwater management facility.

Access to the subject lands will be from the internal driveway system and connection to the proposed municipal road. The development is proposed to be serviced by municipal water and sanitary servicing, and stormwater management will be accommodated in a consolidated stormwater management facility that will be conveyed to the City.

## 3.2 Proposed Official Plan Amendment

The Official Plan Amendment proposes to redesignate portions of the land from Open Space to Commercial to facilitate the expansion of the commercial plaza. The Official Plan Amendment proposes a range of permitted uses, including a food/grocery store. The future consolidated stormwater management pond is proposed to remain in the Open Space designation. The figures within the report identify the proposed amendments to the Official Plan Land Use Schedules.

## 3.3 Proposed Zoning By-law Amendment

The Zoning By-law Amendment proposes to rezone the Future Determination (FD) Zone to Commercial 2 (C2-40) Zone and Open Space (OS1) Zone. The C2-40 Zone is proposed as an extension of the existing commercial zone on the commercial blocks. The OS1 Zone is proposed on the consolidated stormwater management pond. A draft schedule illustrating the proposed zoning is attached.

## 3.4 Proposed Plan of Subdivision

The Plan of Subdivision proposes to create the following:

- A Road Widening Block for the conveyance of land to the Region of Waterloo for the completion of the roundabout;
- Lands for conveyance to the City of Waterloo for a future road (as shown as Street One on the proposed plan of subdivision), including a 0.3m Reserve Block ;
- A Future Development Block for a temporary turning circle to be removed when the public road is extended to the west;
- A Stormwater Management Block to accommodate stormwater from the Regional Road, future City road and the commercial plaza;
- A Commercial Block for the existing commercial uses; and,
- A Commercial Block for the extension of the commercial uses on the subject lands.

A portion of the lands are owned by the Region of Waterloo for stormwater management purposes and a land exchange with the Region of Waterloo is required to consolidate the stormwater management facility and to create the larger and contiguous block for the future commercial use. A preliminary land exchange map is attached.

Figure 2

# CONCEPT PLAN



**MHBC** PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE  
200-640 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3K7 | P: 519.576.3600 F: 519.576.0121 | WWW.MHBCPLAN.COM

Approval Stamp	Date	January 12, 2024
	Drawn By	DGS
	Plan Scale	NTS (ARCH D)
	File No.	Y584E
	Checked By	D.A.

Project  
**Erb Street West and  
Ira Needles Boulevard**  
Waterloo Commons JV Inc.  
245 The Boardwalk, Suite #303  
Waterloo, ON

File Name	Dwg No.	1 of 1
Scale Bar		

K:\1584 WESTHILL DISTRICT PLAN\CONCEPT\Waterloo Commons Concept Plan January 12 2024.dwg

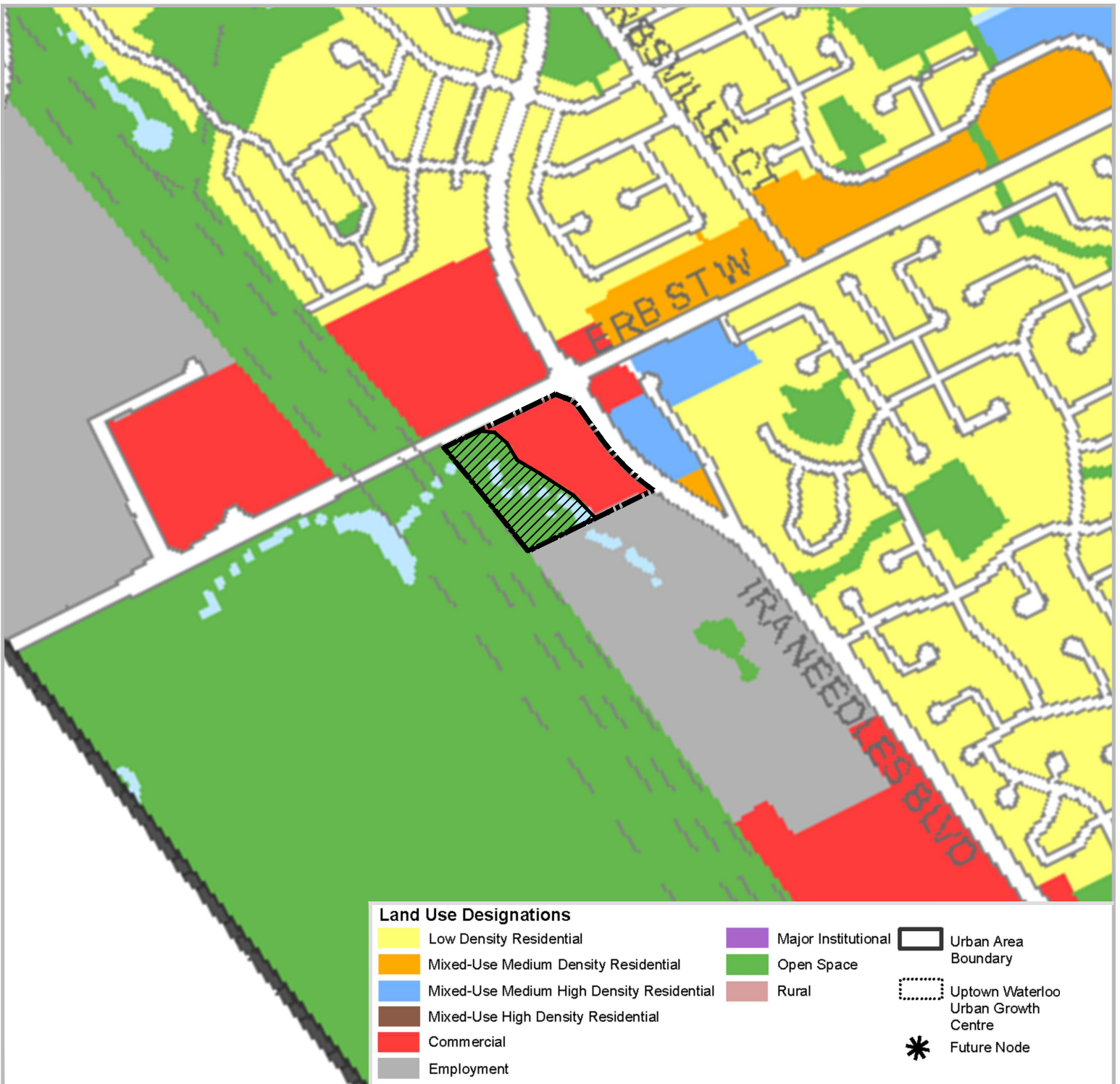


Figure 3

## Official Plan Amendment

City of Waterloo  
Official Plan  
Land Use Plan  
Schedule "A"

### LEGEND



Subject Lands



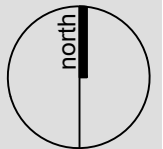
Area to be Redesignated from  
Open Space to Commercial

DATE: January 26, 2024

FILE: Y594E

SCALE: 1:10,000

DRAWN: DGS



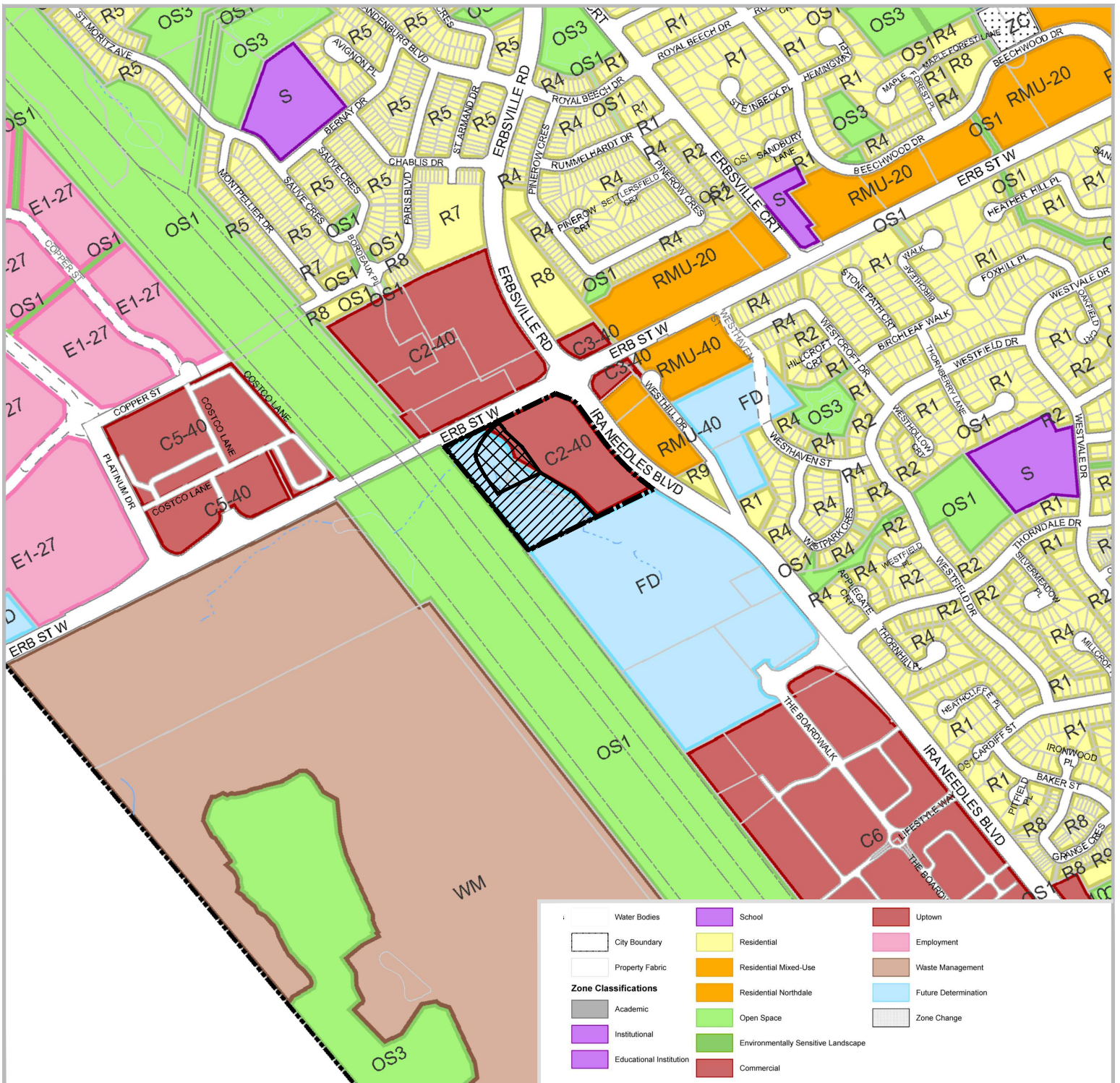
K:\Y594E WESTHILL DISTRICT PLAN\RPT\TOPA SCHEDULE WATERLOO OP LAND USE PLAN.DWG

**Waterloo Commons**  
City of Waterloo  
Region of Waterloo

Base Map Source:  
City of Waterloo Official Plan, Schedule "A" (Revision Date: September 2019)

**MHBC** PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

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



Water Bodies	School	Uptown
City Boundary	Residential	Employment
Property Fabric	Residential Mixed-Use	Waste Management
<b>Zone Classifications</b>	Residential Northdale	Future Determination
Academic	Open Space	Zone Change
Institutional	Environmentally Sensitive Landscape	
Educational Institution	Commercial	

Figure 4  
**Zoning By-law Amendment**  
 City of Waterloo  
 Zoning By-law 2018-050  
 Schedule 'A'

**Waterloo Commons**  
 City of Waterloo  
 Region of Waterloo

**LEGEND**

-  Subject Lands
-  Area to be Rezoned from Future Development (FD) to Commercial (C2-40)  
 [extension of use to include a food store with a maximum GFA of 4,645 m<sup>2</sup>]
-  Area to be Rezoned from Future Development (FD) to Open Space (OS3)

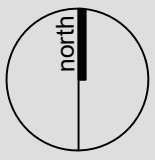
Base Map Source:  
 City of Waterloo Zoning By-law 2018-050 (Revision Date: September 2018)

**DATE:** January 26, 2024

**FILE:** Y594E

**SCALE:** 1:10,000

**DRAWN:** DGS



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**PLANNING  
 URBAN DESIGN  
 & LANDSCAPE  
 ARCHITECTURE**

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Figure 5

**DRAFT PLAN OF SUBDIVISION**

**Legal Description**  
 PART OF LOT 41, GERMAN COMPANY TRACT  
 CITY OF WATERLOO  
 REGIONAL MUNICIPALITY OF WATERLOO

**Owner's Certificate**  
 I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.

DATE: \_\_\_\_\_ Greg Vojin, Waterloo Commons JV Inc.

DATE: \_\_\_\_\_ ? , Region of Waterloo

**Surveyor's Certificate**  
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE: \_\_\_\_\_ Trevor D.A. McNeil, OLS (MTE OLS LTD.)

**Key Plan**

Subject Lands

Scale: NTS  
 Source: SLRN, Region of Waterloo

Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended

- |  |                           |               |
|--|---------------------------|---------------|
| A. AS SHOWN  | B. AS SHOWN               | C. AS SHOWN   |
| D. COMMERCIAL, STORMWATER MANAGEMENT, RIGHT OF WAY | F. AS SHOWN               | G. AS SHOWN   |
| E. AS SHOWN  | H. MUNICIPAL WATER SUPPLY | I. SANDY LOAM |
| K. ALL SERVICES AS REQUIRED                        | J. AS SHOWN               | L. AS SHOWN   |

**Area Schedule** **30T-**

Description	Blocks	Area (ha)
Commercial	1-3	4.10
Stormwater Management Facility	4,5	0.84
Road Widening	6	0.33
Future Development	7	0.05
0.3m Reserve	8-10	0.01
Roads		0.37
<b>Total</b>	<b>10</b>	<b>5.70</b>

- Notes**
- All dimensions are in metres unless otherwise shown.
  - Survey information for boundary from Surveyor's Real Property Report (Plan of Survey) prepared by: Verhaegen Stuberfield Hartley Brewer Bezaire Inc. Ontario Land Surveyors, February 25, 2011.
  - Survey information for off-site service locations from Topographic Survey prepared by: Verhaegen Stuberfield Hartley Brewer Bezaire Inc. Ontario Land Surveyors, January 30, 2008.
  - On-site storm water locations from MTE, May 2017.
  - Adjacent parcel fabric is approximate.

1. Mar. 14, 2023 For pre-consultation submission; DGS

Rev. No. Date Issued / Revision By

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**Approval Stamp**

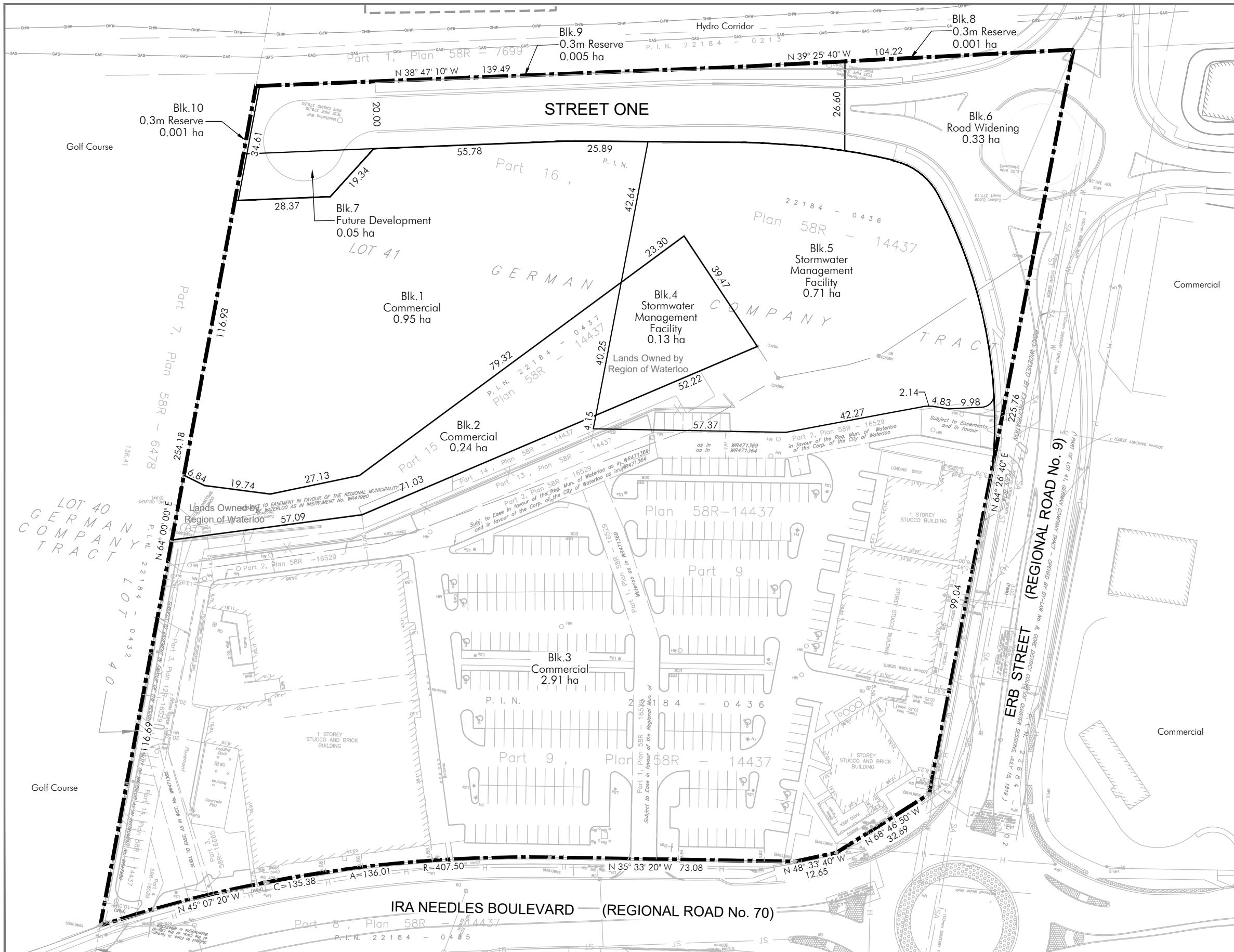
Date	March 14, 2023
Drawn By	DGS
Plan Scale	1:500 (ARCH D)
File No.	Y594E
Checked By	P.B./D.A.

**Project**  
**Erb Street West and Ira Needles Boulevard**

Waterloo Commons JV Inc.  
 245 The Boardwalk, Suite #303  
 Waterloo, ON

File Name **DRAFT PLAN** Dwg No. **1 of 1**

Scale Bar



# 4.0 PLANNING ANALYSIS

This section of the report reviews the applicable land use policy framework as it applies to the subject lands and how the proposal is consistent with and/or conforms to, this framework.

## 4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the “PPS”) applies to planning decisions made on or after May 1, 2020 and planning decisions “shall be consistent with” the PPS. The PPS outlines policy for Ontario’s long term prosperity, economic health, and social well-being. These directives depend on the efficient use of land and development patterns that support strong, sustainable, and resilient communities that protect the environment and public health and safety, and facilitate economic growth.

### 4.1.1 Settlement Areas

Policy 1.1.3.1 of the PPS states that Settlement Areas shall be the focus for growth and development. The subject lands are located within the Urban Area Boundary of the City of Waterloo and are within a Designated Greenfield Area, as identified by the Region of Waterloo Official Plan. Accordingly, the subject lands are located within a settlement area.

Policy 1.1.3.2 directs that land use patterns within settlement areas shall be based on a density and mix of uses which efficiently use land and resources and efficiently use the infrastructure and public service facilities which are planned or available. The applications will facilitate development to support a mix of uses and efficiently and effectively utilize existing infrastructure and services.

Policy 1.1.3.6 requires that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposed development is adjacent to the built-up area.

### 4.1.3 Public Spaces, Recreation, Parks, Trails and Open Space

Policy 1.5.1 of the PPS states that healthy, active communities should be promoted by: planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.

The proposed development will include an internal pedestrian network, with sidewalks on the internal streets. This sidewalk network will be connected with the public sidewalks established on Erb Street West and Ira Needles Boulevard. The new public road will be designed with sidewalks to support pedestrian connections. The pedestrian infrastructure allows for the establishment of connections to a possible future trail network on the new public road or through the open space system (i.e., hydro corridor).

#### **4.1.4 Sewage, Water and Stormwater**

As per policy 1.6.6.2 of the PPS, municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. The proposed development can be adequately serviced through connections to existing infrastructure and the provision of an onsite consolidated stormwater management pond.

#### **4.1.5 Transportation**

Policy 1.6.7 of the PPS provides that transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods and are appropriate to address projected needs. Land use patterns, density and mix of uses should be promoted that minimize the length of vehicle trips and support current and future use of transit and active transportation.

The subject lands are well served by and integrated with the existing and planned transportation network. The proposed development will be appropriately connected to the existing road network.

#### **4.1.6 Natural Heritage System and Hazardous Lands**

There are no provincially significant natural features identified on the subject lands. There are no natural or human-made hazards on the subject lands.

A portion of the subject lands may be considered a component of the natural heritage system, as it is designated as a Supporting Natural Feature in the City of Waterloo Official Plan. It is noted that the City's Official Plan identifies the same area as an Open Space Area that would also include stormwater management facility. Based on the findings of the Environmental Impact Study, the proposed development is supported.

#### **4.1.7 Cultural Heritage and Archaeology**

Section 2.6.1 of the PPS states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Stage 1 and 2 Archaeological Studies have been completed and there were no findings and no additional work has been recommended. A condition of approval will require the submission of the Ministry clearance of the study.

Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety. The proposed road provides the connection for a

future collector road that will assist with an alternative option for movement of emergency vehicles.

**Based on the above, the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision are consistent with the policies of the Provincial Policy Statement.**

## **4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

The 2020 A Place to Grow – Growth Plan for the Greater Golden Horseshoe ('A Place to Grow') came into effect on August 28, 2020. This Plan is the framework for implementing the Provincial Government's initiative to plan for growth and development in a way that supports the economic prosperity, protects the environment, and helps communities achieve a high quality of life.

Policy 1.2.1 of A Place to Grow sets out the guiding principles of the Plan. These principles include: supporting the achievement of complete communities that are designed to support healthy and active living and meet the needs of daily living; prioritizing intensification and higher densities to make efficient use of land and infrastructure and support transit viability; supporting a range and mix of housing options; improving the integration of land use planning with planning and investment in infrastructure and public service facilities and providing for different approaches to manage growth that recognize the diversity of communities in the Greater Golden Horseshoe.

### **4.2.1 Designated Greenfield Area**

The subject lands are located within the Designated Greenfield Area, as delineated in the City of Waterloo Official Plan. In accordance with policy 2.2.7 of A Place to Grow, new development in designated greenfield areas should support the achievement of complete communities, support active transportation, and encourage the integration and sustained viability of transit services.

### **4.2.3 Natural Heritage System**

Section 4.2.2 of A Place to Grow provides policies to support a comprehensive, integrated, and long-term approach to planning for the protection of the region's natural heritage and biodiversity. The Growth Plan excludes lands within the settlement area boundaries that were approved and in effect as of July 1, 2017. The subject lands are not subject to the Natural heritage policies of section 4.2.2.3 of A Place to Grow. Section 4.2.2.6 includes general policies for lands within the settlement area, including that municipalities will continue to protect any other natural heritage features and area in a manner that is

consistent with the PPS, and that municipalities may continue to protect any other natural heritage system or identify new systems in a manner that is consistent with the PPS. The City of Waterloo Official Plan policies and GRCA policies have been addressed through the EIS in support of the applications.

#### **4.2.4 Cultural Heritage Resources**

A Stage 1 and Stage 2 Archaeological Assessment has been completed and no further work has been required.

**Based on the above, it is concluded that the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision conform to the policies of A Place to Grow.**

## **4.3 Provincial Interest and Planning Act Criteria**

Section 2 of the Planning Act identifies matters of provincial interest, including the following matters relevant to Proposed Applications:

- a) subsection (h) "the orderly development of safe communities" ,
- d) subsection (o), "the protection of public health and safety"
- e) subsection (p), "the appropriate location of growth and development"

Appropriate regard for all matters of provincial interest has been had with respect to the Proposed Applications. The applications efficiently use existing and planned infrastructure, provides for the orderly development of safe and healthy communities, and assists in the adequate provision of a full range of housing in an area planned for growth.

