

PLANNING JUSTIFICATION REPORT

145 Lincoln Road, Waterloo



EXECUTIVE SUMMARY

This Planning Justification Report ('Report') has been prepared as part of the complete application to allow for the temporary use of a portion of the existing building at 145 Lincoln Road, Waterloo for the purposes of accommodating a Private School on the premises.

This application is being advanced by the owner of the property in conjunction with the AIM School, who are seeking to use the facility on an interim basis for an initial period of up to three years.

This Report discusses the existing conditions of the subject property, the neighbourhood context of the site, the existing land use planning controls which apply, the required land use planning applications, and land use planning rationale with respect to the same.

This Report provides land use planning opinion that the proposed use represents a compatible institutional use which optimizes the use of the existing building during weekdays while continuing to allow for the principal use of the building for religious uses.

As expressed in this Report, it is our opinion that the proposed temporary use has regard for the matters of Provincial interest as set out in the Planning Act, is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, Regional Official Plan, and City of Waterloo Official Plan.

This Report was prepared by Up Consulting Ltd., who have been retained as the consulting land use planner and urban design consultant for the proposed development to provide independent land use planning analysis and opinion. This Report, including the opinions and recommendations set out herein, has been prepared by a member in good standing with the Ontario Professional Planners Institute and the Canadian Institute of Planners.

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INTRODUCTION

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This application is being advanced by the owner of the property in conjunction with the AIM School, who are seeking to use the facility on an interim basis for an initial period of up to three years.

This Report discusses the existing conditions of the subject property, the neighbourhood context of the site, the existing land use planning controls which apply, the required land use planning applications, and land use planning rationale with respect to the same. This Report also addresses the following matters per the request of City Planning staff to assess the appropriateness of the proposed use:

- How the use is intended to be temporary.
- Scope of work proposed to the existing building and site.
- Pedestrian functionality.
- Number of current and proposed students (including the daycare) to assess and determine zoning compliance and servicing requirements.

This Report provides land use planning opinion that the proposed use represents a compatible institutional use which optimizes the use of the existing building during weekdays while continuing to allow for the principal use of the building for religious uses.

As expressed in this Report, it is our opinion that the proposed temporary use has regard for the matters of Provincial interest as set out in the Planning Act, is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, Regional Official Plan, and City of Waterloo Official Plan.

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1. OVERVIEW OF PROPOSED DEVELOPMENT

AIM School Inc. ('School') is interested in leasing a portion of the existing building at 145 Lincoln Road, Waterloo in order to relocate their private school, which is currently located at 435 King Street N., Waterloo. As a result of a pending redevelopment application for their current property, the School is seeking to relocate in time for the start of the 2024-2025 school year.

Aim School is a private school providing personalized, student-centered learning based on a model of teaching and learning that blends the findings of recent educational studies and local expertise in the field of education. Accordingly to its website it is the goal of the School to “create an alternative educational environment that is designed to meet the needs of students who need an educational plan tailor-made to suit their style of learning. Whether they require academic support, enrichment challenges, or simply the freedom to move around as they learn, we recognize the need to reach each kid individually, meeting them at their level and moving at their pace.”

Following an extensive review of potential relocation opportunities and suitable buildings, the School is seeking to lease space from Lincoln Road Chapel, located at 145 Lincoln Road, Waterloo, for the operation of the School on a temporary basis of up to three years.

The existing building at 145 Lincoln Road was historically used as a YMCA recreational facility and contains various amenities and classrooms which make it a suitable location for accommodating a Private School in addition to the principal use of the building as a church / religious use. The building itself contains a number of classrooms, a large gymnasium, outdoor amenity areas (including a tennis court / multi-purpose court), and is an accessible facility featuring barrier free entryways and a small elevator. In addition to the principal building, the subject lands contain an office associated with Vision Ministries Canada and a Daycare Centre (Rising Oaks). The Rising Oaks daycare centre currently has 70 children enrolled supported by approximately 20 staff. In addition to these existing uses, it is noted that a portion of the existing building was previously leased by Conestoga College, with this arrangement concluding in 2018.

The School itself is proposing to use the spaces shown on the following Ground Floor and Second Floor plans, shown on Figures 1 and 2 on the following pages. It is anticipated that enrollment will range from 80-100 students with up to 15 faculty for the 2024-2025 academic year.

1st Floor

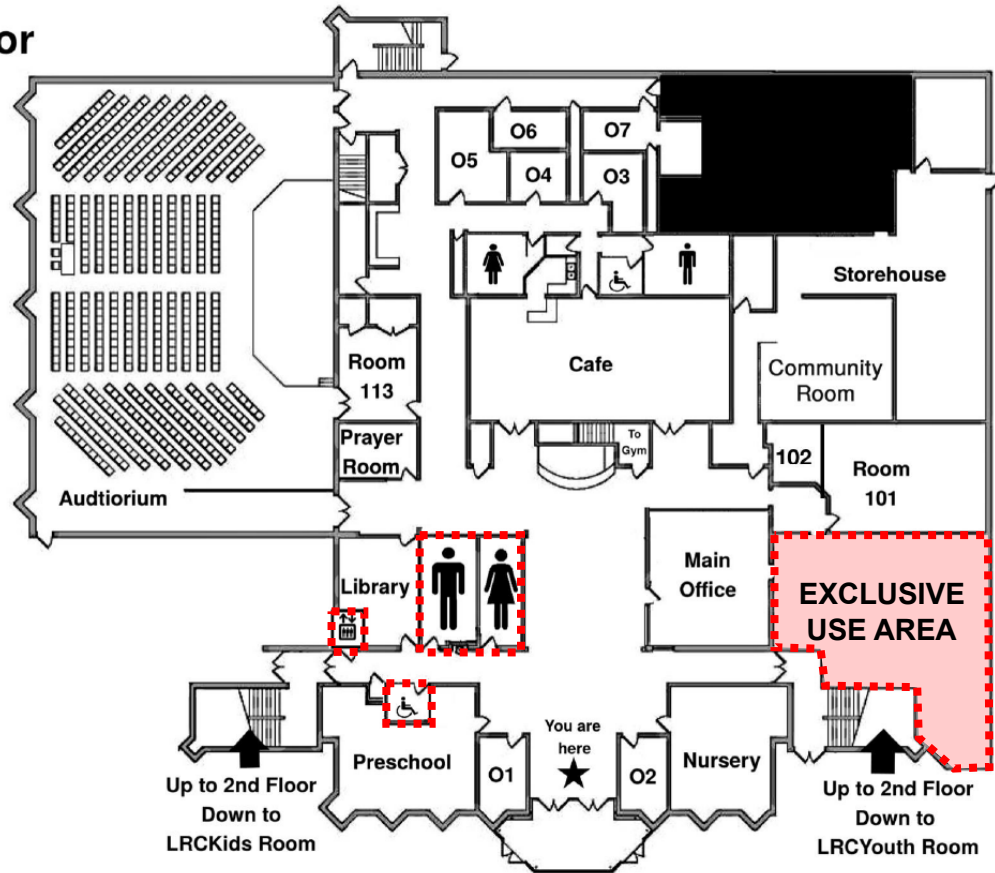


Figure 1: Ground Floor Plan Showing Temporary Use Areas

Figure 1 shows the areas on the ground floor proposed to be used by the School. This includes an area to be exclusively used by the school for office/administrative purposes, bathrooms (including one accessible bathroom) and access to the elevator. It is anticipated that all student and parent access to the building will be through the main entry (located below the 'you are here' note). Access to the second floor will be provided primarily via the stairway adjacent to the exclusive use area, with additional stairways available in the event of an emergency. It is noted that the Church has a fire safety / emergency plan in place which will be conveyed / communicated with the School and adjusted if/as necessary.