Section 51(24) of the Planning Act outlines criteria that shall be regarded when considering a Draft Plan of Subdivision application. The following provides an analysis of the criteria and the proposed application:

- a) the effect of the proposal on matters of Provincial Interest
  - The proposed development has regard to the applicable matters of Provincial Interest as outlined in Section 2 of the Planning Act.
- b) whether the subdivision is premature or in the public interest
  - The subject lands are within the urban area and within an area of existing commercial uses. The lands can be adequately serviced and provide the potential for future road connections. The proposed development is not premature and is in the public interest.

- c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any
  - The plan of subdivision will conform to the Official Plan, with the approval of the Official Plan Amendment. There are no adjacent plans of subdivision that require consideration, however the proposed development provides for future connections to adjacent lands.
- d) the suitability of the land for the purposes for which it is to be subdivided
  - The proposed development area is suitable to be subdivided. The lands have access to a municipal road and municipal services with adequate capacity.
- e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them
  - The proposed road network is a connection of public roads and provides for City and Regional Road improvements.
- f) the dimensions and shapes of the proposed lots
  - All dimensions and shapes of proposed blocks are appropriate for the intended use.
- g) the restrictions or proposed restrictions, if any, on the land to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land
  - The proposed development has considered adjacent lands from a servicing and road network connection. There are no physical impacts on adjacent lands associated with the development of the subject lands.
- h) conservation of natural resources and flood control
  - An EIS has been prepared to address the natural resource policies. There is no development proposed within a floodplain. Details are to be addressed through condition(s) of draft approval.
- i) the adequacy of utilities and municipal services
  - The site can be fully serviced with existing and planned municipal infrastructure and utilities as determined in the Functional Servicing Report prepared by MTE.
- j) the adequacy of school sites
  - There are existing schools in the area. There is no school demand created with the new commercial uses.

- k) the area of land, if any, exclusive of highways, to be conveyed or dedicated for public purposes
  - Lands to be dedicated for public purposes include the road widening, public road, and stormwater management facility. These will be conveyed as part of the subdivision process.
- l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy;
  - The subdivision has been designed to permit the development of an internal walkway system that will facilitate connections to existing uses and surrounding neighbourhood. The nature and location of the new commercial uses will support the compact urban of the area. Lastly, the road network will facilitate efficient movement of all vehicles, including those for municipal and emergency service purposes.
- m) the interrelationship between the design of the proposed subdivision and site plan control matters relating to any development of the land, if the land is also located within a site plan control area designated under subsection 41 (2) of the Planning Act.
  - The commercial block will require site plan approval.

**The applications have regard to provincial interests and have addressed the criteria of the Planning Act for the consideration of a plan of subdivision.**

## **4.4 Region of Waterloo Official Plan**

The Region of Waterloo Official Plan (the "Official Plan") was passed by Regional Council on June 16, 2009, approved by the Ministry of Municipal Affairs on December 22, 2010 and approved by the Ontario Municipal Board on June 18, 2015. A recent amendment has occurred to the Regional Official Plan (ROPA #6) and those policies have been considered in this analysis

### **4.4.1 Designated Greenfield Area**

The subject lands are located within the Urban Designated Greenfield Areas of the Region of Waterloo on Map 3a of the Official Plan (Figure 6).

Policy 2.D.17 of the Official Plan requires that development in the urban designated greenfield areas conform to the general development provisions described in Policy 2.D.1 of the Official Plan. In accordance with Policy 2.D.1 of the Official Plan, the proposed development aligns with the planned community structure of the Region of Waterloo and the goal to direct new growth to the urban area. The proposed development has been designed to connect to municipal drinking water and wastewater infrastructure. The

proposed development will contribute to the creation of a complete community in the Westhill District.

Policy 2.D.17 of the Official Plan sets out density targets for designated greenfield areas. The proposed development is planned to provide additional commercial uses that will support the employment density of the greenfield areas.

#### **4.4.2 Core Environmental Features**

There are no Core Environmental features on Map 4 of the Regional Official Plan identified on the subject lands, as shown on Figure 7.

#### **4.4.3 Road Network and Access**

The subject lands have frontage on Erb Street West and Ira Needles Boulevard, which are identified as Existing Regional Roads.

**Based on the above, it is concluded that the proposed Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision conform to the policies of the Regional Official Plan.**

## **4.5 City of Waterloo Official Plan**

The City of Waterloo Official Plan (the "Official Plan") was adopted by the Council of the Regional Municipality of Waterloo on November 12, 2012, and the plan was subsequently appealed to the Ontario Municipal Board. The portions of the decision of the Regional Municipality of Waterloo that are not subject to appeal are final and came into effect on December 12, 2012.

#### **4.5.1 Overview of Land Use Designations**

The subject lands are located within the Urban Area – Designated Greenfield Area and within a Minor Node. The existing developed portion is designated as Commercial Land Use and the remaining portion of lands that are subject to the applications are designated Open Space. The location of the lands relative to the road network is illustrated on Figure 8 and the existing land use designation is illustrated on Figure 9.

#### **4.5.2 Minor Node**

The City's Official Plan identifies Minor Nodes as areas that are planned as medium to medium-high density mixed-use areas that accommodate a range of uses, which may include residential, commercial, employment, social, cultural, recreational and institutional uses.

Minor Nodes generally include neighbourhood-serving commercial centres that provide for the day to day and weekly shopping needs of the surrounding neighbourhood and,

where appropriate, shall be planned to accommodate small to medium-sized food stores, with the objective that all residents will have access to a food store within two kilometers of their residence. The proposed applications are to provide for additional neighbourhood servicing shopping needs and to introduce a medium size food store within the commercial area.

#### **4.5.3 Commercial Land Use**

The Commercial Land Use permits a full range of commercial goods and services throughout the community, with emphasis on providing day to day goods and services in close proximity to where people live and work, while avoiding an oversupply of facilities.

A key component of the commercial land use planning in the City involves planning for convenient local neighbourhood shopping, including access to small to mid-size food stores and minimizing the occurrence of large format food stores to the extent that they may reduce opportunities for neighbourhood-serving food stores to be distributed throughout the community. Day to day commercial needs will be served by lands designated Mixed-Use Neighbourhood Commercial within the Minor Nodes. The subject lands are within the Minor Node and support the objective of the Official Plan with the introduction of a mid-size food store for the neighbourhood.

The developed portion of the subject lands are designated Mixed-Use Neighbourhood Commercial, as shown on Figure 10. The OPA proposes to designate all lands as Mixed-Use Neighbourhood Commercial and the proposed amendment is also illustrated on Figure 10.

Policy 10.2.2.6 establishes the Vision for lands designated Mixed-Use Neighbourhood Commercial are commercial centres or areas that provide a commercial focal point or destination to meet the day to day commercial needs of the adjacent neighbourhood(s) or business area(s). The proposed applications, including the development of a portion of the new collector road supports the subject lands as a destination for day-to-day commercial needs.

Neighbourhood Commercial will be of sufficient size to accommodate development that will serve the neighbourhood and will permit a range of office, retail and service uses, generally in the form of a commercial shopping centre comprised of small to mid-size units.

Policy 10.2.2.6 (3) The Mixed-Use Neighbourhood Commercial designation permits a range of small to mid-size commercial uses and may include the following primary uses:

- (a) Retail uses, not exceeding an individual unit size of 1,000 square metres, provided further that: (i) One (1) food store may be permitted to a maximum of 8,000 square metres; and, (ii) One drug store use may be permitted to a maximum of 2,500 square metres.
- (b) Commercial services;
- (c) Personal service uses;
- (d) Offices;
- (e) Medical clinics
- (f) Banks and financial services; and,
- (g) Restaurants.

The proposed applications are adding to the list of permitted uses within the Mixed-Use Neighbourhood Commercial Designation.

#### 4.5.4 Designated Greenfield Area

The subject lands are located within the designated greenfield area of the City of Waterloo on Schedule B3 of the Official Plan. Designated greenfield areas are to be developed in a manner that allows new developments to integrate with existing communities and should support the achievement of complete communities and an urban form that meets the objectives of the plan. The proposed development represents the development of lands within the designated greenfield area and addresses the city's goal of creating a complete community and providing a high standard of Urban Design.

#### 4.5.5 Open Space and Natural Heritage

A portion of the subject lands are identified as Open Space on Schedule A3 of the Official Plan (Figure 11).

- (b) *Open Space: Open Space can include environmental open space areas may also include cemeteries, municipal landfill, golf courses and other green spaces such as hydro corridors, stormwater management facilities, environmental reserves, conservations areas and buffers associated with natural features.*

A portion of the lands are shown as 'Supporting Natural Feature' on Schedule A4 (Figure 12) and the area of lands subject to the application are shown as 'Parks and Other Green Space' on Schedule 3 of the Official Plan.

- 8.2.5 Supporting Natural Features (1) Supporting Natural Features are those natural features not meeting the criteria for provincial or regional*

*significance (i.e. designation as Landscape Level Systems or Core Natural Features) but which are locally significant.*

Development or site alteration is generally not be permitted within Supporting "A" Natural Features, except for, among others, infrastructure for which no other alternative is feasible and where crossings and the area of disturbance will be minimized.

The City's Official Plan defines 'Infrastructure' as:

*Physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: municipal drinking water supply systems, municipal wastewater systems, septage treatment systems, storm water management systems, waste management systems, electric power generation and transmission; communications/telecommunications, transit systems and transportation corridors and facilities, oil and gas pipelines and associated facilities.*

The proposed roundabout, portion of the new collector road and municipal stormwater management facility are infrastructure, within the context of this definition. An Environmental Impact Statement has been prepared to determine the mitigation measures to be implemented, as appropriate, through the development application review process.

Through the consideration of the infrastructure development within the Supporting Natural Feature 'A', the remaining area of the feature is determined to be an 'Other Wetland'. This is based on the remaining size and fragmented nature of the area that remains after the infrastructure development.

Policy 8.2.5(18) of the Official Plan identifies that development or site alteration may only be permitted within Other Wetlands where it is demonstrated through an Environmental Impact Statement or other appropriate study accepted by the City and the Grand River Conservation Authority that that the feature is not:

- (a) located within a riparian community;
- (b) part of a Landscape Level System, Core Natural Feature, or other Supporting Natural Feature;
- (c) a hazardous land or hazardous site;
- (d) a bog or fen; (e) fish habitat; or
- (f) part of a functional Linkage between larger wetlands or natural features.

The Environmental Impact Study has determined that the remaining feature is not any of the other features listed above and therefore may be considered for development.

#### 4.5.6 Specific Provision Areas

Specific Provision Area 8 (SPA 8) of the City of Waterloo Official Plan applies to properties within the Minor Node at the intersection of Erb Street and Erbsville/Ira Needles Boulevard, as shown on Figure 13.

Policy 11.1.8 (2) Notwithstanding the Commercial Land Use policies of this Official Plan, development applications, excluding site plan applications, which propose retail commercial uses of 2,000 square metres of gross leasable area or greater within either Minor Node will be subject to the preparation of a retail analysis to the satisfaction of the City for Council's consideration prior to approval. A retail analysis has been prepared and is submitted with the applications. The retail analysis supports the use of the lands for additional commercial uses and a mid-size food store.

The subject lands are not within Specific Provision Area 41 which requires that "*prior to, or in conjunction with any plan of subdivision application or site plan application, the planned road network shall be adequately addressed.*" However, it is noted that the past study and OPA 27 addressed this policy and the portion of road on the subject lands facilitates the connection of the preferred location of a new road to Erb Street West.

#### 4.5.7 Transportation

Chapter 6 of the Official Plan provides that the City's transportation system will be designed to facilitate the safe and convenient movement of people and goods between land uses within the City and to destinations outside of the city.

The subject lands are well-located with respect to the City's existing road network and have convenient access to the existing network of regional arterial and major collector roads. As noted earlier in this report, significant study has been completed on the road network within this area of the City. The proposed applications support the recommendations of the studies and the policies of the Official Plan for the transportation system.

## 4.5 Westhill District Plan

The subject lands are located within Westhill District Implementation Plan (WDIP) area. The Westhill District is located in the southwest corner in the City of Waterloo, and is bounded by Erb Street West and the Clair Hills district to the north by Erb Street West, Ira Needles Blvd and the Westvale District to the east, and by the City of Kitchener and Township of Wilmot borders to the south and west, respectively.

The Implementation Plan includes development policies and a development concept plan. The development concept plan included a range of land uses, including open space, mixed use activity node, arterial commercial, industrial special policy area, and parkland. The transportation policies note that the transportation system proposed in the concept plan, will be subject to minor variation through approval of development applications.

The subject lands are identified as Mixed Use Activity Node and Open Space on the Land Use Concept Plan. The Mixed Use Activity Node permits a range of commercial and retail uses.

The Westhill District Plan has an Environmental Plan and the lands are identified as Constraint Level 1 Area, with recognition of the use of the lands as "SWM"; and, Constraint Level 3 Area. The policies associated with the location of stormwater management facilities are out-dated relative to the Official Plan, however, consideration to the location of SWM facilities and the policy of the WDIP has been considered as part of the review of the City Official Plan policies and the GRCA policies in the EIS. Development is permitted in the Constraint Level 3 areas with the best management practices being matters that can be addressed at the site plan design stage.

The "Recommended Community Trail" will be incorporated into the overall design through the design of the new road and the requirements will be addressed through condition of approval for the plan of subdivision.

As part of the review and update process, modification to the West Hill District Plan will be considered, as follows:

- Map 1, a portion of the subject lands will be modified to be shown as "Mixed Use Activity Node"
- Map 2 will be updated to reflect the revised size and orientation of the storm water management facility.

The WDIP recognizes that the location of roads will be determined through the review and approval of Draft Plans of Subdivision, site plan and other development applications.

The proposed applications have considered the direction of the WDIP, with the recognition that the City's Official Plan policies are more recent and the policies of the Official Plan take precedence.

## 4.6 GRCA Policies

In accordance with Policies 8.4.6 and 8.4.7, of the Grand River Conservation Authority Policies for the Administration of the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (GRCA 2015), this essential (public) infrastructure project (collector road, roundabout and SWM facility) is permitted within and adjacent to regulated wetland W1, based on the following:

- The need and location for the collector road connection is identified in approved documents and studies as referenced in Section 1.2.
- Alternatives to avoid wetland loss have been comprehensively evaluated for both the road alignment alternatives and SWM alternatives, as discussed in Sections 4 and 5 of the Stage 2 Natural Environment Report (WSP 2020).
- Due to constraints on the Waterloo Commons property and adjacent lands (e.g., challenges locating the road / SWM on HEPC or landfill lands, existing built structures / grades on Waterloo Commons, distance from road intersections, fixed end points of the road), the road alignment / SWM facility location on Waterloo Commons represent the preferred locations, based on consideration of all factors, not only natural environment. As such, intrusions in wetland habitat on Waterloo Commons will occur, though the footprint of works has been minimized to the extent possible.
- The SWM strategy will result in a net improvement to downstream aquatic habitat through improvements to treatment of existing surface runoff relative to the current condition.
- The detailed site-specific studies (Stage 1 and Stage 2 reports and the current Stage 3 report) have determined the precise wetland boundary on the Waterloo Commons property and the mitigation, protection and restoration measures as discussed in Section 5 demonstrate how the hydrologic and ecological functions of the impacted wetland will be restored and enhanced (i.e., wetland habitat creation, downstream habitat improvements re; water quality, provision of wildlife habitat, removal of invasive species to prevent spread to nearby and newly created wetland habitats).

In accordance with Policy 8.4.5 of the Grand River Conservation Authority Policies for the Administration of the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (GRCA 2015), the draft plan development is

permitted within the anthropogenic wetland W1 (with residual area of 0.82 ha following implementation of the essential infrastructure project),

Based on analysis presented herein and as documented in the Stage 1 and Stage 2 reports, the EIS has concluded that that essential infrastructure and development projects can be undertaken in compliance with applicable natural heritage policies and legislation. This conclusion reflects the following considerations:

- Direct impacts to natural heritage features are limited to removal of anthropogenic habitat comprised of: culturally derived vegetation communities; habitat for predominantly tolerant, common wildlife (including generalist avifauna and several herpetofaunal species recorded in low abundance); and a small amount of anthropogenic, low quality aquatic habitat (intermittent drainage ditches and open water features sustained by SWM and seasonal inputs – none of which are regulated watercourses or fish habitat subject to the Fisheries Act)
- Residual impacts will be further mitigated through: retention of habitat which provides the same functions in the local landscape, including habitat for species of conservation concern; implementation of recommended mitigation measures; implementation of proposed wetland habitat restoration; removal of invasive *Phragmites*; mitigation of potential impacts on downstream aquatic habitat via 'during-construction' mitigation measures; and implementation / operation of the proposed SWM strategy, which is considered a net enhancement relative to the current condition and will result improved downstream water quality, maintenance of surface water inputs and mitigation of potential erosion impacts.

## 4.7 City of Waterloo Zoning By-law

### 4.7.1 Existing Zoning

The City of Waterloo Zoning By-law (2018-050) zones the subject lands as Mixed Use Neighbourhood Commercial (C2-40) and Future Determination (FD), as shown on Figure 14.

The C2-40 zone permits a range of primary uses, including:

<ul style="list-style-type: none"> <li>• BAKE SHOP</li> <li>• COMMERCIAL SERVICE MEDICAL CLINIC</li> <li>• PERSONAL BREWING ESTABLISHMENT</li> </ul>	<ul style="list-style-type: none"> <li>• BUSINESS INCUBATOR FINANCIAL SERVICE NANOBREWERY</li> <li>• OLD GOLD SHOP</li> </ul>	<ul style="list-style-type: none"> <li>• CAFÉ, including OUTDOOR CAFÉ PATIO</li> <li>• MAJOR OFFICE</li> <li>• OFFICE</li> </ul>
--	---	--

<ul style="list-style-type: none"> <li>• RESTAURANT, including OUTDOOR RESTAURANT PATIO</li> </ul>	<ul style="list-style-type: none"> <li>• PERSONAL SERVICE SHOP</li> <li>• RESTAURANT (TAKE-OUT)</li> <li>• RETAIL STORE (includes DRUG STORE, FOOD STORE, SPECIALTY FOOD STORE, VARIETY STORE)</li> </ul>	<ul style="list-style-type: none"> <li>• PET SERVICES (CLASS A)</li> <li>• TECH OFFICE</li> <li>• VETERINARY CLINIC</li> </ul>
<ul style="list-style-type: none"> <li>• The C2-40 Zone also permits a range of complimentary uses.</li> </ul>		

The FD zone permits uses, buildings and/or structures that actually and legally existed on the lot on the effective date of the by-law.

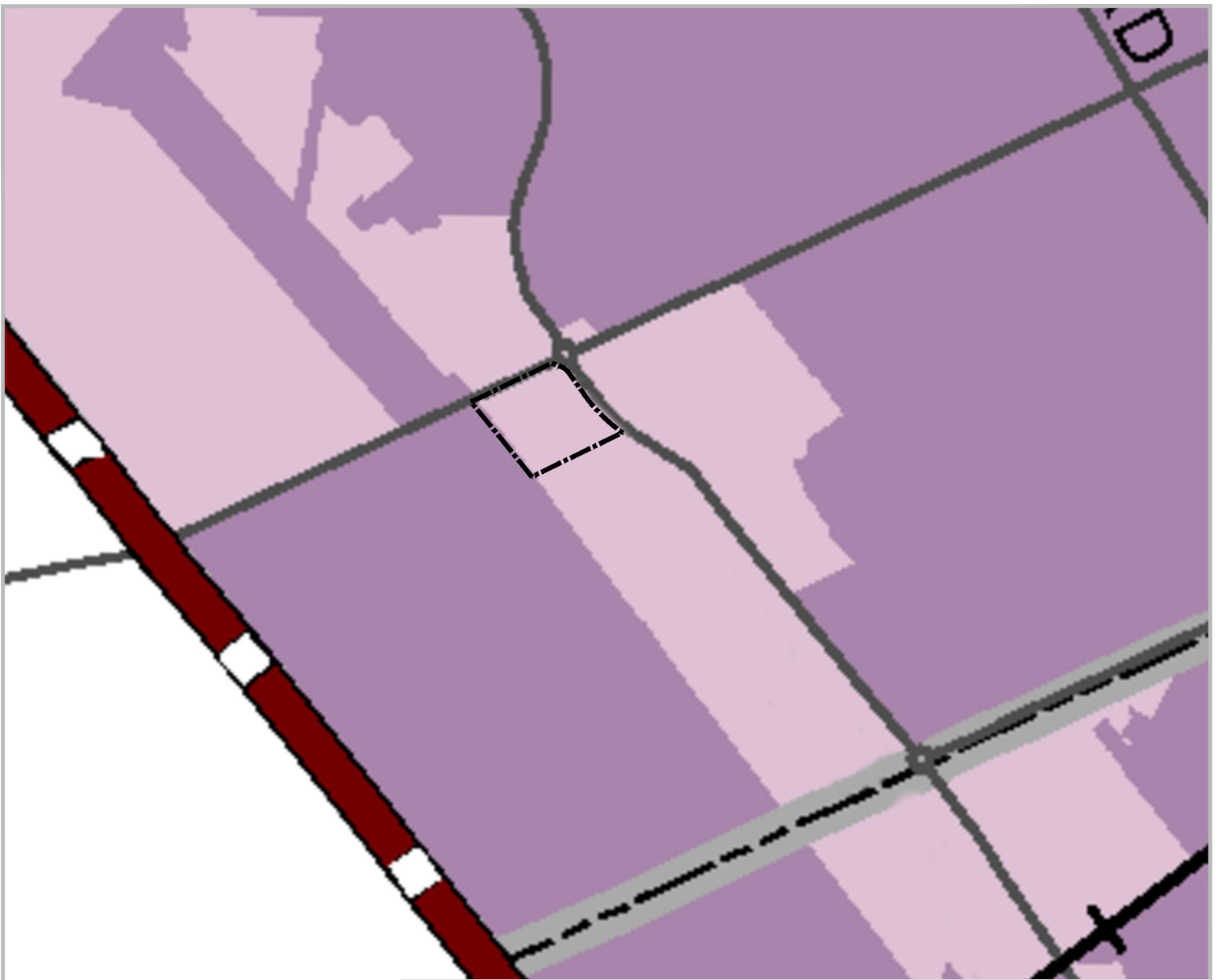
There are no Open Space Zones located on the subject lands.

**4.7.2 Proposed Zoning By-law Amendment**

The Zoning By-law Amendment is specific to re-zoning the FD lands to C2-40 (an extension of the existing Mixed Use Commercial Zone) and Open Space (OS1) for the municipally-owned stormwater management facility.

The proposed Zoning By-law Amendment is illustrated on Figure 4.