2nd Floor

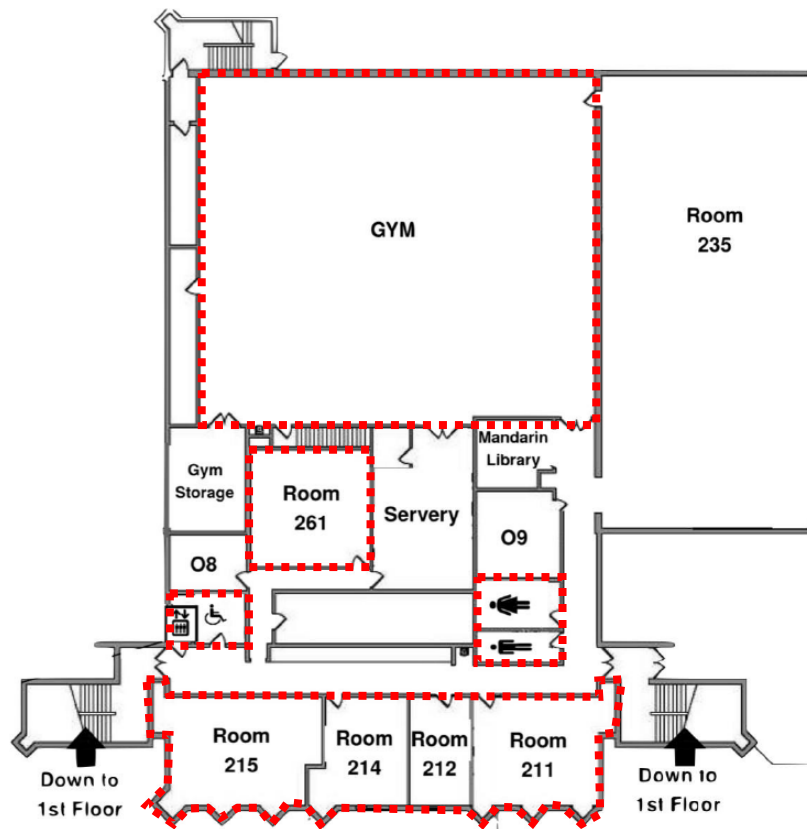


Figure 2: Second Level Floor Plan Showing Temporary Use Areas

Figure 2 shows the second level of the existing building with the rooms proposed to be leased by the School. This includes five classrooms; washrooms; stairway and elevator access; and, access / use of the large gymnasium for recreational purposes associated with the School. The School will also have access to the outdoor recreational spaces during school hours. With the exception of the space on the ground floor identified for 'exclusive use', all other spaces highlighted on the plan will be considered shared spaces, with the school using during weekday school hours and for special events in coordination with Church administration. Access to the school area will be controlled during the week in accordance with School and Ministry of Education standards. In evening hours and on weekends, the Church will continue to have access to these spaces, allowing for the wise use of the facility throughout the week.

No structural changes to the existing building or site design are anticipated in order to accommodate the shared use of the building. Internal renovations are anticipated to be limited to design changes (paint, lighting etc.) and are not anticipated to require any building permit.

a) Access and Pedestrian Functionality

This subsection of the Report discusses access and pedestrian functionality to the site and within the building itself. Understanding these movements is imperative to understanding how the site will be accessed and how the building itself will be shared.

In terms of vehicular access, the site has one driveway off of Lincoln Road, providing access to both buildings on site. Two private sidewalks are provided on the site, one along the front of the buildings and another towards the rear lot line which has also been used as a service driveway. This walkway has a direct connection to the municipal sidewalk system that leads south to Weber Street and north along Lincoln Road. Figure 3 below shows anticipated pedestrian movements into and through the site, as well as the locations of all entrances (primary and secondary/emergency).