**Based on the foregoing, the proposed Zoning By-law Amendment is appropriate for the efficient development of the subject lands and conforms to the Official Plan.**








<p><b>Urban Area</b></p> <ul style="list-style-type: none"> <li> Built-Up Area*</li> <li> Urban Designated Greenfield Areas</li> <li> Prime Industrial/Strategic Reserve (Served)</li> </ul>	<p> Urban Area Boundary</p>
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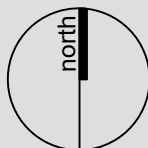
Figure 6  
**Region of Waterloo  
 Official Plan**  
**Urban Area**  
**Map 3a**

**Waterloo Commons**  
 City of Waterloo  
 Region of Waterloo

**LEGEND**

 Subject Lands

Base Map Source:  
 Region of Waterloo Official Plan, Map 3a Urban Area (June 2015)

<p><b>DATE:</b> January 26, 2024</p> <p><b>FILE:</b> Y594E</p> <p><b>SCALE:</b> 1:15,000</p> <p><b>DRAWN:</b> DGS</p> <p><small>K:\Y594E WESTHILL DISTRICT PLAN\RPT\TROP MAP 3A URBAN AREA.DWG</small></p>	
<p><b>MHBC</b> PLANNING          URBAN DESIGN          &amp; LANDSCAPE          ARCHITECTURE</p> <p><small>200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9          P: 519.576.3650 F: 519.576.0121   WWW.MHBCPLAN.COM</small></p>	



**Core Environmental Features** include: Provincially Significant Wetlands; Environmentally Sensitive Policy Areas; Regional Forests; Forests greater than 4 ha; and Significant Valley Features

**LEGEND**



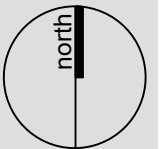
Subject Lands

**DATE:** January 26, 2024

**FILE:** Y594E

**SCALE:** 1:15,000

**DRAWN:** DGS



K:\Y594E WESTHILL DISTRICT PLAN\RPTROP MAP 4 GREENLANDS NETWORK.DWG

Figure 7

**Region of Waterloo  
Official Plan  
Greenlands Network  
Map 4**

**Waterloo Commons**

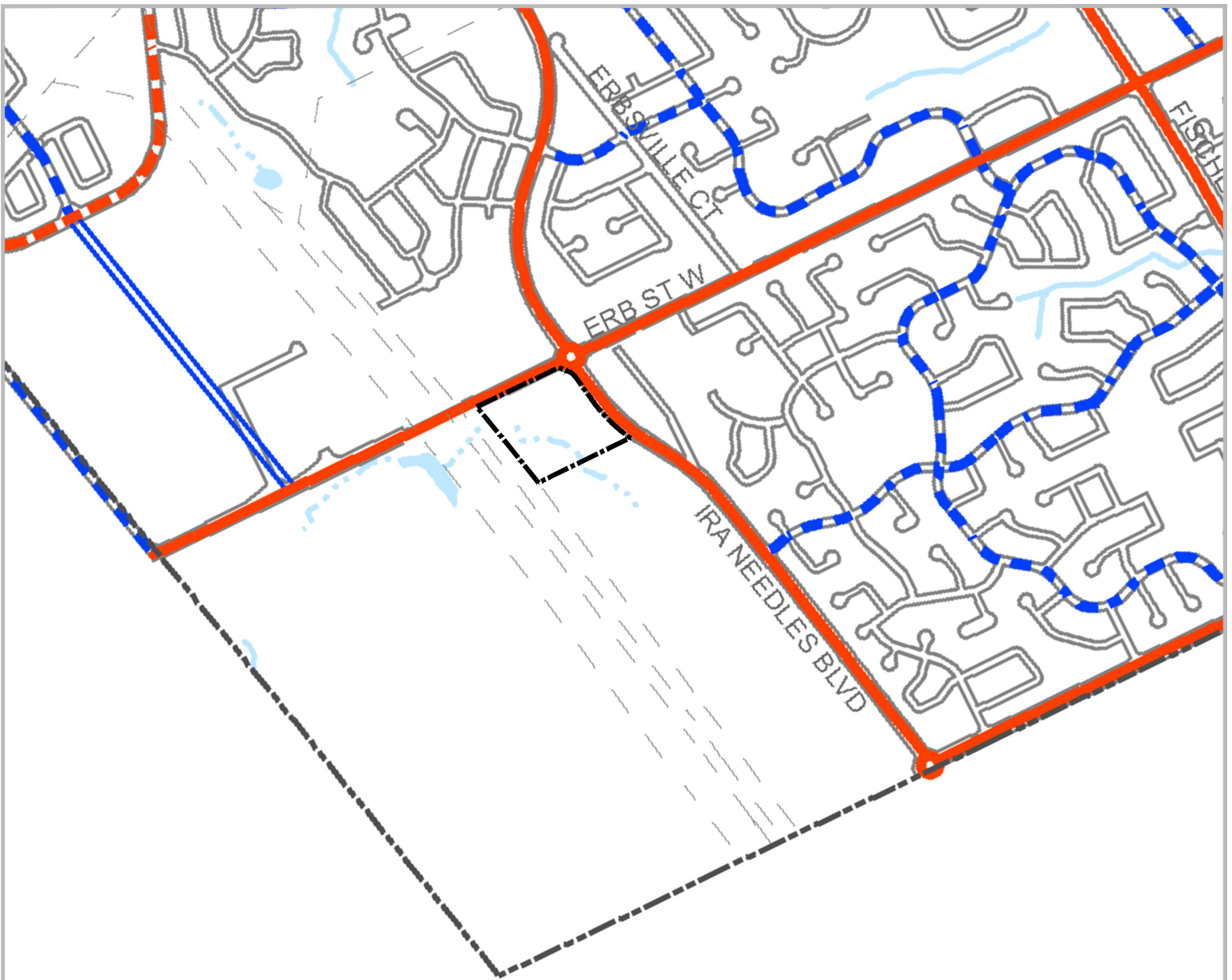
City of Waterloo  
Region of Waterloo

Base Map Source:  
Region of Waterloo Official Plan, Map 4 Greenlands Network (June 2015)



**PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE**

200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9  
P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM



Road Classification	
<b>Secondary Roads</b>	<b>Primary Roads</b>
Local Roads	City Arterial
Potential Future Local Roads	Regional Arterial
Minor Collector	Deferred
Proposed Major Collector	<b>Provincial Highway</b>
Major Collector	Provincial Highway

Figure 8  
**City of Waterloo  
 Official Plan  
 Road Classification  
 System  
 Schedule "E"**

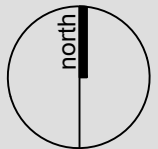
**LEGEND**  
 Subject Lands

**DATE:** January 26, 2024

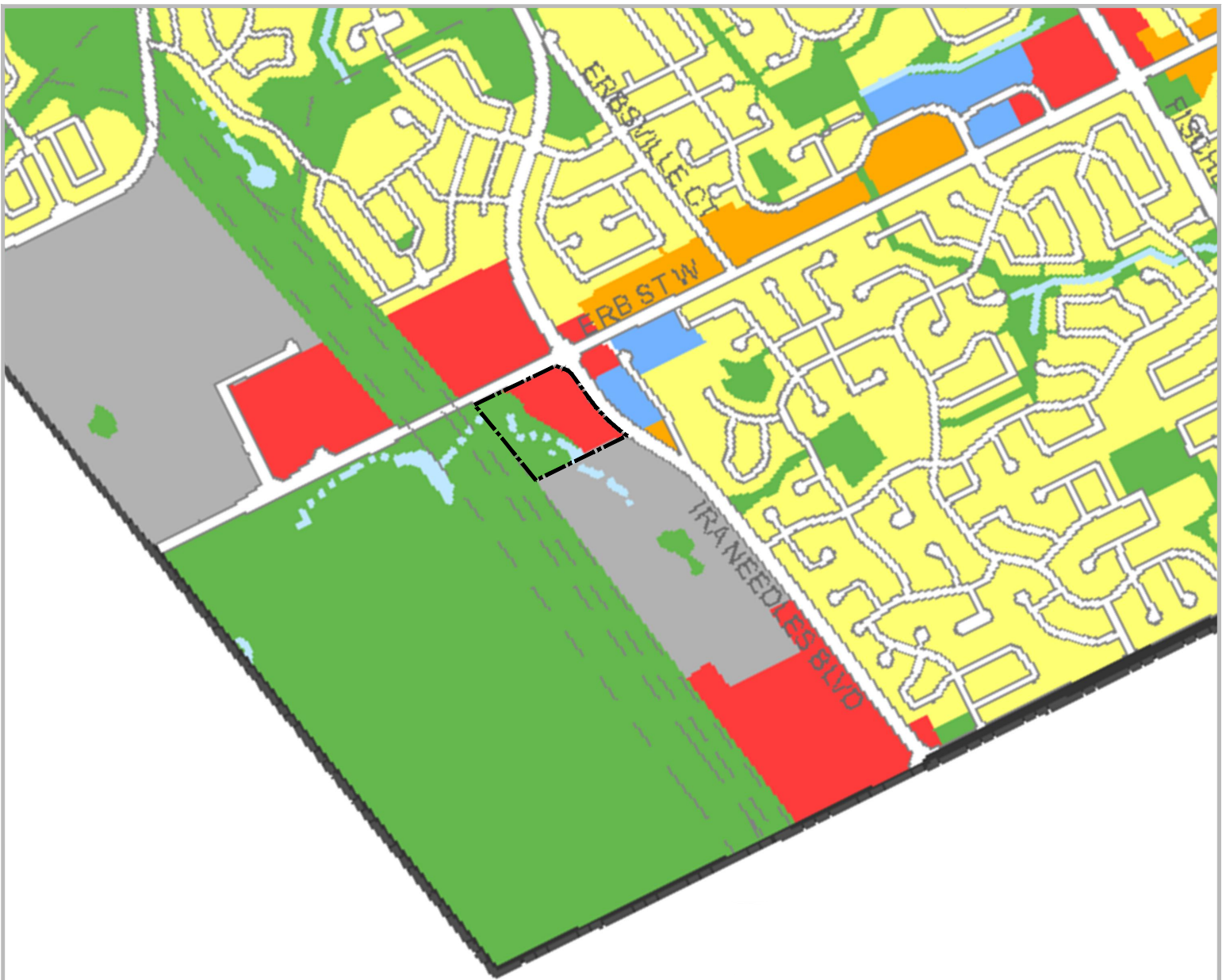
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**Land Use Designations**

- |   |   |   |
|---|---|---|
|  Low Density Residential                   |  Major Institutional |  Urban Area Boundary                 |
|  Mixed-Use Medium Density Residential      |  Open Space          |  Uptown Waterloo Urban Growth Centre |
|  Mixed-Use Medium High Density Residential |  Rural               |  Future Node                         |
|  Mixed-Use High Density Residential        |   |   |
|  Commercial                                |   |   |
|  Employment                                |   |   |

Figure 9

**City of Waterloo  
Official Plan  
Land Use Plan  
Schedule "A"**

**LEGEND**

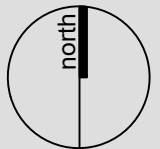
 Subject Lands

**DATE:** January 26, 2024

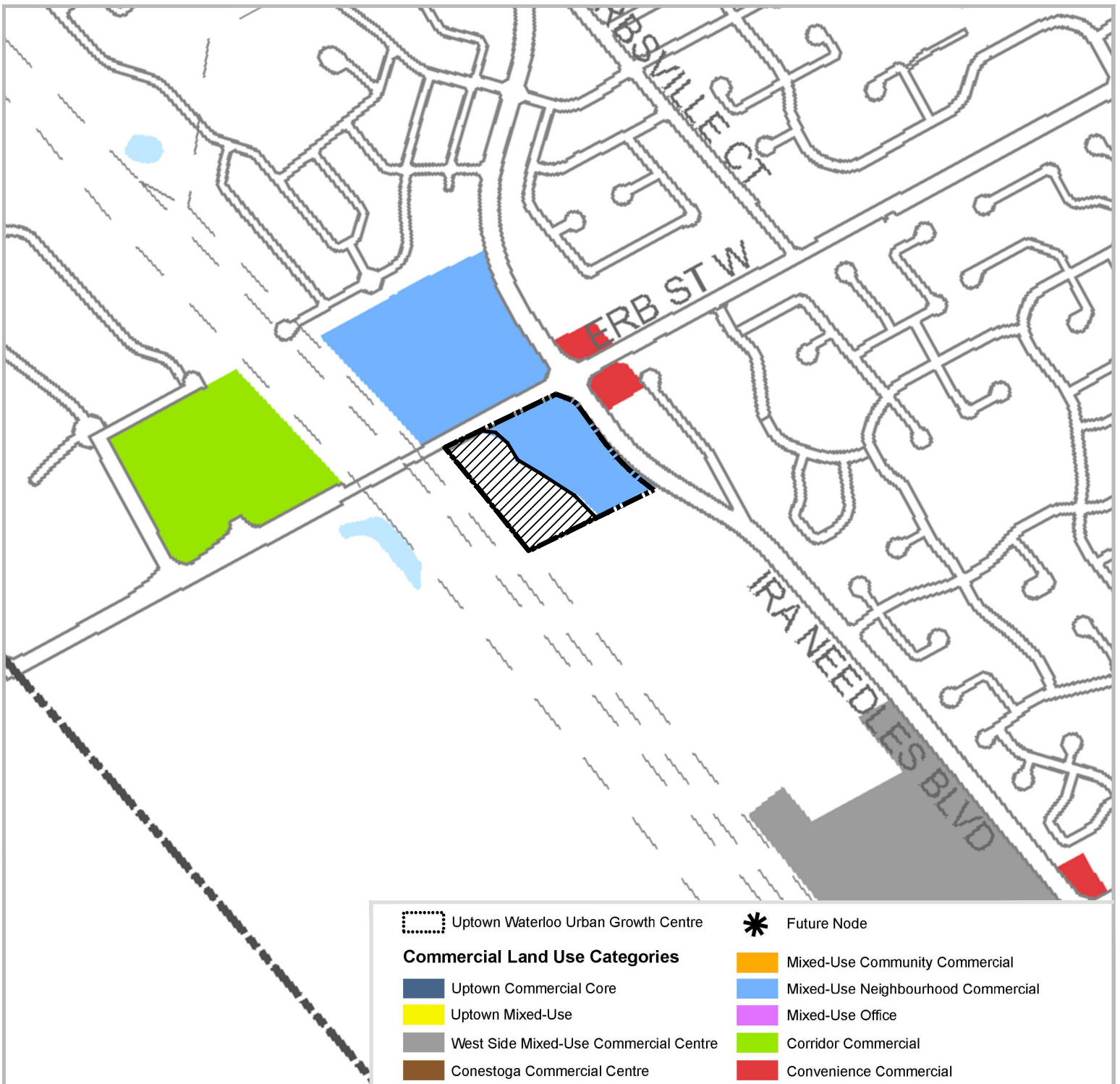
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Uptown Waterloo Urban Growth Centre	Future Node
<b>Commercial Land Use Categories</b>	
Uptown Commercial Core	Mixed-Use Community Commercial
Uptown Mixed-Use	Mixed-Use Neighbourhood Commercial
West Side Mixed-Use Commercial Centre	Mixed-Use Office
Conestoga Commercial Centre	Corridor Commercial
	Convenience Commercial

Figure 10  
**City of Waterloo  
 Official Plan  
 Commercial Land Uses  
 Schedule "A1"**

**LEGEND**

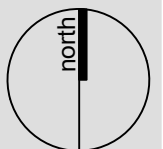
	Subject Lands
	Area to be Designated Mixed-Use Neighbourhood Commercial

**DATE:** January 26, 2024

**FILE:** Y594E

**SCALE:** 1:10,000

**DRAWN:** DGS



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**Waterloo Commons**  
 City of Waterloo  
 Region of Waterloo

Base Map Source:  
 City of Waterloo Official Plan, Schedule "A1" (Revision Date: June 2020)

**PLANNING  
 URBAN DESIGN  
 & LANDSCAPE  
 ARCHITECTURE**

200-540 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3X9  
 P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM



Figure 13  
**City of Waterloo  
 Official Plan  
 Open Space  
 Land Uses  
 Schedule "A3"**

**Waterloo Commons**  
 City of Waterloo  
 Region of Waterloo

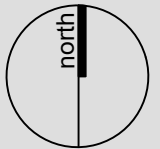
Base Map Source:  
 City of Waterloo Official Plan, Schedule "A3" (Revision Date: August 2021)

**DATE:** January 26, 2024

**FILE:** Y594E

**SCALE:** 1:15,000

**DRAWN:** DGS



K:\Y594E WESTHILL DISTRICT PLAN\RPT\WATERLOO OP OPEN SPACE LAND USES.DWG



Figure 12

**City of Waterloo  
Official Plan  
Natural System  
Schedule "A4"**

**LEGEND**

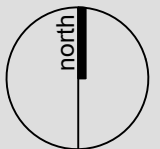
- Subject Lands
- Area to be Removed from Supporting Natural Features/ Other Open Space Land Uses

**DATE:** January 26, 2024

**FILE:** Y594E

**SCALE:** 1:10,000

**DRAWN:** DGS



K:\Y594E WESTHILL DISTRICT PLAN\RPT\WATERLOO OP NATURAL SYSTEM.DWG

**Waterloo Commons**  
City of Waterloo  
Region of Waterloo

Base Map Source:  
City of Waterloo Official Plan, Schedule "A4" (Revision Date: September 2019)

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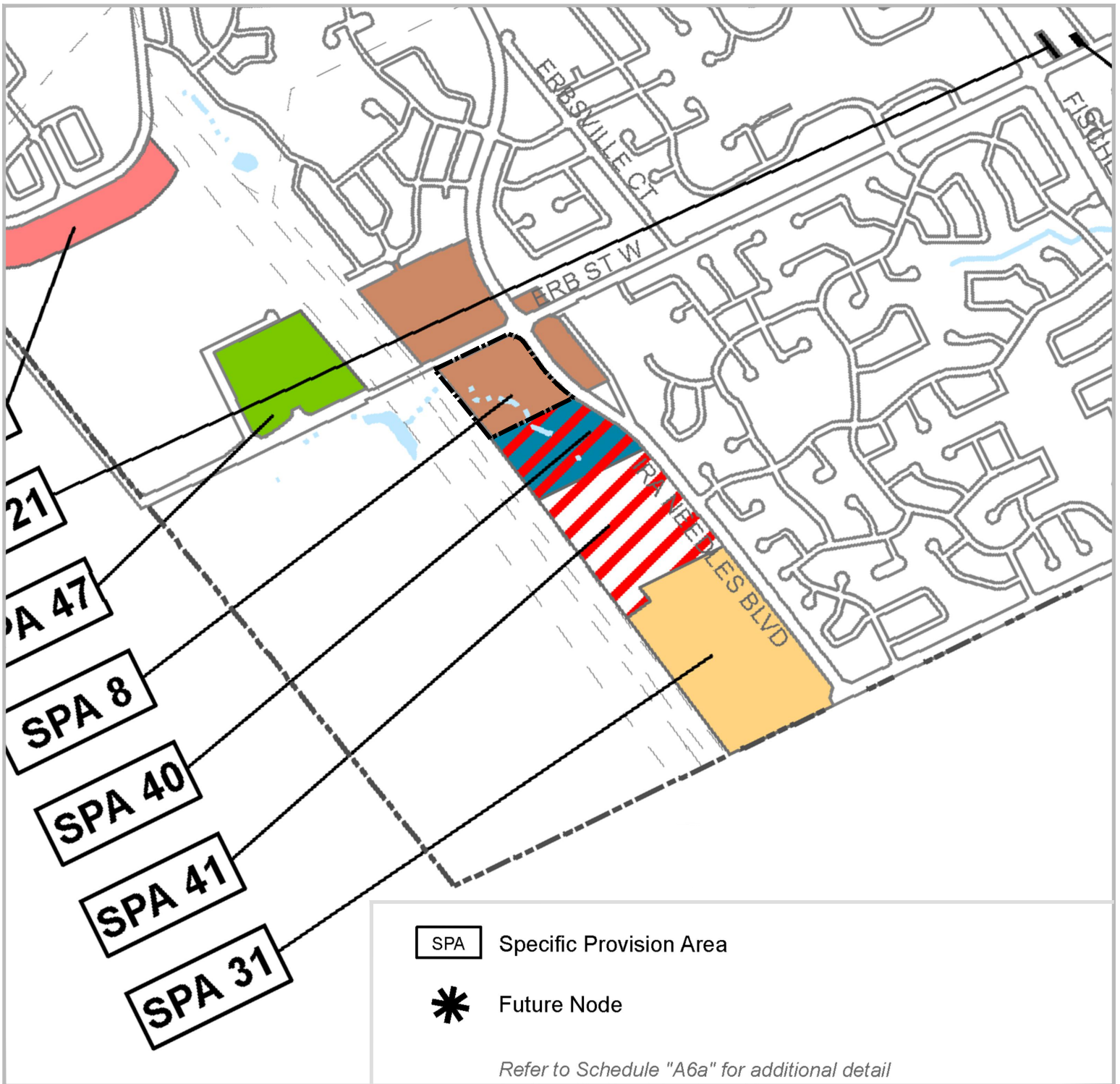



Figure 13  
**City of Waterloo  
 Official Plan  
 Specific Provision  
 Areas  
 Schedule "A6"**

**Waterloo Commons**  
 City of Waterloo  
 Region of Waterloo

**LEGEND**

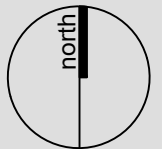
 Subject Lands

**DATE:** January 26, 2024

**FILE:** Y594E

**SCALE:** 1:15,000

**DRAWN:** DGS



K:\Y594E WESTHILL DISTRICT PLAN\RPT\WATERLOO OP SPECIFIC PROVISION AREAS.DWG

Base Map Source:  
 City of Waterloo Official Plan, Schedule "A6" (Revision Date: November 2016)

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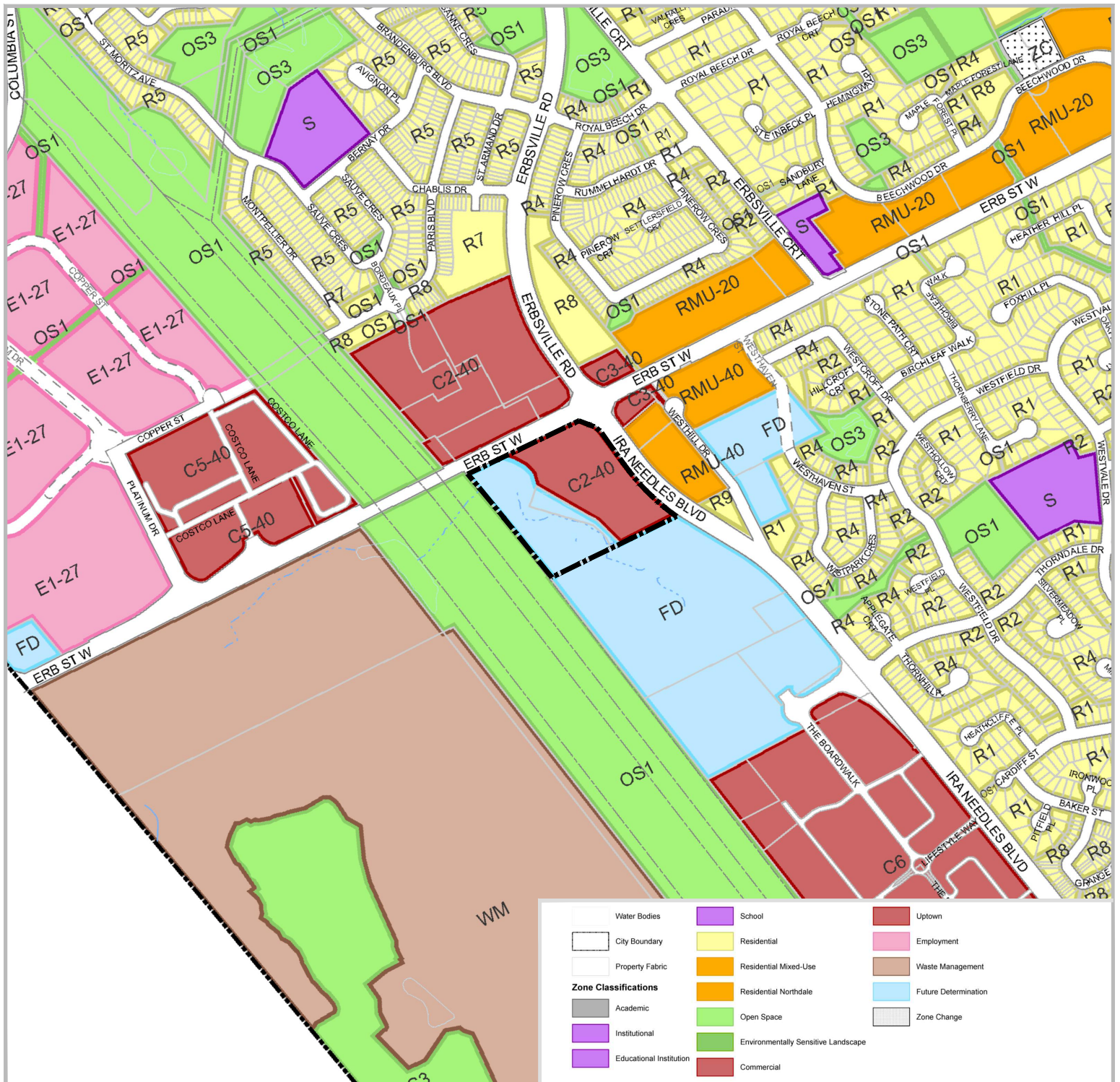


Figure 14  
**City of Waterloo  
 Zoning By-law**

**LEGEND**

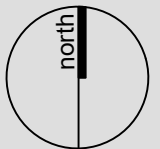
Subject Lands

**DATE:** January 26, 2024

**FILE:** Y594E

**SCALE:** 1:10,000

**DRAWN:** DGS



K:\Y594E WESTHILL DISTRICT PLAN\RPT\WATERLOO ZONING BYLAW.DWG

**Waterloo Commons**  
 City of Waterloo  
 Region of Waterloo

Base Map Source:  
 City of Waterloo Zoning By-law (Revision Date: September 2018)

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 & LANDSCAPE  
 ARCHITECTURE

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# 5.0 OVERVIEW OF SUPPORTING REPORTS

## 5.1 Functional Servicing and Stormwater Management

MTE Consultants Inc. (MTE) prepared a Functional Servicing and Stormwater Management Report in support of an Official Plan Amendment, Zoning By-Law Amendment, and Plan of Subdivision for the proposed expansion of the Waterloo Commons lands. The document expands upon the existing information found in the Westhill District – Preliminary Stormwater Management Plan (WD-PSWMR) (MTE, 2020) along with several previous reports and studies completed by public agencies and private developers relating to projects undertaken within the study area.

The report recommends a stormwater management and servicing strategy for the proposed Subject Lands and outlines how the proposed expansion can be integrated with the existing Waterloo Commons development, and how it can be developed on full municipal services, including grading and drainage, storm sewers, sanitary sewers, water distribution and utilities. The following is a summary of the conclusions:

- Overall site grading will provide for 'major' overland flow conveyance to the proposed SWMF, while providing adequate cover over municipal services and matching proposed road and existing boundary grades with appropriate slopes.
- The subject lands can be adequately serviced through the extension of the existing sanitary sewer within the existing Waterloo Commons commercial development. Additional sanitary flows from future development to the south may require flow monitoring to confirm that capacity is available for those lands.

- The subject lands can be adequately serviced through direct connection to the existing 450mm watermain on Erb Street West.
- The subject lands can be adequately serviced by storm sewers which direct stormwater runoff to the proposed SWMF (retrofit of the ESDF).
- The subject lands can be adequately serviced through the implementation of a wetland-style SWMF, which provides enhanced quality control and extended detention, as well as control of all storm event flows to pre-construction rates. Through the re-allocation of allowable flow rates, the future upstream developments have been accommodated.
- The phased implementation of road construction and SWM strategy will not impact the allowable flow or existing flood level for upstream landowners and the Hydro Corridor. Waterloo Commons will move forward with this independent SWM design to accommodate plans for the widening of Erb Street West, construction of the roundabout and subsequent planned expansions of their development.

## 5.2 Scoped Environmental Impact Study

WSP Canada Inc. (WSP) completed a 'Stage 3' Scoped Environmental Impact Study (EIS) in support of a development applications for the subject lands. The Stage 3 report represents the last stage of study for the subject lands. A staged approach was agreed to with the City with the respective stages as follows:

- Stage 1: Existing conditions characterization for ecological and hydrological features and functions of wetlands and watercourse within the study area. This was completed in 2018 and reviewed by the City and GRCA. .
- Stage 2: evaluation of collector road alternatives, identification of the preferred alternative and recommendations for mitigation. This was completed in 2020 and reviewed and accepted by the City, Region and GRCA.
- Stage 3: property-specific, focused evaluation.- submitted with the planning applications at this time.

The Scoped EIS concludes that that essential infrastructure and subsequent planning approvals/projects can be undertaken in compliance with applicable natural heritage policies and legislation, based on the following considerations:

- Direct impacts to natural heritage features are limited to removal of anthropogenic habitat comprised of: culturally derived vegetation communities; habitat for predominantly tolerant, common wildlife (including generalist avifauna and several herpetofaunal species recorded in low abundance); and a small amount of anthropogenic, low quality aquatic habitat (intermittent drainage ditches and open water features sustained by SWM and seasonal inputs – none of which are regulated watercourses or fish habitat subject to the Fisheries Act)
- Residual impacts will be further mitigated through: retention of habitat which provides the same functions in the local landscape, including habitat for species of conservation concern; implementation of recommended mitigation measures as; implementation of proposed wetland habitat restoration; removal of invasive *Phragmites*; mitigation of potential impacts on downstream aquatic habitat via 'during-construction' mitigation measures; and, implementation / operation of the proposed SWM strategy, which is considered a net enhancement relative to the current condition and will result improved downstream water quality, maintenance of surface water inputs and mitigation of potential erosion impacts.
- All recommended mitigation, protection and restoration measures, as discussed in the EIS are implemented as part of the projects, which can be implemented through conditions of draft approval or future site plan approval.

## 5.3 Retail Impact Analysis

Tate Economic Research Inc. ("TER") was retained by Waterloo Commons J. V. Inc. ("WCJV") to prepare a Retail Impact Analysis to examine the market demand and potential impacts of a proposed supermarket to be accommodated through the expansion of Waterloo Commons. The following provides a summary of the analysis and conclusions of the TER report:

- The Mixed-Use Neighbourhood Commercial designation envisions "small-to-mid- scale food stores anchoring Mixed-Use Neighbourhood Commercial areas".
- The population of the Study Area is forecast to increase from 224,800 persons in 2023, to 255,500 persons by 2031. This increase represents an average annual growth rate of 1.7% over the study period.
- The new commercial block is well positioned to meet the day-to-day commercial needs of the adjacent neighbourhoods and business areas. The new commercial block will be introduced into an existing commercial node that has a regional draw.

- The proposed supermarket, and Waterloo Commons as a whole, will benefit from enhanced access through a proposed roundabout as part of the development of the new commercial block. The proposed supermarket will benefit from the traffic attracted to Waterloo Commons as well as the surrounding area due to the regional draw of the node.
- Overall the population and supermarket expenditures in the Study Area is expected to increase. The Food & Beverage Retail (“FBR”) expenditure potential is also forecast to increase.
- TER estimates that the existing supermarkets are operating at a market performance level of \$775 per square foot in 2023. This is considered to be above industry norms for a market such as Waterloo. Therefore, the current sales volumes are indicative of demand for additional supermarket space.
- The proposed supermarket at Waterloo Commons will serve the day-to-day needs of the surrounding community and will not detract from the primacy of the Urban Growth Centre.
- There is sufficient market demand to warrant a 35,000 square foot supermarket in the new commercial block at Waterloo Commons.
- There is sufficient demand to accommodate a new supermarket on the subject lands without impacting the planned function of the Uptown Waterloo Urban Growth Centre.

The recommendation of TER is that the proposed Official Plan and Zoning By-law Amendment to permit a supermarket at the expanded Waterloo Commons should be approved on the basis of market demand and impact.

## 5.5 Transportation

Paradigm Transportation Solutions Limited (“PTSL”) reviewed the proposed Waterloo Commons applications and the 2019 Waterloo Westside Transportation Network Study Report (prepared by Paradigm Transportation Solutions Limited).

The purpose of the 2019 Waterloo Westside Transportation Network Study Report was to evaluate the merits of expanding the transportation network by extending the Boardwalk northerly to connect to Erb Street, consider overall transportation impacts associated with the proposed development of the lands and provide input to the Official Plan Amendment.

Based on a review of the proposed applications, PTSL concluded:

- The current development proposal results in a yield of approximately 57% of that contained the original Study;
- The proposed size of the development is such that it does not meet the minimum threshold requirement used by the Region of Waterloo to request a Transportation Impact Study;

- The planned road changes, including the proposed modern roundabout intersection at Erb Street West and the Westhill Collector Road are consistent with the recommendations contained in the previous Study and the Erb Street West Class Environmental Assessment; and
- At the time of site plan application, confirmation of the need for a southbound left-turn lane into the site be assessed and confirmed.

Based on PTSL review of the proposed applications, it was recommended that the development be approved with no conditions related to off-site transportation improvements.

## **5.6 Archaeological Assessment (Stage 1-2)**

Stage 1-2 archaeological assessment was conducted at this property on December 15, 2024. A small area in the northeastern quadrant of the study area was subject to test pit assessment while the remaining environmentally sensitive lands within the study area were photographed only. No archaeological resources were recovered during the assessment. A condition of draft plan approval will require the final Ministry clearance.

## **5.7 Urban Design Brief**

The City of Waterloo Official Plan directs developments to create an attractive and livable city through a high standard of urban design. Sections 3.11.1 (General Urban Design Policies), 3.11.2 (Urban Design within Nodes and Corridors), 10.2.4 (Urban Design for Lands Designated Commercial) include specific urban design policies that are applicable to the subject lands. The Urban Design Guidelines were prepared by MHBC Planning, Urban Design and Landscape Architecture.

Overall, the Proposed Development creates additional commercial opportunities within the node to service the surrounding community, protects the existing wetland by converting it into a stormwater management facility, and enables the orderly development of the lands to the south through the provision of a new public street.

A general approach for potential new development for the broader area was previously considered in the analysis associated with determination of the preferred road alignment option through OPA 27. At this point, the intent for development of the broader area would be for the collector road to extend through adjacent lands and connect to the roundabout at Thorndale Drive.

There are a number of alternatives for a conceptual neighbourhood master plan, which makes it difficult to prepare for adjacent lands. Alternatives for development for lands the lands south of Erb St W, west of Ira Needles Blvd, east of the hydro corridor and north of the existing roundabout at The Boardwalk and Thorndale Dr. are numerous. The detailed design approaches for the connection of the new road from the subject lands to Thorndale Drive will be subject to development applications for the adjacent lands.

The development of the lands would need to be in context of the existing Official Plan designations and zoning regulations, subject to any applications by the landowners of the lands.

The proposed Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision applications conform to the design policies of the City of Waterloo Official Plan and represent good urban design.

At the site plan review stage, the proposed building designs will be provided. The intent of the architectural design will be to architecturally integrate any new buildings with the existing buildings to create a unified architectural expression and composition through integration of building materials, coordinated design elements and colour(s).

Details associated with the future development of the lands, including site layout, engineering, grading, landscape, site lighting, energy planning will be addressed through the future site plan review process. A site plan addendum will be required for the existing commercial plaza to reflect any changes made to the lands including, but not limited to, the stormwater management pond, parking, and other structures such as retaining walls.

# 6.0

# PUBLIC

## CONSULTATION STRATEGY

The public consultation process for the proposed Official Plan, Zoning By-law Amendment and Draft Plan of Subdivision applications are anticipated to follow the Planning Act statutory requirements. The following points of public consultation are proposed:

- An Informal Public Meeting at which time all available information, and public input will be considered.
- Direct written responses to comments raised through the public consultation process will be provided to City Staff for their review and consideration in the preparation of a City Staff Report.
- Preparation of a City Staff Report, with the Report to be available to the public in advance of City Council's consideration of the applications. It is understood that City Staff will post information on the City's website for public review. This will include the City Staff Report and may also include technical studies and reports prepared in support of the application.
- A Formal Public Meeting will occur at the Council Meeting, at which time the City Staff Report, all available information, and public input will be considered in Council's final decision.

The consultation strategy proposed will provide members of the public with opportunities to review, understand and comment on the proposed applications. The consultation strategy will be coordinated with City Staff and additional opportunities for consultation will be considered and may be warranted based on the input received.

# 7.0 SUMMARY & CONCLUSIONS

The purpose of this Planning Report was to evaluate the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision for the subject lands in the context of existing land use policies and regulations including the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Region of Waterloo Official Plan, and the City of Waterloo Official Plan. The analysis contained in this report demonstrates that the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision represent good planning for the following reasons:

- I. The proposed applications are consistent with the Provincial Policy Statement and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe;
- II. The proposed development applications conform to the Region of Waterloo Official Plan and implement the direction of the City of Waterloo Official Plan;
- III. Waterloo Commons, and by extension the new commercial block, is well located for retail commercial uses, and specifically a supermarket. It is situated in an established commercial area and is well positioned to serve the needs of the surrounding community, workers in the surrounding employment node, and those attracted to the broader commercial node.
- IV. The proposed development provides for the development of an underutilized site in the Designated Greenfield Area of the City of Waterloo on lands that are well located with respect to transportation and servicing infrastructure;
- V. The proposed development will implement the planned land use policies and will contribute to the range of retail and commercial types within the community, including a mid-size food store;
- VI. The proposed applications implement a comprehensive study and previous studies (i.e., Class EAs) for future transportation infrastructure;
- VII. Policies associated with the removal of natural features for the purposes of infrastructure have been assessed, comprehensive analysis has been undertaken and appropriate recommendations have been identified to address policy direction; and,
- VIII. The proposed development can be adequately serviced through connections to existing infrastructure.

Based on these conclusions, it is our opinion that the application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision are appropriate and should be considered for approval.

**APPENDIX 1**

# RECORD OF CONSULTATION

**Project Address:** Southwest corner of Erb Street West and Ira Needles Boulevard

**Application Types:** Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment

**Date of Pre-Submission Consultation Meeting:** Tuesday, May 2, 2023 at 1:00 pm

**Applicant:** Waterloo Commons JV Inc.

**Agent:** Dave Aston, MHBC Planning

**Development Planner:** Wendy Fisher, [wendy.fisher@waterloo.ca](mailto:wendy.fisher@waterloo.ca), 519.747.8544

**Meeting Attendees:**

Wendy Fisher, Planning, City of Waterloo	Greg Voisin, Waterloo Commons
Jeremy MacCulloch, Engineering, City of Waterloo	Steve Voisin, Waterloo Commons
Ainsley Rego, Transportation, City of Waterloo	Vince Varga, Waterloo Commons
Robyn McMullen, Planning, City of Waterloo	Dave Aston, MHBC Planning
Trevor Heywood, GRCA	Paul Britton, MHBC Planning
Shilling Yip, Planning, Region of Waterloo	Jeff Martens, MTE Consultants
Josh Graham, Transportation, Region of Waterloo	Paul Douglas, MTE Consultants

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## CONFIDENTIAL DOCUMENT

The contents of this document are confidential and are not part of a Planning Act Application.

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The purpose of the Pre-Submission Consultation is to review a proposed development and identify the need for, and scope of, the *other information and materials* required as part of a complete application under the Planning Act. The City will not accept an application for, including but not limited to, a Plan of Subdivision, an Official Plan Amendment, or a Zoning By-law Amendment for processing unless such development application is considered to be a complete application and in accordance with Section 12.2.14 of the City’s Official Plan.

This Record of Pre-Submission Consultation only applies to the proposal as described and/or as provided for in the attached concept plan and shall be valid for two years from the date of the Pre-Submission Consultation Meeting, unless otherwise approved by the Director of Planning or Manager of Planning Approvals.

*If you have any questions or concerns with this Record of Pre-Submission Consultation please contact the Development Planner.*

## PART A – DESCRIPTION OF SUBJECT PROPERTY

The subject lands are located on the southwest corner of the Erb St W and Ira Needles Blvd intersection, and are comprised of two properties: 651-663 Erb St W, and an adjacent stormwater management pond owned and operated by the Region of Waterloo (no municipal address). The collective lands are ~5.7 hectares in size. A portion of the lands (east side) currently contains a commercial plaza comprised of four buildings and a surface parking lot. The west side of the property contains a locally significant wetland, the Region stormwater management pond, and open space (there are no buildings or structures).



Adjacent to the subject lands, to the west, is a hydro corridor and the Region of Waterloo's landfill. A portion of the lands to the south are vacant, while the remainder of the property is used as a pitch and putt golf course. To the east, beyond Ira Needles Blvd, is a single storey commercial building and mid-rise residential buildings. To the north, beyond Erb St W, is a large commercial plaza (Westside Marketplace).

The subject property has approximately ~225 metres of frontage on Erb St W and ~242 metres of frontage on Ira Needles Blvd. Two vehicular accesses serve the existing commercial plaza, from Erb St W (left-in, right-in, and right-out) and from Ira Needles Blvd (right-in and right-out). There are existing easements in favour of the City and/or Region for ingress/egress and servicing purposes: (1) from Erb St W to the southerly property line, between the commercial plaza and the stormwater management pond; (2) along the southerly property line from Ira Needles Blvd to a mid-point along the southerly property line; and (3) along the southerly property line from Ira Needles Blvd to the Region's stormwater management pond.

The subject lands are also part of Official Plan Amendment (OPA) 27 which applies to a broader area. OPA 27 is intended to establish a road connection between Thorndale Dr/The Boardwalk and Erb St W. This application is currently “paused” at the request of some of the applicants, though the file remains open.

## **PART B – DESCRIPTION OF DEVELOPMENT PROPOSAL**

As summarized by the applicant, the draft plan of subdivision proposes to create:

- A Road Widening Block for the conveyance of land to the Region of Waterloo for the completion of the roundabout;
- Lands for conveyance to the City of Waterloo for a future road (as shown as Street One on the proposed plan of subdivision), including a 0.3m Reserve Block;
- A Future Development Block for a temporary turning circle to be removed when the public road is extended to the west;
- A Stormwater Management Block to accommodate stormwater from the existing and proposed commercial plaza, the Erb Street widening, and current stormwater from Ira Needles Boulevard and Westhill Drive;
- A Commercial Block for the existing commercial uses; and,
- A Commercial Block for the extension of the commercial uses on the subject lands.

A range of commercial and retail uses is proposed for the new/future commercial block, including a food/grocery store with a maximum building floor area of 4,645 square metres.

A land exchange with the Region is proposed to consolidate the stormwater management facilities and create the larger, contiguous block for the future commercial use.

### **Applicant’s Request:**

#### *Official Plan Amendment*

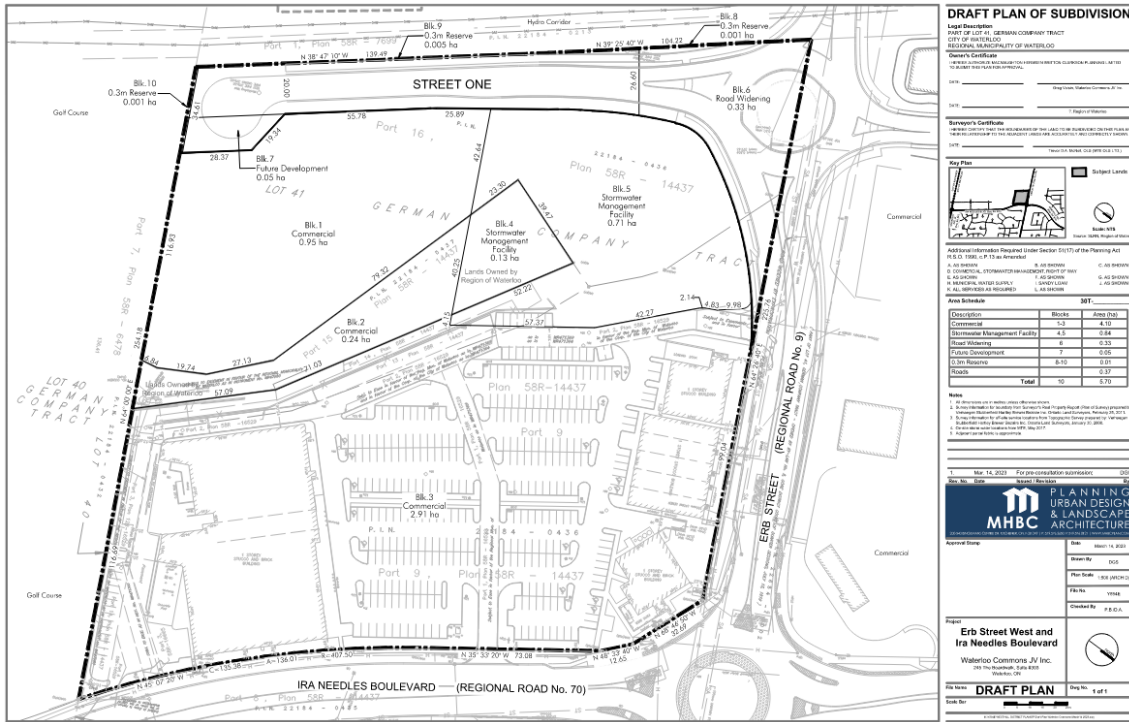
- Re-designate a portion of the subject lands from “Open Space” to “Commercial” on Schedule A, Land Use Plan.
- Establish a range of permitted commercial and retail uses, including food/grocery store with a maximum gross floor area of 4,645 sq. m.
- Designate a portion of the subject lands as “Mixed-Use Neighbourhood Commercial” on Schedule A1, Commercial Land Uses.
- Amend Schedule A3, Open Space Land Uses, by removing a portion of the subject lands from the “Parks and Other Green Space” and “Natural System” designations.
- Amend Schedule A4, Natural System, by removing a portion of the subject lands from “Supporting Natural Features” and “Other Open Space Land Uses” designations.

#### *Zoning By-law Amendment*

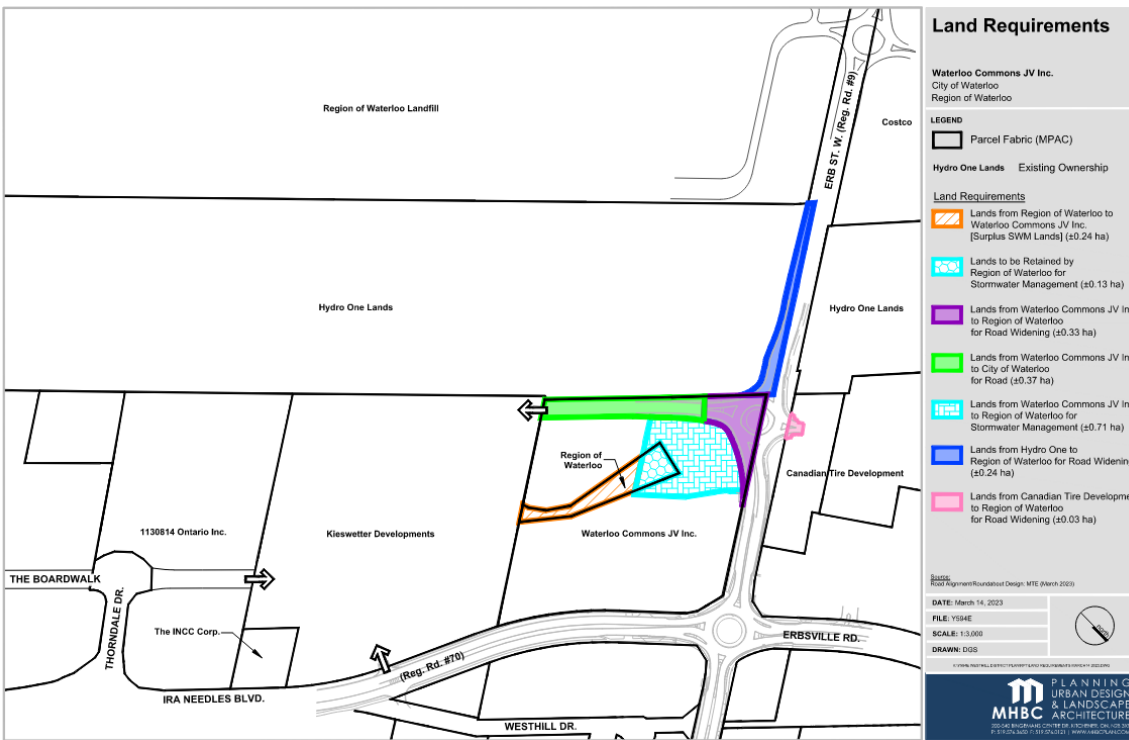
- Re-zone a portion of the subject lands from “Future Determination” (FD) to “Mixed-Use Neighbourhood Commercial-40” (C2-40) and “Parks & Recreation” (OS1).

The following drawings, as submitted by the applicant, include the Draft Plan of Subdivision (Drawing 1) and the preliminary land exchange (Drawing 2).

**Drawing 1:**



**Drawing 2:**



## PART C – COMMENT SUMMARY

The following section contains a summary of all preliminary comments received. Where applicable, additional information is attached as Appendices to this document.