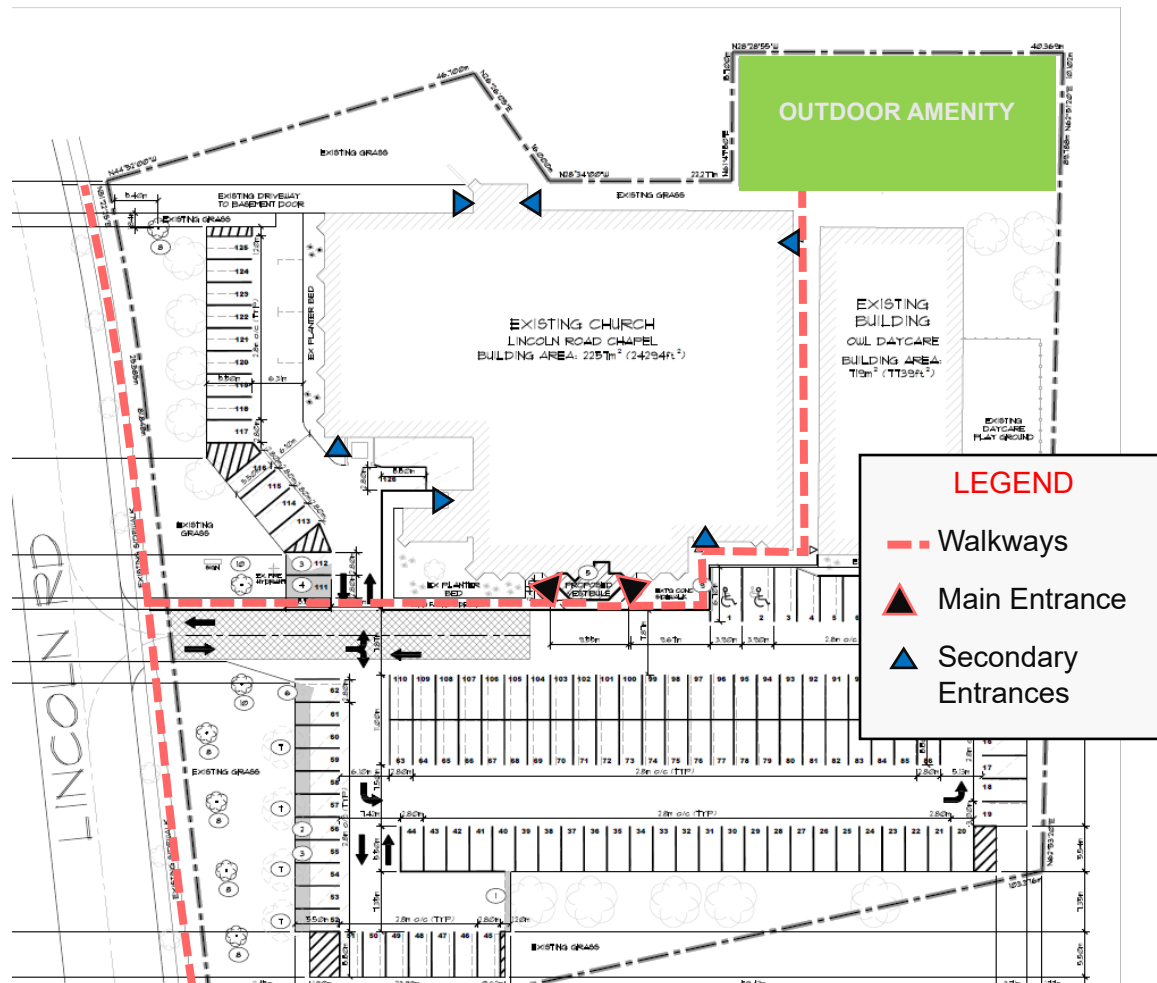


Figure 3: Pedestrian Access / Movement Plan

2. SITE LOCATION AND CONTEXT

The subject property is municipally addressed as 145 Lincoln Road, Waterloo and known legally as German Company Tract Sub Lot 5 PT Lots 1 TO 3, 7 TO 9 PT. The location of the subject properties is shown on Figure 4.



Figure 4: Location of Subject Property (Source: Region of Waterloo GIS Portal)

The subject land has a total area of ~11,338 sq. m, with a frontage of approximately 107 m onto Lincoln Road. The existing properties contain two (2) principal buildings, which are shown on the Site Plan drawing for the site provided as Figure 5 and included in Appendix A. As shown on the plan, the existing church area has a footprint of 2,257 sq. m and the daycare facility has a footprint of 719 sq.m. Photos of the existing buildings are included as Figures 6, 7 and 8.

The property has a large surface parking lot containing 124 parking stalls including two barrier free parking stalls adjacent to the main entrance of the building. The property also contains 4 bike parking spaces, which are provided in a bike rack right of the main entrance.

The property, being a former commercial recreational establishment, also has a tennis court used for various outdoor recreational activities, which is shown on Figure 9.

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Figure 6: Existing Church Building, Viewed from Lincoln Road



Figure 7: Existing Church Building, Viewed from Main Entrance



Figure 8: Existing Daycare Building



Figure 9: Full Size Gymnasium

The broader neighbourhood contains a mix of office, institutional, residential and retail uses, some of which are identified on the following context map.



Figure 9: Context Map (Source: Region of Waterloo GIS Portal)

Identifier	Description
A	Subject Property (170 Columbia Street West)
B	Adjacent Apartment Building
C	Affordable Housing Development
D	Moses Springer Area and Recreational Facility (Pool)
E	High Density Residential
F	High Density Residential
G	Commercial Uses (Pharmacy and Beer Store)
H	Commercial Plaza
I	Commercial Plaza / Shopping Centre
J	Bridgeport Road Residences
K	French Elementary School

The subject property is also located in close proximity to transit services, including multiple GRT bus stops located at / near the intersection of Lincoln Road and Weber Street.