### C.1 PLANNING COMMENTS

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Comments Of: Planning Division

Commenter's Name: Wendy Fisher & Ric Martins

Email: wendy.fisher@waterloo.ca & ric.martins@waterloo.ca

Phone: 519.747.8544 & 519.747.8518

Date of Comments: April 28, 2023

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#### C.1.1 Official Plan Designation

The City's Official Plan designates the site as follows:

Official Plan Schedule	Designation
Schedule A: Land Use	Commercial and Open Space
Schedule A1: Commercial Land Use	Mixed-Use Neighbourhood Commercial
Schedule A3: Open Space Land Use	Parks and Other Green Space; Natural System
Schedule A4: Natural System	Supporting Natural Features; Other Open Space Land Uses
Schedule A6: Specific Provision Area	SPA 8
Schedule B: City Structure	Minor Node
Schedule B1: Height and Density	Medium High Density, 40 metres
Schedule B3: Designated Greenfield Area	Designated Greenfield Areas
Schedule B4: Sourcewater Protection Area	Wellhead Protection Sensitivity Area 8
Schedule C: District Boundaries	West Hill
Schedule E: Road Classification System	Erb St W and Ira Needles Blvd – Regional Arterial
Schedule F: Active Transportation System	Erb St W and Ira Needles Blvd – City-Wide Cycling and Multi-Use Routes
Schedule G: Road Widths	Region to confirm

*Note: Official Plan Schedules not included in the chart above are deemed not applicable.*

## **Additional Official Plan Comments**

### **1. Nodes and Corridors**

The Official Plan establishes a nodes and corridors framework for growth. The basis of the Plan is to accommodate a significant amount of growth through intensification within the existing Built-up Area.

The subject lands are located within a Minor Node, located adjacent to commercial and employment uses. The planning framework for the area encourages intensification, higher density and mixed uses, and pedestrian and transit oriented design for the site.

### **2. Height and Density**

The west portion of the subject site is designated as Open Space on Schedule 'A', thus no height and density has been attributed to it. The surrounding land use, including the east portion of the subject site (which is also within the Node), allows for Mixed-Use Neighbourhood Commercial Uses, and is designated on Schedule 'B1', as "Medium High Density, 40 meters".

### **3. Open Space and Natural Heritage Features**

The west portion of the subject lands is currently designated "Open Space" and "Parks and other Green Space" on Schedule 'A' and 'A3' of Official Plan respectively. There is an existing storm water management pond on the site. The Open Space designation is generally intended to accommodate parkland, trails, and open space, as well as other uses such as hydro corridors, storm water management facilities and natural areas. While, the current designation accommodates the existing uses, the subject lands also form part of a Minor Node, intended for commercial and mixed-uses. Additional considerations related to open space and natural features are outlined below under the heading "Process" and "Environmental Considerations".

### **4. Commercial and Mixed-Use Neighbourhood Commercial Designations**

The applicant has requested that the west portion of the subject lands be re-designated to a Mixed-Use Neighbourhood Commercial (MUNC) designation, excluding lands intended for the stormwater management pond. The MUNC designated areas are intended to serve as commercial centres that provide a commercial focal point to meet the day-to-day commercial needs of adjacent neighbourhood and business areas. It is noted that the Official Plan "envision[s] small-to-mid scale food stores anchoring Mixed-Use Neighbourhood Commercial areas" (policy 10.2.2.6). The designation allows a range of neighbourhood commercial uses, including a food store, drug stores and retail uses (policy 10.2.2.6 (3)).

While the MUNC designation allows residential uses, the policies of Specific Provision Area 8 apply to the subject land, which prohibit residential uses given the proximity of the site to the Regional Landfill.

For commercial applications where commercial land uses are proposed, Official Plan policy 10.2.3 will apply. This policy outlines requirements related to new and expanded commercial uses and the submission requirements for a complete development application. Additional consideration applicable to policy 10.2.3 is outlined below under the heading "Process".

### **5. Urban Design**

The proposed development is subject to the Official Plan's general urban design policies (policy 3.11.1), as well as the specific policies for Nodes and Corridors (policy 3.11.2). Collectively, these policies ensure high quality buildings and site designs that are attractive, comfortable and prioritize pedestrian

movements and convenient access to active transportation and transit networks. These concepts are further enforced through the commercial design policies of 10.2.4.

## **6. Specific Provision Area 8**

The subject lands are part of Specific Provision Area 8 (SPA 8). The SPA polices are applied to the subject land with the intent that they serve a commercial function as part of the node. In particular, policy 11.1.8 (2) states that:

“Notwithstanding the Commercial Land Use policies of this Official Plan, development applications, excluding site plan applications, which propose retail commercial uses of 2,000 square metres of gross leasable area or greater within either Minor Node will be subject to the preparation of a retail analysis to the satisfaction of the City for Council’s consideration prior to approval.”

Policy 11.1.8(3) suggests that block plans may be used to provide more detailed development plans. The applicant is proposing to create a municipal road with access from Erb St W that will terminate at the southerly property line of the subject lands. It is envisioned that the proposed road will eventually connect to the Thorndale Dr/The Boardwalk roundabout. To ensure that the proposed municipal infrastructure will provide for an efficient development pattern on the intervening lands to the south, a Conceptual Neighbourhood Master Plan is required as part of a complete application. Considerations for the Plan are outlined below under the heading “Process”.

Policy 11.1.8 (4) does not permit residential uses given proximity to the Regional Landfill. Staff note that the proposed development includes commercial retail uses of over of 4,645 sq. m.

### **C.1.2 District Plan – West Hill**

The subject lands are within the West Hill District Plan Area. The West Hill District Plan was approved by Council in August 1998, with modifications approved in June 22, 2009. The District Plan guides where and how the community will grow, and provides for environmental protection. It also contains more detailed policies regarding natural and cultural heritage, urban design, transportation and infrastructure.

The subject lands are designated within the District Plan as “Mixed-Use Activity Node” on Map 1, Land Use Concept. Corresponding policies require a compact built form with buildings oriented to the street and emphasis on streetscapes. The subject lands are also designated as “Constraint Level One Area” and “Constraint Level Two Area” on Map 2, Environmental Plan.


The District Plan also shows a future community trail along the westerly property line, connecting the lands to the north, across Erb St W. This is an important component of the West hill District Plan. As part of a future submission, the applicant should demonstrate how the future community trail will be provided.

### **C.1.3 Zoning By-law Analysis**

The east portion of the site is currently zoned Mixed-Use Neighbourhood Commercial (C2-40), Parking Area E, and Site Specific Provision C86. The site specific regulations (of C86) are noted below.

The remainder of the site is zoned Future Determination (FD). This zone permits the uses and buildings that existed on the date the by-law came into effect (being September 10, 2018) and is intended as a placeholder zone for lands where redevelopment is anticipated.

**Zoning By-law Schedules**

<p><b>Schedule A: Land Use</b></p>	<p>Future Determination (FD) (<i>blue</i>) and Mixed-Use Neighbourhood Commercial (C2-40) (<i>red</i>)</p> 
<p><b>Schedule A1: Parking Overlay</b></p>	<p>Area E (east portion only)</p>
<p><b>Schedule A2: Station Area Street Frontages</b></p>	<p>N/A</p>
<p><b>Schedule A3: Floodplains and Restricted Areas</b></p>	<p>N/A</p>
<p><b>Schedule C1: Site Specifics</b></p>	<p>86 (east portion only)</p>

An amendment to the Zoning By-law is being proposed to rezone lands from Future Determination (FD) to Mixed-Use Neighbourhood Commercial (C2-40) and Open Space (OS1). The C2 zone permits the intended use of the property which, based on the applicant’s submission, is a food store. The OS1 zone is proposed on lands that are to contain the consolidated stormwater management pond.

Please refer to Zoning By-law 2018-050 for information related to the:

- Mixed-Use Neighbourhood Commercial (C2) zone (Section 8.4), and
- Parks & Recreation (OS1) zone (Section 11.1).

In addition to the above zones, all other applicable regulations of By-law 2018-050 shall apply.

**Site Specific Zoning C86:**

Exception C86	Address 651 -663 Erb Street West South-west corner of Erb & Ira Needles	Zoning C2-40	File Reference By-law 2009-007 SPA 8
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Location: 651 Erb Street West - south-west corner of Erb & Ira Needles, Part Lot 41, GCT, Parts 9 to 14 & 16, 58R-14437 as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

Area 1

- a) Notwithstanding anything to the contrary, only the following USES shall be permitted within "Area 1" as identified in Image 1 hereto:
- Apparel and Accessories
  - Book Store
  - DOMESTIC APPLIANCE STORE
  - Drapery, Blinds and Home Décor
  - Office Supplies and Equipment
  - Party Supply Store
  - Pet Store and Supplies
  - Sporting Goods
  - Toy/Hobby Store
- b) Notwithstanding anything to the contrary, the following regulations shall apply to "Area 1" as identified in Image 1 hereto:
- i. Cumulative total BUILDING FLOOR AREA shall be limited to 4,598.6 square metres
  - ii. Minimum of 3 BUILDINGS and or units shall be provided
  - iii. Minimum BUILDING FLOOR AREA of any one BUILDING or unit shall be 185.5 square metres
  - iv. Maximum BUILDING FLOOR AREA of any one BUILDING or unit shall be 2,832.5 square metres

Area 2

- c) Notwithstanding anything to the contrary, the following regulations shall apply to a RESTAURANT (including a TAKE-OUT RESTAURANT) within "Area 2" as identified in Image 1 hereto:
- i. BUILDING FLOOR AREA (maximum): 929 square metres
  - ii. DRIVE-THROUGHS are prohibited

Area 3

- d) Notwithstanding anything to the contrary, only the following uses shall be permitted within "Area 3" as identified in Image 1 hereto:
- BAKE SHOP
  - Beer, Liquor and Wine Store
  - Blu-ray/DVD/CD/Music sales or rental
  - CAFE
  - Computer, Video Game and Software Store
  - Copy Centre
  - Craft Store
  - DRUG STORE
  - DRY CLEANING
  - Florist
  - FOOD STORE, SPECIALTY
  - Household Furnishing Store, including furniture, china and glassware, floor coverings, antiques, vacuums
  - Luggage and Leather Good
  - MEDICAL CLINIC
  - Optical Goods Store
  - Paint and Wallpaper Store
  - PERSONAL BREWING ESTABLISHMENT
  - PERSONAL SERVICE SHOP
  - Photography Studio with or without Film Processing
  - Stationery Store
  - Telephone/Wireless Store
  - Toy/Hobby Store
  - Travel Agency

- e) Notwithstanding anything to the contrary, the following regulations shall apply to "Area 3" as identified in Image 1 hereto:
- i. Each USE shall be restricted to a maximum BUILDING FLOOR AREA of 465 square metres with exception of a Beer, Liquor and Wine Store which shall be permitted to exceed 465 square metres. Cumulative total BUILDING FLOOR AREA shall be limited to 4,598.6 square metres
  - ii. Minimum of 5 BUILDING and or units shall be provided

Areas 1, 2 and 3

- f) Notwithstanding anything to the contrary, the following additional USES shall be permitted within "Area 1", "Area 2", and "Area 3" as identified in Image 1 hereto, with no BUILDING FLOOR AREA restriction:
- Art Gallery
  - Art Studio
  - AUDITORIUM
  - OFFICE
  - PRIVATE CLUB

Areas 1, 2, 3, & 4

- g) Notwithstanding anything to the contrary, the following regulations shall apply to "Area 1", "Area 2", "Area 3", and "Area 4" as identified in Image 1 hereto:
- i. STREET LINE build-out (minimum):
    - a. A minimum of 40% of the BUILDING FAÇADE LENGTH adjacent to Erb Street West shall be setback between 4 and 6 metres of the Erb Street West STREET LINE.
    - b. A minimum of 25% of the BUILDING FAÇADE LENGTH adjacent to Ira Needles Boulevard shall be setback between 4 and 6 metres of the Ira Needles Boulevard STREET LINE.
  - ii. LANDSCAPE BUFFER (minimum): 4 metre wide abutting the Erb Street West and Ira Needles Boulevard STREET LINES.

Image 1: 651 -663 Erb Street West



## **Additional Zoning Comments**

The following should be addressed as part of a formal application submission:

1. The applicant has not indicated that relief from any regulations of the Zoning By-law will be required. The application should demonstrate compliance with all zoning regulations.
2. Based on the draft plan of subdivision, a strip of the land adjacent to the existing Erb Street driveway that is proposed to be part of the new SWM facility lands is currently designated and zoned for commercial purposes. Ensure that the proposed amendments capture all necessary land re-designations/re-zoning to reflect the intended use(s).
3. If the applicant wishes to include the westerly lands in Parking Overlay Area E, provide rationale.

### **C.1.4 Site Design, Urban Design and Site Specific Considerations**

1. Architecturally integrate any new building with the existing buildings to create a unified architectural expression and composition through integration of building materials, coordinated design elements and colour(s).
2. Ensure safe and comfortable pedestrian connections between the existing commercial plaza and the proposed commercial block.
3. A site plan addendum will be required for the existing commercial plaza to reflect any changes made to the lands including, but not limited to, the stormwater management pond, parking, and other structures such as retaining walls.

### **C.1.5 Process**

The proposed development will require approval of an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) to consider the re-designation of the subject lands.

Should the proposed development be deemed appropriate by staff, several modifications to the Official Plan Schedules will be required, including:

- Re-designating a portion of the subject lands from “Open Space” to “Commercial” on Schedule ‘A’
- Designating a portion of the subject lands as “Mixed Use Neighbourhood Commercial” on Schedule ‘A2’
- Removing a portion of the subject lands from Schedule ‘A3’
- Removing a portion of the subject lands from Schedule ‘A4’ and
- Adding a portion of the subject lands to Schedule ‘B1’ and identifying said portion of lands as “Medium High Density, 40 metres”.

By adding the subject lands to Schedule ‘B1’, the height and density of the proposed and future development of the subject site must be consistent with the height and density noted in policy 3.4 of the Official Plan.

A review and update to the West Hill District Plan should be considered as part of the overall development review process. For Map 1, a portion of the subject lands should be shown as “Mixed Use

Activity Node,” if the overall development is deemed appropriate and warranted as part of the Official Plan review process. Map 2 should also be updated to reflect the revised size and orientation of the storm water management facility. The “Recommended Community Trail” should be incorporated into the overall design and site plan of the proposed development.

As indicated, SPA 8 requires a **Retail Analysis** to be completed to the satisfaction of the City for Council’s approval. The Retail Analysis, to be prepared by a qualified professional, will be required given the proposed commercial uses are greater than 2,000 square metres as per policy 11.1.8 (2). Further, policy 10.2.3 (d) specifically outlines the Retail Analysis must demonstrate that the introduction of new retail uses will not negatively impact the planned function of the Uptown Urban Growth Centre. Given that one of the main proposed retail uses is a food store, which is encouraged by the proposed MUNC designation, the retail analysis should confirm that the grocery store use is warranted (there is demand), and that the food store and other proposed uses will not negatively impact the planned commercial function of the surrounding area. Ultimately, the retail uses should demonstrate there will be an overall benefit to the local neighbourhood and business with the introduction of new retail uses including the food store. Please note, the Retail Analysis may be peer reviewed at the applicant’s expense.

A **Planning Justification Report (PJR)** is also required as part of a complete OPA/ZBA application. The PJR must be prepared in accordance with the City’s Terms of Reference ([TOR Planning Justification Report \(waterloo.on.ca\)](http://waterloo.on.ca)). In addition, the PJR should demonstrate that the complete development application criteria of 10.2.3 are met. The policies of 10.2.3 require demonstration that considerations related to a planning assessment, servicing assessment and transportation assessment are all summarized in the PJR. In particular, the planning assessment should demonstrate how the new uses will be incorporated into to the existing area, and how the design and land use function of the site will be consistent with the overall policy direction of the Official Plan. It is not anticipated that proposed commercial uses will have a regional or community wide impact, thus a Municipal Comprehensive Review will not be required. The PJR should further demonstrate how the proposed development will be consistent the provisions of the MUNC designation, as well as the Minor Node Policies of 3.6.1 (3), and with the policies of 3.6.6. (Parking within Designated Nodes and Corridors). Additional policy considerations and environmental considerations to be addressed are outlined below under the heading “Review Considerations”.

An **Urban Design Brief** is required as part of a complete OPA/ZBA application. The Brief must be prepared in accordance with the City’s Terms of Reference ([TOR Urban Design Brief \(waterloo.on.ca\)](http://waterloo.on.ca)). Additional considerations to be addressed through the report include how the new building(s) will relate to the existing plaza.

A **Conceptual Neighbourhood Master Plan** is also required as part of a complete OPA/ZBA application. The Plan must be prepared for the lands south of Erb St W, west of Ira Needles Blvd, east of the hydro corridor and north of the existing roundabout at The Boardwalk and Thorndale Dr. The purpose of the Conceptual Neighbourhood Master Plan is to demonstrate that the proposed municipal infrastructure on the subject lands provides for the ability to achieve efficient development patterns on the lands to the south. The Plan should be accompanied by a written overview (can be included in the PJR) that documents the previous work completed as part of OPA 27, explains the rationale for the preferred road alignment and servicing strategy, and demonstrates how the development proposal responds to applicable design policies, standards and guidelines. At a minimum, the Plan should:

- Show road alignment options to connect the proposed municipal road on the subject lands to the existing road network at The Boardwalk and Thorndale Drive roundabout.

- Include conceptual blocks for the lands beyond the subject property.
- Include a cross section of the proposed road that aligns with the City's engineering standards, and that demonstrates the allocation of the various street elements, including utilities, services, sidewalks, bike lanes (if required) and a multi-use trail.
- Demonstrate how utility and servicing infrastructure (water, stormwater, and sanitary) could be accommodated beyond the subject lands.
- Include vehicular circulation, including EMS access.
- Include a conceptual cycling network and pedestrian routes (public and private), and integration of the multi-use trail.

### **Policy Review Considerations**

Relevant policies in the Official Plan include, but are not limited to:

#### **Node and Corridors**

- Section 3.6 (Designated Nodes and Corridors), with emphasis on:
- Subsection 3.6.6. Parking within Designated Nodes and Corridors, with emphasis on minimizing surface parking and encouraging underground parking and requirements for bicycling parking.

#### **Urban Design**

- Section 3.11 (Urban Design), with emphasis on:
  - Subsection 3.11.1 (General Urban Design policies)
  - Subsection 3.11.2 (Urban Design within Nodes and Corridors)
  - The proposed development will need to demonstrate how building and site design achieves the relevant urban design policies in the Official Plan, with particular attention to landscape open space, site circulation, connectivity to nearby transit and active transportation networks, and built form and massing to support a high quality, attractive and comfortable pedestrian environment.

#### **Height and Density**

- Section 3.4
- 3.6 Designated Nodes and Corridors with emphasis on:
  - 3.11.2 (6) Built Form and Massing within nodes and corridors

#### **Parking**

- Section 3.6.6 (Parking within Designated Nodes and Corridors)
- Section 6.6.1 (Planning for Appropriate Parking)

#### **Commercial Land Use Policies**

- Policy 10.2.1(11) Drive-Through Facilities in Commercial Designations
- Section 10.2.2.6 (Mixed-Use Neighbourhood Commercial Designation), with emphasis on:
  - Policy 10.2.2.6 (3)-(4) permitted uses
  - Section 10.2.3 Complete Development Applications Requirements for Commercial Development Proposals, with emphasis on
  - Policy 10.2.3 (1)retails analysis
  - Policy 10.2.3 (2) considerations for planning, servicing, and transportation
  - Section 10.2.4 Urban Design for Lands Designated Commercial

### Specific Provision Area 8

- Section 11.1.8 with emphasis on addressing the intended retail and commercial planned function of the site

### Official Plan Schedules

- Schedules 'A', 'A2', 'A4' and 'B1'

## C.2 ENVIRONMENTAL PLANNING COMMENTS

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Comments Of: Planning Division

Commenter's Name: Robyn McMullen

Email: robyn.mcmullen@waterloo.ca

Phone: 519.747.8531

Date of Comments: April 14, 2023

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### Natural Heritage

1. Based on Official Plan mapping and the field work undertaken for proposed OPA 27, there are Supporting Natural Features on and adjacent to the subject property. Specifically, there is Locally Significant Wetland, Intermittent Watercourses and Significant Wildlife Habitat on the subject property and Other Wetland, Intermittent Watercourses and Significant Wildlife Habitat on lands adjacent to the subject property. In accordance with the Official Plan, a **scoped EIS** is required to consider development in and/or contiguous to Supporting Natural Features. As part of proposed OPA 27, an Evaluation Report, dated June 2020, was submitted that recommended a preferred collector road network, servicing and storm water management strategy for an area that included the subject property. A Stage 1 EIS was included as Appendix J of that report and a Natural Environment Stage 2 Report – Evaluation of Alternatives and Impact Assessment was included as Appendix P. An Alternative SWM Strategy, dated March 22, 2021, was later submitted. It is presumed the applicant will want to, and is able to, make use of the existing environmental work. Provided that is the case, the existing environmental work can be scoped, updated where necessary and re-packaged as the EIS for the new OPA, ZBA and Plan of Subdivision. The scoped, updated and re-packaged information will need to address the natural heritage policies of the Official Plan. For Supporting Natural Features, the most relevant policies are under Section 8.2.5. Note, as currently shown, the proposed commercial blocks are within the limits of the Locally Significant Wetland that is identified through the existing environmental work, and policy 8.2.5(3) states that development and site alteration are not permitted within such features except for:
  - a) restorative, scientific, and educational uses related to on-site resources, including forest, fish, and wildlife management and conservation;
  - b) flood or erosion control projects demonstrated to be in the public interest for which no other alternative is feasible;
  - c) essential infrastructure for which no other alternative is feasible and where crossings and the area of disturbance will be minimized;
  - d) minor alterations to legal non-conforming land uses; and,
  - e) new mineral aggregate operations in accordance with Section 9.C of the Regional Official Plan.

**Based on City and GRCA policies, new commercial blocks should be configured outside of any retained wetlands. The block configuration should also account for required mitigation, enhancement and restoration of feature form and function impacted by the proposed infrastructure.**

2. Monitoring in accordance with the City's Development Monitoring Protocol (attached as Appendix A) will be required. The scope of monitoring required beyond the proposed storm water management facility will be confirmed following the submission, review and acceptance of the EIS. For example, if it is accepted that the Supporting Natural Features need to be removed, they will not need to be monitored but any ecological restoration measures will need to be monitored, or if all or portions of the features are to remain, then they will need to be monitored along with any ecological restoration measures. This will be made a condition of draft approval for the subdivision.
3. Any required amendments to the West Hill District Plan will be confirmed following the submission, review and acceptance of the EIS.

### **Sustainable Design**

4. Should at least one building that is 7 storeys or more be contemplated as part of the proposal, an Energy Strategy will be required. The purpose of the **Energy Strategy** is to identify and evaluate options and design considerations for increasing the energy and carbon performance of the proposed development. The Energy Strategy is intended to contribute to achieving the City's objectives of improving the energy performance of buildings and sites, reducing greenhouse gas emissions and becoming more resilient. These objectives are anchored in the City's Official Plan, the Community Energy Investment Strategy (February 2018) and TransformWR (2021). Undertaking an Energy Strategy early in the planning process is designed to facilitate the following key outcomes:
  - Identification of opportunities to reduce energy consumption and greenhouse gas emissions in new construction.
  - Opportunity to site buildings and configure blocks to take advantage of existing or proposed energy infrastructure, energy capture and/or solar orientation at the conceptual design stage.
  - Consideration of opportunities to optimize the installation of future energy systems or infrastructure.
  - Consideration of opportunities to increase resiliency.
  - Consideration of potential energy sharing for multi-building developments.

At a minimum, the Energy Strategy will need to address the following:

- a) Identify and evaluate opportunities for the building(s) to achieve at least a 25% improvement in energy efficiency above the Ontario Building Code.
- b) Identify and evaluate opportunities for on-site solar power generation.
- c) Identify and evaluate opportunities for the partial or full replacement of conventional natural gas with low carbon alternatives like electric heat pumps for space heating and hot water.
- d) Identify and evaluate opportunities for high performing building envelope measures such as window to wall ratio, improved insulation, triple glazed windows and air tightness.
- e) Identify and evaluate opportunities for maximizing low-carbon transportation measures within the building(s) and the site, including electric vehicle charging stations and/or readiness to enable future charging station installation.
- f) Identify and evaluate opportunities for backup power systems, preferably non-fossil fuel based, that would improve the resilience of the building to power outages.