3. LAND USE PLANNING FRAMEWORK

Land use planning and decision-making related to the same is guided by a range of legislation, policies, and plans set out at the Provincial, Regional, Municipal/City and neighbourhood levels. The following subsections of this Report discuss the land use planning policy framework applicable to the subject property and how they have been considered in the proposed development applications.

b) Planning Act

The Planning Act, R.S.O. 1990 establishes the legal framework for land use planning in Ontario, and includes legislative direction with regards to temporary use by-laws and a range of other planning tools. The Planning Act also provides the Minister of Municipal Affairs and Housing with policy making authority to issue policy statements and plans to guide land use planning and development in the province, which is the basis for the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe.

The following subsections of this report provides an overview of the Planning Act as it applies to the proposed development and commentary relating to how the proposed development adheres to the direction set out therein.

i. Matters of Provincial Interest

Section 2 of the Planning Act sets out various 'Matters of Provincial Interest'. In carrying out their responsibilities under the Planning Act, decision-makers must have regard to these Matters of Provincial Interest. Table 1 outlines the Matters of Provincial Interest set out in Section 2 of the Planning Act and commentary regarding how each matter has been considered, where applicable.

Provincial Interest	Demonstration of Regard
The protection of ecological systems, including natural areas, features, and functions;	Not applicable
The protection of agricultural resources of the Province;	Not applicable
The conservation / management of natural resources and the mineral resource base;	Not applicable
The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	Not applicable
The supply, efficient use, and conservation of energy and water;	Not applicable

The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;	No servicing upgrades are anticipated to be required for the proposed use. The School will rely on the existing services available to the building.
The minimization of waste;	Not applicable
The orderly development of safe and healthy communities;	The proposed use represents the wise use of existing buildings for compatible uses. The development will support the increased range of complementary institutional uses on the site.
The accessibility for persons with disabilities to all facilities, services, and matters to which this Act applies;	The existing building has barrier free entrances and washroom facilities, as well as a small elevator to support accessibility needs of church congregants and the School.
The adequate provision and distribution of educational, health, and recreation;	The proposed use of the building as a private school will support the provision of various education options throughout the City.
The adequate provision of a full range of housing, including affordable housing;	Not applicable.
The adequate provision of employment opportunities;	Not applicable.
The protection of the financial and economic well-being of the Province and its municipalities;	Permitting the temporary use will allow for the continued operation of the School.
The co-ordination of planning activities of public bodies;	Not applicable.
The resolution of planning conflicts involving public and private interests;	Not applicable.
The protection of public health and safety;	No public health and safety concerns are anticipated as a result of the shared use agreement.
The appropriate location of growth and development;	The existing building and site has long been used for a range of compatible institutional uses, including commercial recreational facilities, post-secondary educational purposes, licensed charities, religious

	institutions and daycare facilities. The building offers suitable amenities and recreational areas conducive to the needs of a Private School.
The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	The use of buildings/sites for shared uses represents the wise use of resources and is inherently more sustainable than alternatives (non-shared spaces requiring multiple buildings, heating, cooling etc.). The site is in close proximity to transit and established pedestrian networks supporting active modes of transportation to and from the site.
The promotion of built form that, i) is well-designed, ii) encourages a sense of place, and iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.	Not applicable. No change to the existing site and buildings are contemplated.

Based on the foregoing, it is our opinion that the proposed development has regard for the matters of Provincial interest as set out in the Planning Act.

ii. Temporary Use Provisions

Section 39 of the Planning Act establishes the legislative framework for Temporary Use Provisions. Section 39(1) of the Act provides that “the council of a local municipality may, in a by-law passed under section 34, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law.” Subsection (2) builds off of this direction and provides that “a by-law authorizing a temporary use under subsection (1) shall define the area to which it applies and specify the period of time for which the authorization shall be in effect, which shall not exceed three years from the day of the passing of the by-law”, with subsection (3) continuing that “the council may by by-law grant further periods of not more than three years each during which the temporary use is authorized”

Consistent with this direction, the applicant is proposing to permit the temporary use of the existing school as a Private School for an initial period of three (3) years. During this period, it is anticipated that the Aim School will continue to search for a permanent location for the school. The owner of the site is amenable to this temporary use arrangement as it will provide flexibility to assess the appropriateness of the shared use on a temporary basis. At this time it is unknown whether an extension beyond the initial

three (3) year period will be sought, and it is understood that any extension would require the approval of Council or its delegate.

At this time, the Aim School is proposing to use the rooms shown on the floorplans included as Figures 1 and 2. It is noted that only one room is proposed to be used for the exclusive use of the Aim School during this period, with the other spaces being identified as shared spaces, which can continue to be used by the church in after-school hours (evenings and weekends). To provide flexibility in terms of the amount of space to be used, the applicant is proposing that no floor space maximum be applied.

As discussed later in this Report, the existing zoning which applies to the site does not permit Private Schools as of right, but rather contemplates the use and development of the property for high density mixed-use purposes. As the use is not expressly permitted, either a full zoning by-law amendment or temporary use application is required to allow for the contemplated use. As the use is intended to be temporary in nature and given that the building / site is suitable for a shared use arrangement of complementary institutional uses, it is our opinion that the proposed temporary use provision is appropriate for the contemplated use.

c) Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS), 2020 is issued under Section 3 of the Planning Act and came into effect on May 1, 2020, replacing the previous version of the PPS which was issued in 2014. Approval authorities, including Council of the City of Waterloo, in carrying out their responsibilities under the Planning Act, are to ensure that their decisions “are consistent with” the PPS.

The PPS builds upon the policy direction expressed in the Planning Act (“Matters of Provincial Interest”) related to land use planning, which supports the Provincial goal of enhancing the quality of life for all citizens of Ontario. The focus of the PPS is building strong communities, a clean and healthy environment, and supporting sustainable economic growth by directing development to existing settlement areas, encouraging efficient and cost-effective land use development patterns, and protecting natural resources for the long term.

In our opinion the proposed development is consistent with the PPS as it represents the wise use and management of resources, will not result in any adverse public health and safety concerns, supports the provision of a broad range of institutional uses, and the achievement of complete communities. Based on the foregoing, it is our opinion that the proposed development is consistent with the PPS 2020.

d) Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe sets out a long-term plan for growth and development within the Greater Golden Horseshoe Area of Ontario, which includes the Region of Waterloo and City of Waterloo. The current Growth Plan came into effect on August 28, 2020 and is now in full force and effect. Land use planning decisions for applications within the Growth Plan area must conform to the policies of the plan, as applicable.

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

- Supporting the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;
- Prioritizing intensification and supporting the efficient use of land and infrastructure and support transit viability;
- Providing flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource based sectors;
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government;
- Provide for different approaches to manage growth that recognize the diversity of communities in the Greater Golden Horseshoe;
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions;
- Support and enhance the long-term viability and productivity of agriculture by impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

In our opinion, the proposed development is aligned with these guiding principles as it:

- Provides a context appropriate mixed-use / shared-use development within the Built-Up Area of the City of Waterloo.
- Will efficiently use existing buildings, municipal infrastructure, and communications services and will rely on the existing municipal street and public transportation networks.
- Will not negatively impact any identified cultural heritage resource or significant natural feature, nor will it generate any adverse human health and safety impacts.
- Supports the achievement of complete communities and providing a range of complementary uses in existing built up areas.

Policy 2.2.1 (c) of the Growth Plan directs that the majority of community growth should be directed to existing settlement areas and within settlement areas, growth will be focused to:

- Delineated built-up areas;
- Strategic growth areas;
- Locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
- Areas with existing or planned public service facilities.

As previously mentioned, the Subject Property is located within the delineated Built-Up Area of the City of Waterloo where the majority of community growth has been planned to occur. In our opinion, the proposed use adheres with this policy direction and will assist the City and Region.

e) Region of Waterloo Official Plan

The Regional Official Plan (“ROP”) sets out policy direction to guide land use planning in the Region of Waterloo over a 20-year planning horizon. The Ministry of Municipal Affairs and Housing approved the ROP in 2010. This decision was subsequently appealed to the Ontario Municipal Board, which issued a decision with regard to the ROP in June 2015, allowing the ROP to come into full force and effect. All planning decisions within the Region of Waterloo must conform to the ROP, including the subject applications.