- g) Identify and evaluate opportunities to reduce embodied carbon through alternative sustainable building materials or finishes.
- h) If the total gross floor area is proposed to be 50,000 m<sup>2</sup> or more, identify and evaluate opportunities for district or shared energy.
- i) Summarize the potential effect of the opportunities considered above on utility use, utility cost (accounting for carbon pricing), greenhouse gas emissions and project cost.
- j) Summarize the preferred opportunities and recommendations for implementation.

*Note: Energy Strategies are intended to apply an energy and carbon lens to a proposed development. It is the responsibility of a design engineer to determine compliance with the Ontario Building Code.*

#### **Source Protection**

5. The subject property is within a Wellhead Protection Sensitivity Area (WPSA) 8, as identified in the Regional Official Plan and mirrored in City’s Official Plan. Policy 8.3.3(7) of the City’s Official Plan states that development applications within source water protection areas will be reviewed and considered in accordance with the source water protection policies in the Regional Official Plan. Policy 8.A.18 of the Regional Official Plan sets out limitations and constraints for WPSA 8 lands. Per Regional Official Plan policy 8.A.18, geothermal wells (as defined in the ROP) may be permitted in a WPSA 8 subject to further study. Should a geothermal energy system be identified as a technology the applicant wants to pursue through the above referenced Energy Strategy, a geothermal study would need to be completed to the Region’s satisfaction and the requested Zoning By-law Amendment would need to be expanded to permit the geothermal well(s).

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### **C.3 HERITAGE PLANNING COMMENTS**

Comments Of: Planning Division

Commenter’s Name: Michelle Lee

Email: michelle.lee@waterloo.ca

Phone: 519.747.6068

Date of Comments: [Click or tap to enter a date.](#)

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No comments at this time.

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### **C.4 ENGINEERING SERVICES COMMENTS**

Comments Of: Engineering Services

Commenter’s Name: Jeremy MacCulloch

Email: Jeremy.MacCulloch@waterloo.ca

Phone: 519.747.8749

Date of Comments: July 5, 2023

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As discussed with City Engineering on July 6, 2023, the following will need to be addressed/submitted as part of a complete application:

1. A Functional Servicing Report is required. The report must be prepared in accordance with the City of Waterloo's Terms of Reference ([Terms of Reference Functional Servicing Report \(waterloo.on.ca\)](https://www.waterloo.on.ca/terms-of-reference-functional-servicing-report)).
2. The proposed SWM facility must be designed to full municipal standards including maintenance access roads to the forebay and outlet structure. Ensure that the proposed pond footprint can accommodate. Refer to the new [Comprehensive Engineering and Landscape Manual](#) for more information.
3. The "Wetland-Style SWMF Design" must be designed per MECP design guidelines. See [Table 4.7 for a summary of MECP Design Guidance](#) on constructed wetlands.
4. The SWM design should also take into account the Stormwater Volume Criteria and Targets from the City of Waterloo's Stormwater Master Plan completed by Aquafor Beech. Please refer to Appendix B for more information. This criteria would only apply to the proposed privately owned lands being developed on the Waterloo Commons property.
5. Any retaining walls and guards required around the pond must be constructed on Waterloo Commons property and maintained by Waterloo Commons.

## C.5 TRANSPORTATION SERVICES COMMENTS

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Comments Of: Transportation Services

Commenter's Name: Ainsley Rego

Email: Ainsley.Rego@waterloo.ca

Phone: 519. 886.2310 ext. 30336

Date of Comments: April 6, 2023

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Transportation Services requires a **Transportation Impact Study (TIS)** to be completed for this development in collaboration with the nearby developments connecting to The Boardwalk to better understand the traffic generated on the new municipal road. The TIS must be prepared in accordance with the City of Waterloo's Terms of Reference ([Terms of Reference Transportation Impact Study \(waterloo.on.ca\)](https://www.waterloo.on.ca/terms-of-reference-transportation-impact-study)).

## C.6 AGENCY COMMENTS

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Comments Of: Region of Waterloo

Commenter's Name: Shilling Yip

Email: syip@regionofwaterloo.ca

Phone: 226.753.1064

Date of Comments: N/A

*As the proposed applications include a joint Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, the Region of Waterloo will provide their comments as part of the Regional Pre-Consultation Record. It is the applicant's responsibility to consolidate City and Region application requirements and comprehensively address to form a complete application.*

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Comments Of: Grand River Conservation Authority  
 Commenter's Name: Trevor Heywood  
 Email: theywood@grandriver.ca  
 Phone: 519.621.2763 ext. 2292  
 Date of Comments: May 2, 2023

\* GRCA comments attached as Appendix C.

## PART D – REQUIRED SUBMISSION MATERIALS FOR FORMAL APPLICATION

The following is a list of submission materials that will be required for the subject Planning Act application(s) to be deemed complete. Please note that following the acceptance of an application as “complete” additional information and materials may be required following a more detailed review, as a result of changes to the proposal, or changes to policy.

Please note, all supporting information must be conducted by a qualified professional retained by and at the expense of the applicant. **Please ensure all information submitted is accurate, complete and consistent.** The City may refuse to accept any supporting information if it considers the quality of the submission unsatisfactory.

The City of Waterloo is committed to complying with the Accessibility for Ontarians with Disabilities Act (AODA). In our everyday work with businesses, institutions and community partners we anticipate the same commitment to AODA compliance. Therefore, **all submissions materials must be AODA compliant** and must meet the current provincial standard for compliance – [WCAG 2.0 AA](#).

Other Information and Materials:		Subdivision / Official Plan Amendment / Zoning By-law Amendment			
REQ'D		#	To the Satisfaction of:	Notes:	✓
<b>Standard Requirements</b>					
<input checked="" type="checkbox"/>	Cover Letter	1	Planning	Addressed to: Natalie Hardacre, Manager of Planning Approvals	
<input checked="" type="checkbox"/>	Completed / Signed Application Form	1	Planning	One original and two copies.	
<input checked="" type="checkbox"/>	Permission to Enter Form	1	Planning	One original and two copies.	
<input checked="" type="checkbox"/>	Owner Authorization Form	1	Planning	One original and two copies.	
<input checked="" type="checkbox"/>	Application Fee (Official Plan Amendment, Zoning By-law Amendment & Draft Plan of Subdivision)	1	Planning	\$66,225.00 <i>Please note that all City fees are subject to change annually on September 1<sup>st</sup>.</i>	
<input checked="" type="checkbox"/>	Zoning Sign Fee(s)	2	Planning	\$365.00 (each) <i>Please note that all City fees are subject to change annually on September 1<sup>st</sup>.</i>	

<input checked="" type="checkbox"/>	Notice of Source Protection Plan Compliance	1	Region	<a href="https://taps.regionofwaterloo.ca/">https://taps.regionofwaterloo.ca/</a>	
<input checked="" type="checkbox"/>	Digital copy of all submission materials	1	Planning	Please ensure limited file size.	
<input checked="" type="checkbox"/>	Confirmation that each document or report is AODA Compliant (Level AA)		Planning	For files up to 10MB, you can <a href="#">verify your own compliance by using this free PDF checker</a> .	
<b>Required Plans</b>					
<input checked="" type="checkbox"/>	Property Survey or Existing Conditions Plan	2	Planning		
<input checked="" type="checkbox"/>	Draft Plan of Subdivision	2	Planning Region		
<input checked="" type="checkbox"/>	Conceptual Neighbourhood Master Plan	2	Planning	Refer to comments above for details of necessary content.	
<input checked="" type="checkbox"/>	Conceptual Site Plan	2	Planning		
<input checked="" type="checkbox"/>	Building Elevation Drawings and Renderings	2	Planning		
<input checked="" type="checkbox"/>	Preliminary Grading Plan	2	Planning Engineering		
<b>Required Reports and Studies</b>					
<input checked="" type="checkbox"/>	Planning Justification Report	2	Planning Region	Refer to City of Waterloo Terms of Reference and comments above for details of necessary content.	
<input checked="" type="checkbox"/>	Urban Design Brief	2	Planning	Refer to City of Waterloo Terms of Reference and comments above for details of necessary content.	
<input checked="" type="checkbox"/>	Energy Strategy	2	Planning	Refer to City of Waterloo Terms of Reference and comments above for details of necessary content.	
<input checked="" type="checkbox"/>	Market / Retail Analysis	2	Planning	Refer to comments above for details of necessary content.	
<input checked="" type="checkbox"/>	Functional Servicing Report	2	Engineering Region	Refer to City of Waterloo Terms of Reference and comments above for details of necessary content.	
<input checked="" type="checkbox"/>	Preliminary SWM Report	2	Engineering Region	Refer to City of Waterloo Terms of Reference and comments above for details of necessary content.	
<input checked="" type="checkbox"/>	Archaeological Assessment	2	Region Planning	Refer to Regional comments, to be provided under separate cover.	
<input checked="" type="checkbox"/>	Transportation Impact Study	2	Transportation	Refer to City of Waterloo Terms of Reference and comments above for details of necessary content.	
<input checked="" type="checkbox"/>	TDM / Parking Study	2		Required if parking reduction requested.	
<input checked="" type="checkbox"/>	Environmental Impact Study	2	Planning Region GRCA	\$1,065.00 Terms of reference to be determined in coordination with Region, City and GRCA.	

## **D.1 POLICIES, STANDARDS AND RESOURCES**

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In addition to those noted above, it is strongly encouraged that the applicant be directed to additional City policies, guidelines and/or reference material to help guide the proposed development concept. These may include, but shall not be limited to:

- The City's Strategic Plan
- The City's Urban Design Manual
- The City's Development Engineering Manual
- The City's Landscape Design Process & Requirements Manual for New Subdivision Development
- The City's Sidewalk Policy
- The City's accessibility Standards
- The West Hill District Plan

## **D.2 ANTICIPATED FEES**

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In addition to those fees noted above, fees may be required by other agencies including, but not limited to, the Region of Waterloo and Grand River Conservation Authority. Additional fees such as, but not limited to, Development Charges and Parkland Dedication may also apply.

## **D.3 FUTURE PROCESSES AND APPLICATIONS**

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Dependent upon the nature of the proposed development and anticipated tenure, additional Planning Act applications may be required. For example, the commercial block or any proposed multiple blocks will be subject to Section 41 of the Planning Act (Site Plan Control). Additionally, if a proposed building(s) or unit(s) are to form part of a Plan of Condominium, then the provisions of the Condominium Act shall apply, and related processes and approvals.

## **PART E – SIGNATURES**

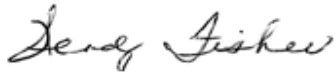
This Record of Pre-Submission Consultation only applies to the proposal as described and/or as provided for in the attached concept plan. This Record of Pre-Submission Consultation documents the required *other information and materials* that must be submitted in support of a complete Application made under the Planning Act.

If you have any concern with this Record of Pre-Submission Consultation please contact the Development Planner immediately.

Please note that the feedback provided at this Pre-Submission Consultation Meeting does not constitute a detailed review of the development application(s). Following the acceptance of an application as “complete” additional information and materials may be required as a result of the detailed review, or changes to the proposal, City policies, the zoning by-law, or standard City conditions of development.

### **APPROVAL OF THE RECORD OF PRE-SUBMISSION CONSULTATION**

This Record of Pre-Submission Consultation shall be considered valid until July 21, 2023 unless otherwise approved by the Manager of Planning Approvals.



July 21, 2023

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Wendy Fisher, MA, MCIP, RPP  
Senior Development Planner, Planning Approvals

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Date

APPENDIX A

# DEVELOPMENT MONITORING PROTOCOL

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## 1.0 INTRODUCTION

The City's Development Monitoring Protocol stems from recommendations in the 1993 Laurel Creek Watershed Study. Its goal is to ensure that environmental features receive ongoing evaluation before, during and for two years after development. Trends shown by the monitoring are used to take corrective actions, where necessary, and to maintain and enhance practices that are shown to benefit and maintain desirable environmental conditions.

## 2.0 STAGE I MONITORING (PRE-CONSTRUCTION)

### 2.1 PURPOSE

The pre-construction monitoring activities will identify quantitatively the existing environmental conditions of the development site. This baseline data will assist in the design of best management practices and also provide comparable data for performance evaluation of mitigative measures, which may be employed within the development project.

### 2.2 FEATURES AND MONITORING REQUIREMENTS

Through the pre-consultation stage of the planning process, a review of existing documentation and consultation with municipal and environmental agency representatives will occur. Existing environmental features will be identified for the development property and the lands immediately adjacent. Each development site will be unique and may have few or a complex array of environmental features to be considered. The following sections describe the features which are to be considered and how, when, where and why they will be monitored.

#### 2.2.1 Surface Water

##### FEATURES

Surface water features can be described as areas that hold or convey water for a period of time and/or support habitat diversity. Each is briefly defined.

**Watercourse:** An intermittent (flows partially through the year) or perennial (flows all year round) flow path which conveys water from one point to another. This feature may provide habitat for fish, waterfowl, invertebrates and small mammals.

**Pond:** A body of water generated from surface and/or subsurface drainage and discharges overland or to subsurface soils. This feature may also provide habitat for fish, waterfowl, mammals, invertebrates, vegetation communities and birds. Ponds may be either permanently or seasonally wet and they may be directly connected or may simply be adjacent to a watercourse (e.g. connected only by overflow channels to the watercourse).

**Lake:** A permanent open body of water that supports a varying degree of habitat and receives runoff and/or subsurface discharge from an existing drainage area.

**Wetland:** A natural area that is seasonally or permanently covered by shallow water and supports wetland vegetation and habitat community. A natural vegetation community typically exists throughout and/or adjacent to wetlands.

## WATER CHEMISTRY

Various indicators (a physical feature which can be affected by the quality of water) and parameters (a characteristic which assists in determining water quality) measure the chemistry of water. Through the determination of parameters the quality of the water is established and subsequently the significance of the water body on the ecosystem and natural resource areas is determined.

The Laurel Creek Watershed Study established five parameters that must be tested when conducting monitoring of surface water. They are as follows:

**Temperature:** Water temperature is measured at specific locations to establish changes in thermal regimes and the effect of contributing flow sources.

**Dissolved Oxygen (DO):** Is the presence of dissolved oxygen within water which sustains aquatic life and the aesthetic quality of surface waters. Oxygen is the most widely used water quality parameter and is used in determining the impact of contaminants on oxygen resources. It is a significant factor in the development of water quality management plans.

**Total Suspended Solids (TSS):** Is the quantity of sediment material dispersed and suspended within a given quantity of water. A high concentration of TSS will yield turbid, cloudy water.

**Total Phosphorus (TP):** Measures the concentration of all forms of phosphorous (dissolved or suspended) within a water column including organic and inorganic sources. Phosphorous is a key nutrient in an aquatic environment and a major contributor to alga blooms.

**Total and Fecal Coliform (E.coli):** A count of Total Coliform within a sample of water including Escherehia coli which originates in humans and warm-blooded animals. This bacteria is a good indicator if water quality is acceptable for human recreation purposes.

These five parameters are measured as described in the following sections. Depending on the sensitivity of the receiving water body, additional quality parameters may require measurement to establish sources and contribution of various pollutants.

In measuring water chemistry parameters, specific locations are typically investigated to determine at-source or discharge quality characteristics. These include upstream discharge points (e.g. where water leaves an adjacent area and enters the developing lands), possibly

where two or more flow systems meet and at the downstream limits of a developing site. Typically a minimum of two locations are required in monitoring an existing development site, however additional locations may be required depending on the existence of terrestrial features (e.g. woodlands, wetlands, discharge areas), watercourses and water bodies.

The collection of water samples for laboratory testing considers steps to ensure that sample results are representative. The five parameters defined above are measured during a site visit and subsequent laboratory testing. Typically, a sampling exercise may be as follows:

- Arrive at sampling site;
- Take general notes of observations including high and low water level indicators, weather conditions and rainfall event status;
- Stand downstream of sampling station and begin sampling;
- Using appropriate laboratory jars, collect a representative sample;
- With a thermometer or thermocouple meter, take temperature of the water in the field;
- With a Dissolved Oxygen meter (or other acceptable practices) take Dissolved Oxygen measurement within the water body;
- Place filled sample containers in portable cooler, carry to vehicle and place on ice;
- Transport samples to laboratory for further analysis, filling out the chain of custody papers correctly; and,
- Laboratory begins testing and analysis and provides draft report of results.

A representative sample for a given station should be delivered to the testing laboratory within 24 hours of collection.

During each monitoring year (March to November) at least one sample per month should be taken within 24 hours of a rainfall event. Additionally, where appropriate at least three dry weather (low flow) events should be sampled over the course of a monitoring year. Data collected shall be tabulated and summarized in the reporting format described in Section 5.0.

## WATER QUANTITY

To establish the water flow rate within an existing drainage feature, measurements are to be employed that determine the rate and quantity at which water moves. Depending on the feature, flow measurement may or may not be required. Some areas within the City of Waterloo have established flow monitoring stations. Their extended use through development may be appropriate for specific locations within a developing site.

If it is determined that Stage I flow measurements are required, data should be collected at one or more of the following locations if they exist:

- At an existing monitoring station;
- At inflow points to a given water body;
- At or near confluence points of tributary or stream reaches; and/or,
- At discharge points from a water body near the downstream property boundary.

To establish the flow rate, quantity, velocity and general characteristics of flow movement, several methodologies can be employed, depending on depth, access and nature of flow and discharge features. Flow measurement procedures are generally described as follows:

- Arrive at monitoring station;
- Set up monitoring flow measurement equipment;
- Take readings of velocity within the stream at various section locations;
- Measure cross-sectional widths and depths of stream; and,
- Record measurements and general observations.

These steps are generally applicable to smaller streams and watercourses, inflow points to ponds and stormwater management basins and discharge locations of permanent bodies of water. In certain situations where more detailed flow information is required, the installation of weirs, orifice mechanisms, pressure transducers and/or data loggers may be appropriate.

Flow measurements are typically recorded during and after rainfall events and are coordinated with water quality sampling. During each monitoring year (March to November) at least one sample per month should be taken within 24 hours of a rainfall event. Additionally, where appropriate at least three dry weather (low flow) events should be sampled over the course of a monitoring year. Data collected shall be tabulated and summarized in the reporting format described in Section 5.0.

## EROSION

The movement of soil particles from an existing landscape by surface runoff/flow constitutes the erosion process. In both intermittent and perennial watercourses scour and deposition of soils is a natural process. To monitor activity, attention is directed at the erosion rate of soil particles, quantity of material removed and the effect of this soil on existing topography, vegetation and the receiving water body.

The location of erosion monitoring sites is determined by the flow characteristics of the water body. A developing site will be reviewed in the field for identification of all existing erosion sites. If a reach of watercourse is to remain in its existing state, a permanent station should be established within this reach where physical geometry and channel characteristics would be measured.

It is noted that depending on phasing of development, local erosion sites, steep slopes and contributing intermittent drainage features will require visual and/or photographic observation.

If erosion monitoring is required during Stage I, the data collection and interpretation is summarized as follows:

- Confirm number and location of monitoring stations on subject watercourse;
- Establish permanent reference points using steel stakes or equivalent markers on each side of the watercourse;

- Reference stakes to development site survey;
- Survey stream depths, widths and limits of bank movement;
- Observe, photograph and note soil movement, vegetation health or loss and overall local site conditions;
- Compare to previous records; and,
- Assess and recommend action as required.

Visual and/or photographic records at the stream sections should occur when surface water quality sampling is performed after large rainfall events and a minimum of once a month. Additionally, as a minimum an annual survey of the reference stations should be undertaken in the fall (to document the results of any summer thunderstorms). This survey will be compared with previous surveys to determine the long term stability of the stream system.

### AQUATIC HABITAT (BENTHIC INVERTEBRATES)

Aquatic habitat within a surface flow system is gauged by the diversity of living species which exist within the water body and its riparian limits.

Benthic invertebrates are small organisms that inhabit channel bed areas for all or part of their life cycle and are good indicators of water quality for the following reasons:

- They tend to be present in all types of aquatic systems;
- They are easily collected and identified;
- Species have a range of tolerances to various parameters such as changes in temperature;
- They continuously inhabit an aquatic environment; and,
- They are exposed to the effects of change in environmental conditions.

If benthic monitoring is necessary, an inventory should be taken at least once a year to determine changes in population and species type.

An aquatic biologist should collect and evaluate the benthic sample. The general procedure is as follows:

- Establish a permanent monitoring reach;
- Collect a representative sample of invertebrates using standard procedures;
- Analyze the sample to determine species and numbers of all organisms collected;
- Calculate appropriate indices from results;
- Evaluate and compare with other data sources where applicable; and,
- Identify any changes to the aquatic community.

Based on current practices, annual samples taken in the fall are sufficient to monitor the aquatic habitat of a specific watercourse.

## 2.2.2 Groundwater

The Region and City of Waterloo rely on local groundwater systems for potable water. To protect and preserve these resources, development proposals must identify groundwater recharge and discharge areas that could potentially be affected by changes in land use.

Recharge areas are defined as that portion of a drainage basin in which surface waters enter the ground and travel downward towards groundwater systems. Discharge areas are those areas which exhibit groundwater discharge to the surface. Typically these areas are identified through the planning process.

The Stage I monitoring of these features (if required) consists of observing seasonal fluctuations in groundwater levels and establishing existing water chemistry conditions. The following sections detail measurement and sampling of groundwater.

### GROUNDWATER LEVELS

Groundwater levels are measured through the installation of monitoring wells or piezometers into the groundwater system. Water levels within aquifer systems may change depending on seasonal precipitation and duration of dry periods.

The locations of monitoring wells are typically identified within or adjacent to recharge and discharge areas. Recharge areas have surface soils with high infiltration (e.g. sands and/or gravels). Discharge areas are normally found in low areas adjacent to streams or within valley systems.

Water levels can be measured using an electronic water level indicator tape, with the measurement referred to the top of the well pipe. The geodetic elevation of the ground surface and top of pipe must be established so the relative groundwater elevations across the site can be compared.

Frequency of the water level monitoring is typically a seasonal occurrence as water movement within subsurface soils varies from site to site and is quite different from surface water movement. The Laurel Creek Watershed Study suggests that levels be recorded once in each season (spring, summer and fall) as a minimum.

### GROUNDWATER CHEMISTRY

The chemical and biochemical constituents in groundwater determine its usefulness for industry, agriculture and the home. The Region of Waterloo has a mandate to protect groundwater systems to ensure the sustainability of our water supply. Development of land must ensure that no negative impacts occur within these resource areas. Therefore, monitoring and analyses of groundwater quality should be undertaken to understand the existing chemistry.

Water samples for laboratory testing would be extracted from monitoring wells established for water level measurement. Therefore, locations should be established early in the

monitoring program development to ensure that areas of interest can be evaluated for levels, chemistry or both.

Groundwater samples will be collected from each identified monitoring well utilizing the following procedure:

- Prior to the collection of a water sample, the well will be purged to ensure the sample collected is representative of subsurface conditions;
- Once the samples are collected, they are transported to a laboratory for chemical analysis; and,
- Concentrations of various parameters as identified by provincial and municipal objectives will be determined and included in the reporting process (refer to Section 5.0).

Since changes to groundwater chemistry typically occur very slowly, well samples should be taken annually (at the same time in each year) to monitor groundwater quality.

It is noted that all of the sampling activities identified above may not be required for every site. Each monitoring site is dependent on location, contribution of flow to existing systems and the objectives of planning documents.

### **2.2.3 Terrestrial Features**

Through provincial and municipal assessments and Watershed/Subwatershed studies, several significant terrestrial features within the City of Waterloo have been identified for protection. Therefore, development plans must acknowledge these features. Some examples of these features include Environmentally Sensitive Policy Areas, woodlands, wetlands and riparian corridors associated with creek systems.

The Stage I monitoring of terrestrial features will include a field assessment of areas of interest contained within and adjacent to the development property.

Each visit will consist of a photographic inventory of vegetation units (i.e. species and health), including buffers and riparian corridors, hedgerows and individual trees where appropriate, problem areas, and general documentation of site conditions. Data collected will identify:

- Condition (health) of vegetation including individual trees;
- Evidence of local soil movement;
- Evidence of development and human activity encroachments;
- General fish and wildlife observations; and,
- Overall conditions of the unit observed.

This assessment should occur twice annually (preferably spring and fall). Any remedial action requirements should be identified at the time of the inspection.

## 3.0 STAGE II MONITORING (DURING CONSTRUCTION)

### 3.1 PURPOSE

Construction activity generally requires approved vegetation removal, extensive earth grading activities and the employment of various site specific controls to ensure that surface and subsurface water systems and environmental features are not impacted by these actions. The Stage II monitoring program is developed and implemented according to municipal objectives and is required to protect environmental areas and maintain sedimentation control on a developing site.

### 3.2 FEATURES AND MONITORING REQUIREMENTS

In addition to the monitoring program established in Stage I, additional site specific features require monitoring through the construction period. Additional features generally consist of erosion and sediment controls, stormwater management facilities and stream rehabilitation features. Each is detailed below.

#### 3.2.1 Erosion and Sediment Controls

As part of the development process the developer is required to prepare and submit for approval an Erosion and Sediment Control Plan which demonstrates how the construction site(s) will be controlled to minimize the amount of soil movement. The measures employed in this plan may include:

- Paige wire and/or sediment fencing, diversion berms and swales;
- Rock check dams;
- Temporary sediment basins;
- Sediment traps;
- Catch basin grate covers;
- Site vehicle mud mats; and,
- Tree protection fencing.

Prior to the onset of area grading and the installation of sediment controls, City staff, the consultant and the site supervisor will field review the development site to confirm the locations of the controls identified on the Erosion and Sediment Control Plan. Once installed, agency staff will confirm (in the field) the satisfactory installation of the controls.

As construction proceeds, inspection of all erosion and sediment controls by the developer's representative will be required on a weekly basis and after large rain events to ensure their proper function, operation and maintenance. Where corrective measures are deemed necessary, the developer will take actions immediately. This may include replacement of silt fence, removal and disposal of sediment build-up and/or stabilization of temporary berms and check dams. Observations and remedial actions taken will be summarized, documented and, as necessary, submitted.

### 3.2.2 Stormwater Management Facilities

The initial stages of construction typically require that stormwater management facilities be constructed to receive runoff from infrastructure installed on the serviced lands. These facilities can include one or a combination of the following:

- Sediment forebays;
- Constructed wetlands;
- Wet ponds;
- Dry ponds;
- Contact cooling trenches, soakaway pits, infiltration galleries;
- Soft measures including grassed swales and buffer strips; and,
- Oil/grit separators (Stormceptors).

As facilities are constructed and placed into operation, their operation and performance must be monitored. Therefore, in addition to the Stage I monitoring stations, samples from the inlets and outlets of these features will require analysis for Total Suspended Solids (TSS). During each monitoring year (March to November) at least one sample per month should be taken within 24 hours of a rainfall event. Additionally, where appropriate at least three dry weather (low flow) events should be sampled over the course of a monitoring year. Data collected shall be tabulated and summarized in the reporting format described in Section 5.0.

The subsurface facilities will be inspected visually on a weekly basis during site construction to identify any operational deficiencies or corrective measures required. All stormwater management measures will be maintained through the construction period. This may include periodic sediment removal, modifications to facility components to refine operation and replanting of native, non-invasive vegetative species.

### 3.2.3 Stream Rehabilitation

Through planning processes various reaches of watercourses within the City of Waterloo have been identified for rehabilitation. This typically consists of local re-alignment and grading of eroded reaches, construction of energy dissipation devices and planting of soil stabilizing, native, non-invasive vegetation species. In addition to the engineering servicing drawings submitted for review and approval, where appropriate, stream rehabilitation drawings prepared by a qualified specialist are also submitted for review, comment and approval. These drawings show the location, extent and type of work proposed and are used to establish monitoring stations to confirm function and stability once installed. Depending on the design and pre-construction alignment/pattern of the watercourse, one or more stations may be established to monitor the movement and stability of the newly created stream features.

The monitoring at these sites will include (as a minimum):

- Photographic inventory of works installed upstream, downstream and across/through the station;

- Field measurements of bank, slope and channel relative to a pre-determined reference point;
- Assessment of planted vegetation for growth, success and/or replacement; and,
- Observation and reporting of sediment movement through the new system.

During the initial stages of the stream rehabilitation, weekly observations and documentation of the stream and bank stability, vegetation growth, substrate composition and flow conveyance will occur. Following implementation two annual detailed inspections will occur until such time the watercourse is accepted by the City. These inspections should occur during the spring and fall periods to assess high and low flow conditions.

## 4.0 STAGE III MONITORING (POST CONSTRUCTION)

With the completion of Stage II monitoring, site construction is mostly completed and the monitoring frequency should be reduced to reflect the stability of the site (i.e. no more active grading, vegetation is established, site is stable). Stage III monitoring will be initiated once the development reaches 90% buildout and the site is generally stable. Monitoring in this Stage is a continuation of existing monitoring at a reduced frequency.

### 4.1 PURPOSE

The purpose of Stage III monitoring is to ensure that the watershed targets are being met and the ecological health of on-site and adjacent terrestrial areas are maintained. It will also indicate where, when and if it is necessary to perform mitigative measures and establish the effectiveness of all controls placed in operation. This stage of monitoring will continue for two years.

### 4.2 FEATURES AND MONITORING REQUIREMENTS

The focus of Stage III monitoring is to assess permanent mitigation measures completed on site during the construction process. Because of the extensive monitoring history of the site to this point in the development process, the stream conditions and operation/performance of any best management practices and stormwater management facilities will be well known.

The Stage III monitoring will continue with the monitoring performed in the previous two stages. The major change in this stage of monitoring is the frequency of sampling and measurement. Subject to City and other agency approval, the monitoring can be reduced as follows:

- Surface water (temperature, DO, TSS, TP, bacteria, flow): Minimum of one wet and one dry weather sample (low flow) per season;
- Erosion: Minimum of six observations per year (same timing as surface water and water quantity sampling) and one survey inspection per year;
- Aquatic Habitat: One sample per year during the fall; and,
- Confirmation of vegetation conditions twice per year.

### **4.3 STORMWATER MANAGEMENT FACILITIES**

In addition to the environmental features on site, the stormwater management practices implemented during development will continue to be monitored after substantial completion of development. This may include stormwater management ponds or wetlands, infiltration facilities (lot level soakaway pits or larger infiltration galleries) and any other constructed mitigative measures placed on site.

Parameters to be monitored and sampling locations will be the same as for the Stage II programs in order to maintain consistency and also to observe any changes in performance following completion/stabilization. Since grading and servicing activities are complete, the weekly erosion and sediment control monitoring will not be required. The stormwater management facilities should be monitored for temperature, TSS and bacteria following one rainfall event and one low flow event per season.

### **4.4 STREAM REHABILITATION**

Monitoring a stream rehabilitation project is very dependent on the extent of work and the rehabilitation design. During the planning approval process, a monitoring program would have been developed to observe and document changes to the system over time once the system has become established. This protocol should be continued as intended in the design. Some of the features of the stream rehabilitation project that should be monitored include pool and riffle sequence locations, channel depth, sediment sizes, bank and bed erosion and bank vegetation success. Any areas showing signs of failure should be repaired in an expeditious manner.

Once completed and stabilized one detailed inspection will occur annually on the rehabilitated stream. Any remedial works recommended will be implemented immediately following observation. Recording and documentation of these inspections will be as described in the following sections.

## **5.0 TIMING AND REPORTING**

The purpose of this section is to provide guidance on when each monitoring stage should be initiated and completed and on the reporting requirements for the City, Region and GRCA.

### **5.1 STAGE I (PRE-CONSTRUCTION)**

Stage I monitoring should be initiated two years in advance of grading in order to ensure that valid seasonal baseline data is available for the affected development lands in its pre-construction state. This data will facilitate a comparison with data collected through the construction phases and with other locations within the watershed.

A Terms of Reference for the Stage I monitoring program should be submitted to the City, Region and GRCA for review and acceptance prior to the monitoring getting underway.

The results of the Stage I monitoring program should be reported to the City, Region and GRCA on an annual basis. Annual reports should present and summarize the data that has been gathered and include a discussion of the implications of that information.

## **5.2 STAGE II (DURING CONSTRUCTION)**

In addition to the monitoring initiated in Stage I, Stage II monitoring should include the erosion and sediment controls to be implemented on site during construction and the performance of any constructed control features (e.g. stormwater management facilities and channel works). For that reason, Stage II monitoring should start with the beginning of construction activities (i.e. grading) and extend until the development reaches 90% buildout and the site is generally stable.

To facilitate the transition from Stage I to Stage II, the Terms of Reference that was approved by the agencies for Stage I should be reviewed and updated to incorporate the Stage II components.

The results of the Stage II monitoring program should be reported to the City, Region and GRCA on an annual basis. Annual reports should present and summarize the data that has been gathered and discuss any observed trends or other implications of the results. Should any monitoring reveal unusual or unexpected results, the proponent should notify the agencies immediately and forward the supporting information along with an assessment of the proposed mitigation measures.

## **5.3 STAGE III (POST CONSTRUCTION)**

Stage III monitoring should be initiated when the development reaches 90% buildout and the site is generally stable. Stage III monitoring continues for a period of two years.

To facilitate the transition from Stage II to Stage III, the Terms of Reference that was updated for Stage II should be once again reviewed and updated to address Stage III.

The results of the Stage III monitoring program should be reported to the City, Region and GRCA on an annual basis, unless there are unusual or unexpected results (which should be reported immediately). Annual reports should present and summarize the data that has been gathered and discuss any observed trends or other implications of the results.

## 5.0 City of Waterloo Stormwater Targets

In light of the pending MECP LID Volume Control Targets, the identified issues relating to conveyance capacity of the stormwater piping systems and in light of predicted climate change impacts, for the purposes of the City of Waterloo SWM-MP, an interim minimum Volume Retention Target of **12.5mm** has been established. The geographical coverage of this volume target is depicted in **Figure 5.1**.

The volume target is to be applied as a minimum target. This minimum target, like all other noted targets for water quantity, quality, erosion control and water balance shall be superseded by more stringent targets as developed by the MECP or through future Watershed Studies, Subwatershed Studies, Master Drainage Plans, Environmental Impact Statement (EIS) and/or other area specific studies, including those related to the GRCA Wetland Policy.

This interim target will ensure that the implementation mechanisms and policies within the SWM-MP are in place while not pre-supposing the pending targets from the MECP. This approach is considered a moderate approach with consideration for the Municipal interests as well as the interests of the broader development community.

### 5.1 Stormwater Volume Retention Targets

Any works that results in site disturbance or create new impervious surface on sites that are 0.1ha or greater must meet all of the following stormwater performance goals:

#### 'New' Development Volume Control

For new nonlinear development on sites of 0.1 hectares or greater, without restrictions, stormwater runoff volumes will be controlled and the post-construction runoff volume shall be retained on site for runoff that is generated from the first 12.5 mm of rainfall from all surfaces on the entire site. The subject site shall be required to enroll in the City of Waterloo Stormwater Utility Credit program.

#### Redevelopment, Reurbanization and Residential Intensification Volume Control

For redevelopment, reurbanization and residential intensification on sites of 0.1 hectares or greater, without restrictions, stormwater runoff volumes will be controlled and the post-construction runoff volume shall be retained on site for runoff that is generated from the first 12.5 mm of rainfall from all surfaces on the entire site. The subject site shall be required to enroll in the City of Waterloo Stormwater Utility Credit program.

#### Linear Development Volume Control

- a) For sites without restrictions, the first 12.5 mm of runoff shall be captured and retained;
- b) For sites where management of 12.5 mm of runoff isn't feasible through capture and retention, the maximum extent possible (MEP) shall be retained and the remaining volume shall be filtered, or project elements should be relocated to account for varying conditions and constraints across the site;
- c) For sites where management of 12.5 mm of runoff isn't feasible through capture and retention or filtration, then volume control should be achieved to the MEP and any remaining stormwater control requirements should be met using centralized/conventional stormwater controls.

### Sites with Restrictions

For all sites regardless of perceived constraints, the proponent shall be required to fully comply with the appropriate volume control targets described above. Should pre-consultation with City of Waterloo engineering staff and/or pre-design investigation by the proponent and reviewed by the City identify that volume targets are not achievable; the proponent must consider and present the merits of relocating project elements to address varying soil conditions and other constraints. Site constraints which may result in the City permitting alternatives to the above prescribed volume targets include:

- i. Shallow bedrock<sup>†</sup>,
- ii. High groundwater<sup>†</sup>,
- iii. Contaminated soils (i.e. Brownfields)

Per the **Stormwater Infiltration Policy Recommendations (January 2020)**:

- iv. High Risk Site Activities – See **Appendix A**
- v. Prohibitions: Issue Contributing Areas (ICA) and or WHPAs with a vulnerability score equal to or greater than 8
- vi. Restrictions: including WHPAs with a vulnerability score of 2 to 6 inclusive

*† May limit infiltration capabilities if within 1m of the proposed facility invert per the LID Stormwater Planning and Design Guide (<https://wiki.sustainabletechnologies.ca>). Detailed assessment or studies are required to demonstrate infiltration effects within 1.0m and results may permit relaxation of the minimum offset as approved by City of Waterloo Development Engineering.*

### Maximum Extent Possible (MEP)

In cases where the City of Waterloo Development Engineering has confirmed that site constraints exist which cannot be overcome, the proponent shall be required to implement volume controls to the MEP or “maximum extent possible”. City of Waterloo Development Engineering shall define the MEP based on techniques outlined in the LID Stormwater Planning and Design Guide (<https://wiki.sustainabletechnologies.ca>).

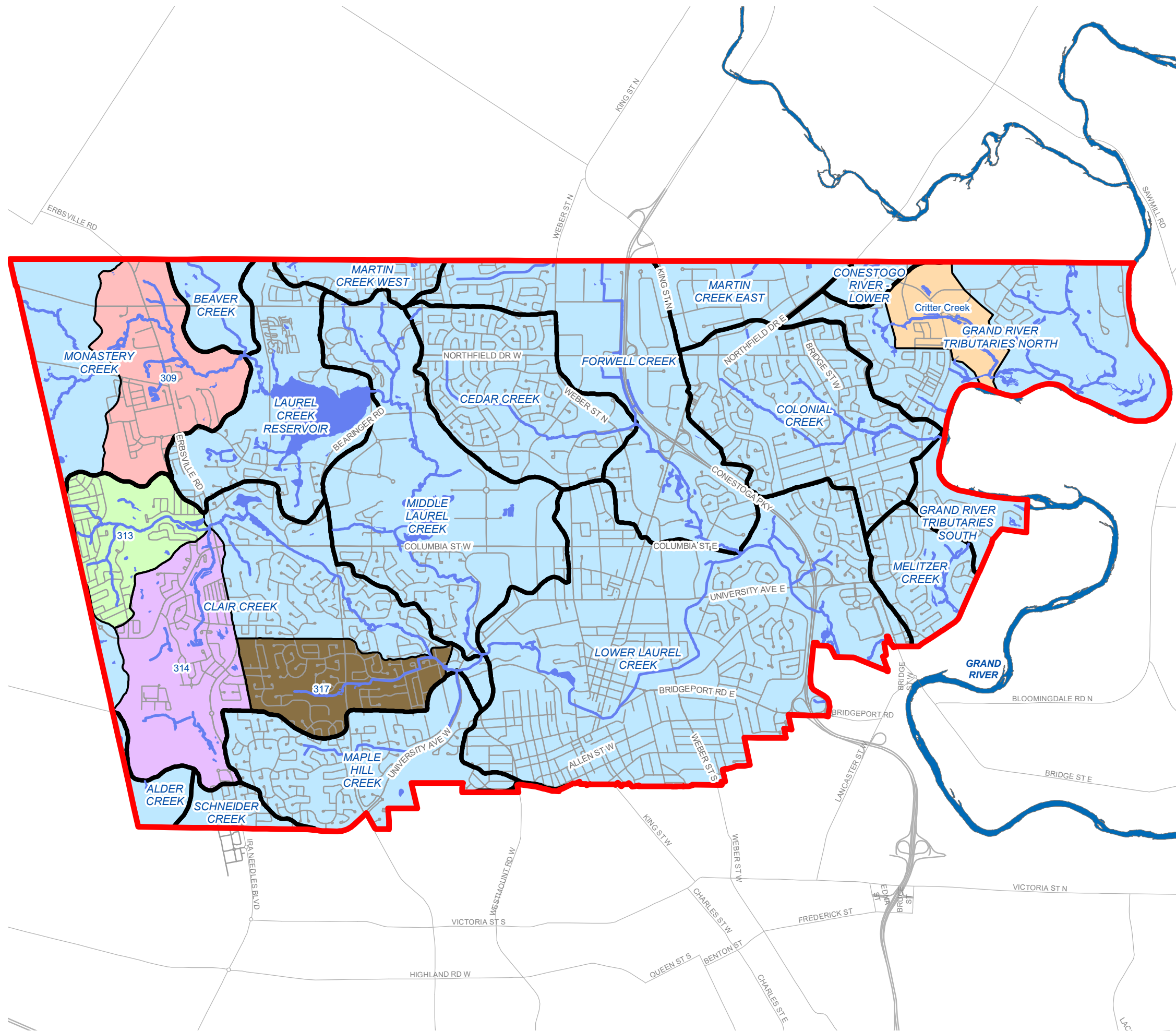
### Stormwater Management Fee

On sites where the proponent cannot to implement the required volume control to the MEP or “maximum extent possible” as confirmed by the City of Waterloo Development Engineering the proponent shall contribute to the Stormwater Management Fee corresponding to all uncontrolled areas at the current per hectare rate as defined by the City of Waterloo as amended from time to time.



# MUNICIPAL CLASS EA INTEGRATED STORMWATER MANAGEMENT MASTER PLAN

FIGURE 5.1  
PROPOSED SUBWATERSHED INFILTRATION REQUIREMENTS



**Study Area**

- Study Area
- Subwatershed Boundaries
- Water Bodies
- Creeks
- Roads

**Subwatershed**

- Critter Creek – Maintain passive infiltration rates
- Clair Creek (Catchment 313) – Infiltrate first 20mm from roofs and roads
- Clair Creek (Catchment 314) – Infiltrate first 10mm in residential areas and 11mm from roofs in commercial areas
- Clair Creek (Catchment 317) – Infiltrate first 20-25mm from upstream impervious areas
- Monastery Creek (Catchment 309) – Infiltrate first 20mm from roofs and roads
- All Other Subwatersheds – 12.5mm of volume control for the entire site, where there are no restrictions

North arrow pointing up.

Scale bar: 0, 1, 2 Kilometers.

Black rectangular placeholder box at the bottom of the map area.

Base data provided by The City of Waterloo, 2017.  
Date: September, 2020

## 5.2 Water Quality Requirements

Where more stringent targets do not apply, stormwater quality strategies shall control pollutant loadings in accordance with current MOE guidelines to ‘Enhanced-Level 1’ protection as defined in the 2003 Stormwater Management Planning & Design Manual within the City of Waterloo.

Enhanced-Level 1 protection is the reduction of average long-term annual load of suspended sediment by 80% or greater. Per the MECP guide “any stormwater management practice that can be demonstrated to approval agencies to meet the required long-term suspended solids removal for the selected levels under the conditions of the site is acceptable for water quality objectives.” For LIDs implemented in Ontario, the industry standard to achieve an Enhanced-Level 1 protection is to design for runoff resulting from a 25 mm rainfall depth event. This is because the vast majority (approximately 90%) of rainfall events in Southern Ontario result in less than 25 mm of precipitation. Treating the runoff from one hundred percent of rainfall events of 25 mm or less and the first 25 mm of all events larger than 25 mm provides a high level of pollutant load reduction, which equates to roughly a 90% reduction in the long-term annual load of suspended sediment. The City of Waterloo is enforcing volume targets to reduce the loading of pollutants into stormwater management facilities, watercourses and ecological restoration areas.

Where proponents of development, redevelopment, reurbanization or residential intensification projects are able to achieve the volume targets described above, this pollutant load reduction will be acknowledged during the review of a stormwater management plan. The complete control of runoff that is generated from the first 12.5 mm of rainfall from all surfaces on the entire site through a combination of reuse, evapotranspiration and infiltration practices will be considered by the City of Waterloo to be achieving half of the site’s required Enhanced-Level 1 water quality treatment.

As such, in order to achieve the prescribed water quality target of 25mm (Enhanced-Level 1 protection) the proponent may design other onsite stormwater quality best management practices (source, conveyance, end-of-pipe, or proprietary water quality devices) to treat the remaining runoff or may be required to contribute to the Stormwater Management Fee. Development engineering will determine through the requirements of existing and future Watershed Studies, Subwatershed Studies, Master Drainage Plans, Environmental Impact Statement (EIS), Provincial SWM Policy and/or other area specific studies, including those related to the GRCA Wetland Policy and/or site condition the means and methods by which the remainder of the 25 mm (Enhanced-Level 1 protection) will be achieved i.e. through on-site control or via the Stormwater Management Fee.

For sites which are within the catchment of a stormwater management facility that has been determined by the City of Waterloo to be deficient in water quality control for the prescribed drainage area or impervious cover, the proponent shall be required to provide on-site water quality control equivalent to ‘Enhanced-Level 1’ control. Deficient stormwater management facility catchments will be defined by the City of Waterloo through future studies as detailed in the SWM-MP Implementation Plan.

## 5.3 Water Quantity Requirements

Different areas of the City of Waterloo have different water quantity criteria based on the sensitivity of the watershed and the receiving watercourse, as directed through MECP and GRCA approved studies. Every site in the City is at a minimum required to meet post-to-pre development runoff rates for

different storm frequencies based on the subwatershed criteria (i.e. 2yr, 5yr, 10yr, 25yr, 50yr, 100yr, or regional storm event - Hurricane Hazel) as listed in **Table 5.1** and illustrated within **Figure 5.2**.

The City of Waterloo is enforcing volume targets to achieve stormwater control improvements. **Water quantity** targets including the restriction of post-development peak flows to pre-development peak flows as well as area weighted flow values as prescribed in appropriate planning documents (Subwatershed Plan, Master Drainage Plan, etc.) shall remain in effect.

However, peak flow reductions that are achieved as a result of achieving the specified volume control targets will contribute to the site's water quantity requirements. The proponent shall demonstrate through calculations or hydrologic modelling the peak flow reductions associated with incorporating the required volume controls into a development, redevelopment, reurbanization or residential intensification project.

For sites which are within the catchment of a stormwater management facility that has been determined by the City of Waterloo to be deficient in flood control for the prescribed drainage area or impervious cover, the proponent shall be required to provide on-site pre-to post volume control as directed by the City of Waterloo Development Engineering. Deficient stormwater management facility catchments will be defined by the City of Waterloo through a Drainage Risk Evaluation study as detailed in the SWM-MP Implementation Plan.

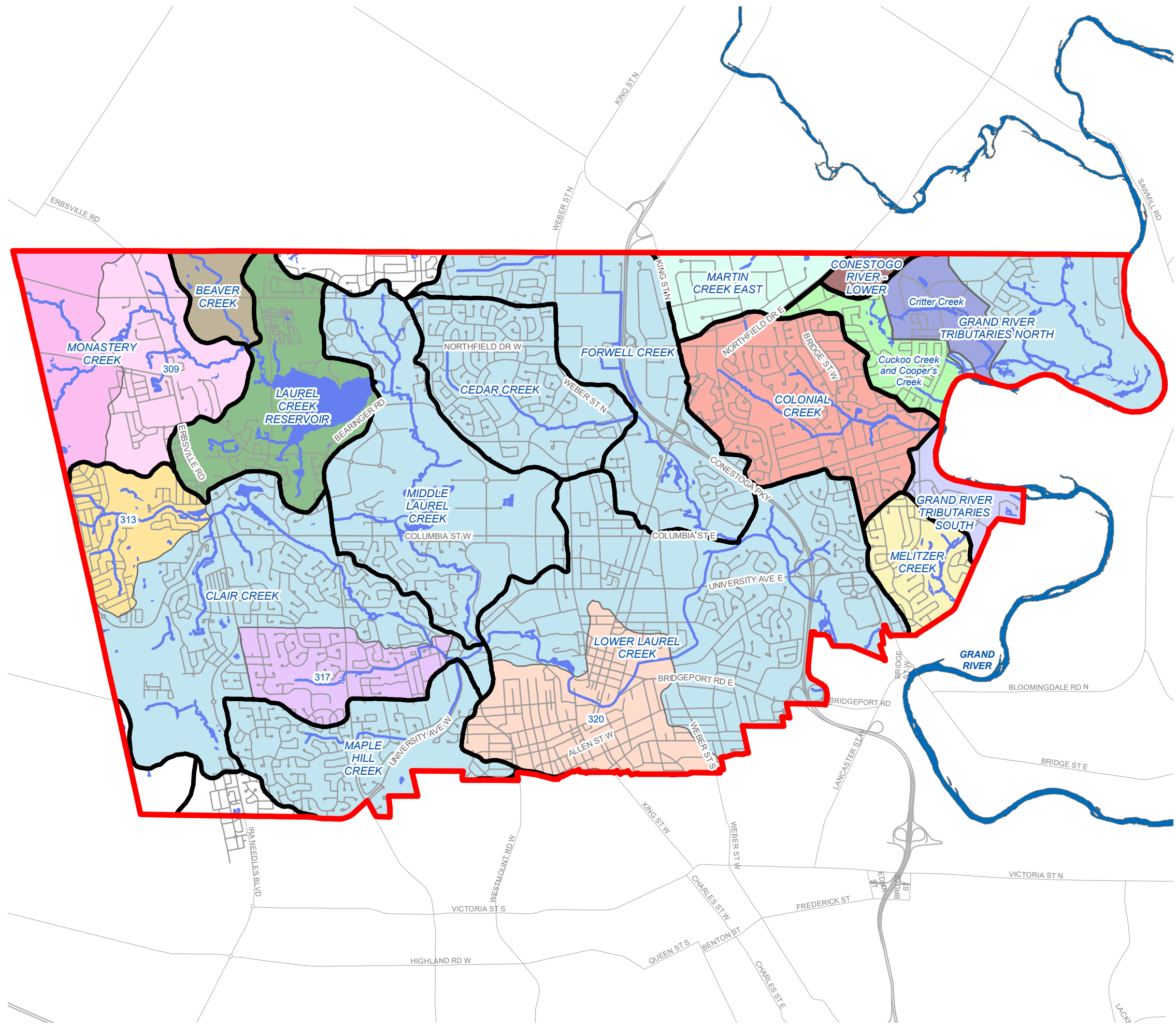
Uptown Waterloo presents challenges for the implementation of conventional stormwater management practices due to the lack of available area for facilities. No stormwater detention is currently required in Lower Laurel Creek Subwatershed 320. The City of Waterloo's proposed volume targets acknowledges that volume control may still be achievable within this area via source control measures such as rainwater harvesting, permeable pavement and green roofs.

As such, within Subwatershed 320, sites shall achieve volume reduction to best efforts subject to the **Stormwater Infiltration Policy Recommendations (January 2020)** and site constraints, in keeping with the goals and objectives of the SWM-MP.



# MUNICIPAL CLASS EA INTEGRATED STORMWATER MANAGEMENT MASTER PLAN

FIGURE 5.2  
STORMWATER CONTROL CRITERIA



**Study Area**

- Study Area
- Subwatershed Boundary
- Water Bodies
- Creeks
- Roads

**Subwatershed**

- 1 – Beaver Creek
- 2 – Cedar Creek / Clair Creek / Forwell Creek / Grand River Tributaries North / Lower Laurel Creek / Maple Hill Creek / Middle Laurel Creek
- 3 – Clair Creek Subwatershed 313
- 4 – Clair Creek Subwatershed 317
- 5 – Colonial Creek
- 6 – Conestogo River - Lower
- 7 – Critter Creek
- 8 – Grand River Tributaries North (Cuckoo Creek and Cooper's Creek)
- 9 – Grand River Tributaries South
- 10 – Laurel Creek Reservoir
- 11 – Lower Laurel Creek Subwatershed 320
- 12 – Martin Creek East
- 13 – Melitzer Creek
- 14 – Monastery Creek
- 15 – Monastery Creek Subwatershed 309

North arrow pointing up.

Scale bar: 0, 1, 2 Kilometers

Redacted area

Base data provided by The City of Waterloo, 2017.  
Date: September, 2020

Table 5.1: Existing Stormwater Targets: Water Quality and Quantity

Policy Area	Watercourse/ Catchment Areas	Quality	Quantity	Other	Source
1	Beaver Creek	<ul style="list-style-type: none"> <li>April 1-Oct. 31 instream temperature: &lt;22°C</li> <li>Nov. 1-March 31 instream temperature: 4-14°C</li> <li>Instream <i>E. coli</i>: &lt;100 counts/100mL</li> <li>Instream DO: &gt;8 mg/L</li> <li>Instream phosphorus: &lt;0.03 mg/L</li> <li>BMPs remove 90% of phosphorus</li> <li>SWM pond discharge: &lt;25 mg/L suspended solids (event mean concentrations and flow proportional sampling)</li> </ul>	<ul style="list-style-type: none"> <li>Maintain runoff timing within 75% of existing conditions</li> <li>Target hydrographs should be matched during future development (peak flows, runoff volume, peak timing)</li> <li>Flows must be controlled to unit flow rate targets                             <ul style="list-style-type: none"> <li>2-year event: 1.1 L/s/ha</li> <li>5-year event: 10 L/s/ha</li> <li>100-year event: 55 L/s/ha</li> </ul> </li> </ul>	NA	<ol style="list-style-type: none"> <li>Laurel Creek Watershed Study (GRCA, 1993)</li> <li>North Waterloo Scoped Subwatershed Study (Ecoplans, 2013)</li> </ol>
2	Cedar Creek / Clair Creek / Forwell Creek / Grand River Tributaries North / Lower Laurel Creek / Maple Hill Creek / Middle Laurel Creek	<ul style="list-style-type: none"> <li>May 1-Oct. 31 instream temperature: &lt;29°C</li> <li>June 1-Aug.1 instream temperature: &lt;26°C</li> <li>Instream <i>E. coli</i>: &lt;200 counts/100mL</li> <li>Instream DO: &gt; 6 mg/L</li> <li>Instream phosphorus: 0.05-0.08 mg/L</li> <li>BMPs remove 90% of phosphorus</li> <li>SWM pond discharge: &lt;25 mg/L suspended solids (event mean concentrations and flow proportional sampling)</li> </ul>	<ul style="list-style-type: none"> <li>Maintain runoff timing within 75% of existing conditions</li> <li>Target hydrographs should be matched during future development (peak flows, runoff volume, peak timing)</li> </ul>	Special Policy Area (flood control) within parts of Lower Laurel Creek and Clair Creek Subwatersheds	Laurel Creek Watershed Study (GRCA, 1993)
3	Clair Creek Subwatershed 313	<ul style="list-style-type: none"> <li>As required in Policy Area #2 except:                             <ul style="list-style-type: none"> <li>Instream DO: &gt;5 mg/L</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>As required in Policy Area #2 plus:                             <ul style="list-style-type: none"> <li>Control the 1:2 to 1:100 and Regional Storm post to pre-development</li> </ul> </li> </ul>	NA	<ol style="list-style-type: none"> <li>Laurel Creek Watershed Study (GRCA, 1993)</li> <li>Subwatershed Plans #313 and #309 (Planning Initiatives Ltd., 1996)</li> </ol>
4	Clair Creek Subwatershed 317	<ul style="list-style-type: none"> <li>As required in Policy Area #2 plus:                             <ul style="list-style-type: none"> <li>Achieve Enhanced level treatment, 80% TSS removal</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>As required in Policy Area #2</li> </ul>	<ul style="list-style-type: none"> <li>Convert dry ponds to wetland facilities</li> </ul>	<ol style="list-style-type: none"> <li>Laurel Creek Watershed Study (GRCA, 1993)</li> <li>Clair Creek Subwatershed 317 Drainage Study (Planning and Engineering Initiatives, 2003)</li> </ol>
5	Colonial Creek	NA	<ul style="list-style-type: none"> <li>Commercial area upstream of Kraus Pond should have a SWM pond controlling the 5- and 100-year storm event discharge to 0.6 m<sup>3</sup>/s and 2.0 m<sup>3</sup>/s, respectively</li> <li>Proposed Eastbridge lands should limit discharge to 0.03 m<sup>3</sup>/s/ha and 0.10 m<sup>3</sup>/s/ha for the 5- and 100-year storms, respectively</li> <li>Onsite SWM controls for multifamily blocks should limit discharges to 0.001 m<sup>3</sup>/s/ha, 0.01 m<sup>3</sup>/s/ha, and 0.05 m<sup>3</sup>/s/a for the 2, 5, and 100-year storms</li> <li>Eastbridge development lands: design storm flows from 2-year to Regional Storm inclusive controlled post- to pre-development</li> </ul>	NA	<ol style="list-style-type: none"> <li>Master Drainage Plan: Colonial Creek Watershed and Basin A and B (Cumming Cockburn, 1990)</li> <li>Colonial Creek Rehabilitation Plan Functional Design Study (Triton Engineering, 1995)</li> </ol>
6	Conestogo River – Lower	NA	NA	<ul style="list-style-type: none"> <li>All development should achieve the defined impervious factor for that subcatchment</li> </ul>	Eastbridge District North Master Drainage Plan (CH2M Gore & Storrie and Ecologistics, 1997)

Policy Area	Watercourse/ Catchment Areas	Quality	Quantity	Other	Source
7	Grand River Tributaries North (Crittter Creek)	<ul style="list-style-type: none"> <li>As required in Policy Area #2</li> </ul>	<ul style="list-style-type: none"> <li>As required in Policy Area #2</li> </ul>	<ul style="list-style-type: none"> <li>All development should achieve the defined impervious factor for that subcatchment</li> </ul>	Eastbridge District North Master Drainage Plan (CH2M Gore & Storrie and Ecologistics, 1997)
8	Grand River Tributaries North (Cooper's Creek and Cuckoo Creek)	<ul style="list-style-type: none"> <li>As required in Policy Area #2</li> </ul>	<ul style="list-style-type: none"> <li>No control of post-development peak flows required</li> </ul>	NA	Master Drainage Plan: Colonial Creek Watershed and Basin A and B (Cumming Cockburn, 1990)
9	Grand River Tributaries South	<ul style="list-style-type: none"> <li>As required in Policy Area #2</li> </ul>	<ul style="list-style-type: none"> <li>As required in Policy Area #2 plus:                             <ul style="list-style-type: none"> <li>In Subcatchment 6: Storm water management for 5- and 100-year storms [see Melitzer Creek Master Drainage Plan]</li> </ul> </li> </ul>	NA	<ol style="list-style-type: none"> <li>Laurel Creek Watershed Study (GRCA, 1993)</li> <li>Melitzer Creek Master Drainage Plan (Paragon Engineering and Ecologistics, 1989)</li> </ol>
10	Laurel Creek Reservoir	<ul style="list-style-type: none"> <li>April 1-Oct. 31 instream temperature: &lt;22°C</li> <li>Nov. 1-March 31 instream temperature: 4-14°C</li> <li>Instream <i>E. coli</i>: &lt;100 counts/100mL</li> <li>Instream DO: &gt;8 mg/L</li> <li>Instream phosphorus: &lt;0.03 mg/L</li> <li>BMPs remove 90% of phosphorus</li> <li>SWM pond discharge: &lt;25 mg/L suspended solids (event mean concentrations and flow proportional sampling)</li> <li>Achieve Enhanced level treatment in SWM facilities</li> </ul>	<ul style="list-style-type: none"> <li>Maintain runoff timing within 75% of existing conditions</li> <li>Target hydrographs should be matched during future development (peak flows, runoff volume, peak timing)</li> <li>Peak flows must not be delayed, but major system flows may not be required</li> <li>Interim SWM facility required north of Conservation Dr and east of Beaver Creek Rd until overland flow routes are developed to control 100-year flows to 5-year rate</li> </ul>	NA	<ol style="list-style-type: none"> <li>Laurel Creek Watershed Study (GRCA, 1993)</li> <li>North Waterloo Scoped Subwatershed Study (Ecoplans, 2013)</li> </ol>
11	Lower Laurel Creek Subwatershed 320	<ul style="list-style-type: none"> <li>As required in Policy Area #2</li> </ul>	<ul style="list-style-type: none"> <li>No stormwater detention in subwatershed 320</li> <li>Withing Albert/MacGregor Drainage Area (area bounded by King St, Central St, Albert St, Bricker St) the following applies:                             <ul style="list-style-type: none"> <li>Control 5-year peak discharge as per the Albert-Macgregor Drainage Study</li> <li>No on-site control beyond 5-year</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Special Policy Area (flood control) within Lower Laurel Creek subwatershed</li> </ul>	<ol style="list-style-type: none"> <li>Laurel Creek Watershed Study (GRCA, 1993)</li> <li>Uptown Stormwater Management Criteria (City of Waterloo, 1994)</li> <li>Albert/MacGregor Drainage Study (Meritech, 2008)</li> </ol>
12	Martin Creek East	<ul style="list-style-type: none"> <li>As required in Policy Area #2</li> </ul>	<ul style="list-style-type: none"> <li>As required in Policy Area #2 plus:                             <ul style="list-style-type: none"> <li>On-site SWM in industrial subdivisions limit flow to 0.035 m<sup>3</sup>/s/ha for all development lands within the Northland Creek Tributary [Northland Creek Drainage Study]</li> </ul> </li> </ul>	NA	<ol style="list-style-type: none"> <li>Laurel Creek Watershed Study (GRCA, 1993)</li> <li>Northland Creek Drainage Study (Paragon Engineering, 1985)</li> </ol>
13	Melitzer Creek	<ul style="list-style-type: none"> <li>April 1-Oct. 31 instream temperature: &lt;22°C</li> <li>Nov. 1-March 31 instream temperature: 4-14°C</li> <li>Instream <i>E. coli</i>: &lt;100 counts/100mL</li> <li>Instream DO: &gt;8 mg/L</li> <li>Instream phosphorus: &lt;0.03 mg/L</li> <li>BMPs remove 90% of phosphorus</li> <li>SWM pond discharge: &lt;25 mg/L suspended solids (event mean concentrations and flow proportional sampling)</li> </ul>	<ul style="list-style-type: none"> <li>Maintain runoff timing within 75% of existing conditions</li> <li>Target hydrographs should be matched during future development (peak flows, runoff volume, peak timing)</li> <li>Woolwich Estates Subdivision Subcatchment 7: storm water detention basin to control minor storm runoff</li> <li>Woolwich Estates Subdivision Subcatchments 5, 6 and 10: storm water management for 5- and 100-year storms (including detention for subcatchment 10)</li> </ul>	NA	<ol style="list-style-type: none"> <li>Laurel Creek Watershed Study (GRCA, 1993)</li> <li>Melitzer Creek, Woolwich Estates Subdivision (2015)</li> </ol>



Policy Area	Watercourse/ Catchment Areas	Quality	Quantity	Other	Source
14	Monastery Creek	<ul style="list-style-type: none"> <li>April 1-Oct. 31 instream temperature: &lt;22°C</li> <li>Nov. 1-March 31 instream temperature: 4-14°C</li> <li>Instream <i>E. coli</i>: &lt;100 counts/100mL</li> <li>Instream DO: &gt;8 mg/L</li> <li>Instream phosphorus: &lt;0.03 mg/L</li> <li>BMPs remove 90% of phosphorus</li> <li>SWM pond discharge: &lt;25 mg/L suspended solids (event mean concentrations and flow proportional sampling)</li> <li>Erbsville South Development: SWM facilities treat to Enhanced level</li> </ul>	<ul style="list-style-type: none"> <li>Maintain runoff timing within 75% of existing conditions</li> <li>Target hydrographs should be matched during future development (peak flows, runoff volume, peak timing)</li> <li>Erbsville South Development: Extended detention control required for volume in excess of existing 100-year volume to be released over a 48-hour period</li> <li>Surface drainage from developed lands at edge of Monastery Creek subwatershed (North Waterloo Scoped Subwatershed Study) should be directed to Beaver Creek subwatershed</li> </ul>	NA	<ol style="list-style-type: none"> <li>Laurel Creek Watershed Study (GRCA, 1993)</li> <li>Erbsville South Environmental Study (Dougan &amp; Associates, 2018)</li> <li>North Waterloo Scoped Subwatershed Study (Ecoplans, 2013)</li> </ol>
15	Monastery Creek Subwatershed 309	<ul style="list-style-type: none"> <li>As required in Policy Area #14</li> </ul>	<ul style="list-style-type: none"> <li>As required in Policy Area #14 plus:                             <ul style="list-style-type: none"> <li>Control the 1:2 to 1:100 post to pre-development</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Scoped Subwatershed Studies should be completed prior to urban development in the Conservation Drive Tributary subcatchment and the Schaeffer's Woods (ESPA #17)</li> </ul>	<ol style="list-style-type: none"> <li>Laurel Creek Watershed Study (GRCA, 1993)</li> <li>Subwatershed Plans #313 and #309 (Planning Initiatives Ltd., 1996)</li> </ol>

Note that no criteria currently exist for Schneider Creek, Alder Creek, or Martin Creek West.

## APPENDIX C



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 [www.grandriver.ca](http://www.grandriver.ca)

May 2, 2023

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**Re: Pre-consultation for Plan of Subdivision, Official Plan Amendment and Zoning Bylaw Amendment  
651 Erb Street West, Waterloo  
Waterloo Commons JV Inc.**

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Dear Mr. Yip and Mrs. Fisher,

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted proposal for a commercial subdivision.

### **Recommendation**

The applicant should undertake studies to update previous information with respect to the scaled-down subdivision limits.

### **Documents Reviewed by Staff**

Staff have reviewed the draft plan (MHBC, revised March 14, 2023) submitted with this application.

### **GRCA Comments**

The GRCA has reviewed this application under Ontario Regulation 686/21, acting on behalf of the Province regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as well as in accordance with Ontario Regulation 150/06 and GRCA's Board approved policies.

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Information currently available at our office indicates that the subject lands contain wetlands. Official Plan Amendment (OPA) 27 evaluated multiple alternatives for roads and stormwater management (SWM) for the subject lands and three parcels to the south. The GRCA considered this a comprehensive plan, consistent with GRCA Policy 8.4.6 for development within a wetland. The proposed subdivision appears to be consistent with that plan.

For these planning applications, a scoped environmental impact study (EIS) will be requested to build off of the previous study (WSP, December 2018), and recommend mitigation measures through the timing and sequencing of works in the subdivision area. The limits and characterization of the wetland features will also need to be updated due to the lapse of time. We request that the applicant circulates a terms of reference to the GRCA, and invites us into the field to verify the wetland boundaries during the growing season.

The scoped EIS should be informed by an addendum to the previous stormwater management (SWM) plan that accommodates the scaled-down subdivision limits. This should include a feature-based water balance to any retained wetlands. Any existing / retained wetlands proposed for stormwater management should be used for water quantity, and not quality. Any private runoff discharging to wetlands should have upstream quality controls.

A wetland restoration plan will be required during detailed design. The EIS addendum for these applications should quantify the area of impacted wetlands, and conceptually identify areas and/or strategies that will restore and enhance their features and functions.

We note that the municipality must be in support of and assume any roads and/or SWM works within a wetland, consistent with GRCA Policy 8.4.6. No private lot development will be permitted in a wetland, and any impacts from pre-grading of private lots must be mitigated.


The GRCA requests the following in support of a draft plan of subdivision, OPA or zoning bylaw amendment:

- Site plan illustrating the extent of the proposed development;
- Preliminary grading and drainage plan;
- EIS;
- SWM plan.

In accordance with GRCA's 2023 approved fee schedule, this subdivision application will require a base fee of \$2,505, plus \$1,305 per hectare. Upon receipt of a formal application, we will request 70% of the fee. The remaining 30% of the fee is required prior to issuance of conditions of draft plan approval. Additional fees will be required for final clearance, and a separate fee will be required for a GRCA permit.

We trust this information is of assistance. If you have any questions or require additional information, please contact me at 519-621-2763 ext. 2292 or [theywood@grandriver.ca](mailto:theywood@grandriver.ca).

Sincerely,

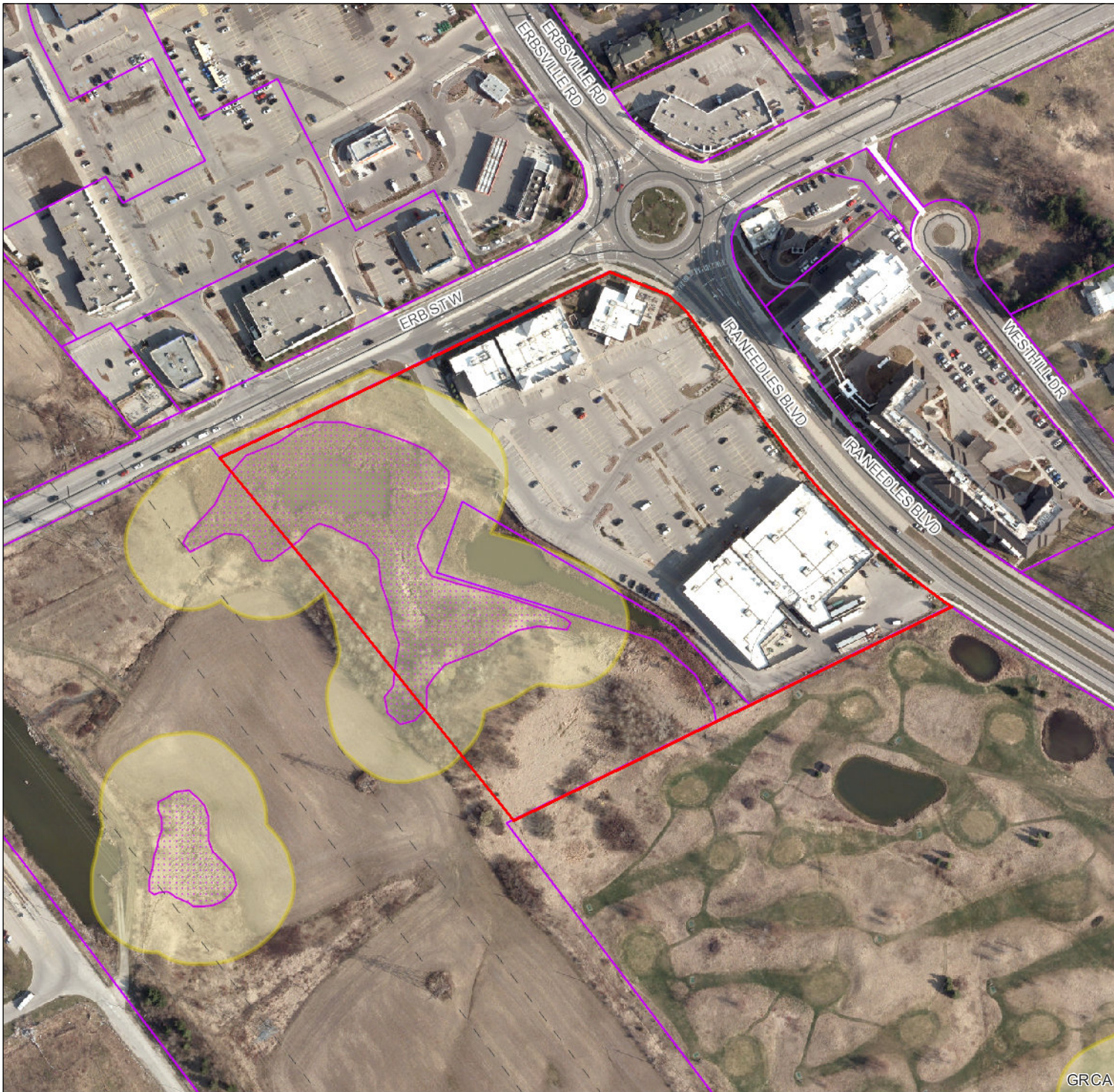
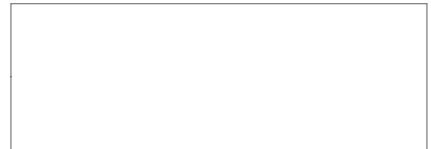


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Trevor Heywood  
Resource Planner  
Grand River Conservation Authority

Encl. Resource Mapping

cc: Dave Aston, MHBC



Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
  - Steep
- Slope Erosion (GRCA)
  - Oversteep
  - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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