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

i. Urban Area and Built-Up Area

The ROP identifies the subject property as within the City of Waterloo Urban Area and Built-Up Area. The Built-Up Area includes all lands within the built boundary of the Region’s Urban Area and Township Areas as of June 16, 2006.

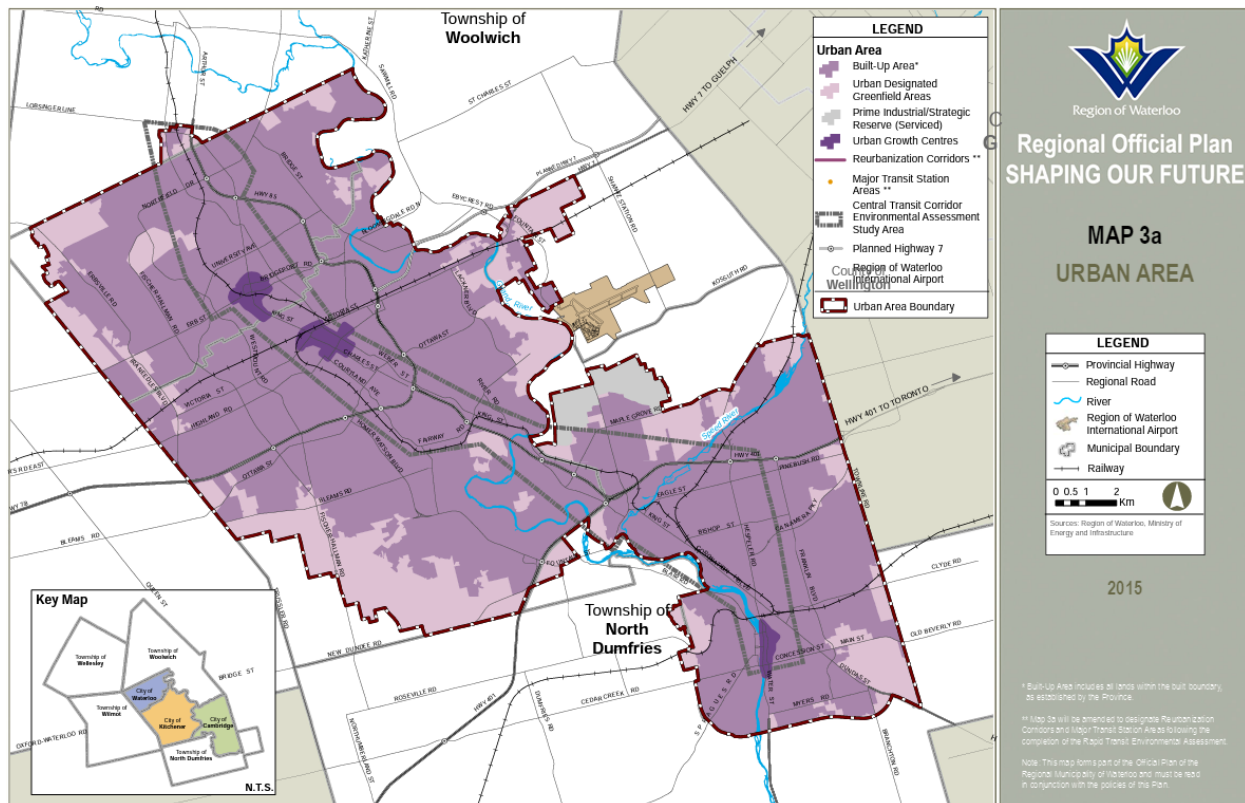


Figure 10: Regional Official Plan, Map 3a

Development within the Built-Up Area is subject to Policy 2.D.1 of the ROP, which is provided as follows:

“In preparing or reviewing planning studies, or in reviewing development applications or site plans, the Region and/or Area Municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that:

- supports the Planned Community Structure described in this Plan;
- is serviced by a municipal drinking-water supply system and a municipal wastewater system;
- contributes to the creation of complete communities with development patterns, densities and an appropriate mix of land uses that supports walking, cycling and the use of transit;
- protects the natural environment, and surface water and groundwater resources;
- conserves cultural heritage resources and supports the adaptive reuse of historic buildings;
- respects the scale, physical character and context of established neighbourhoods in areas where re-urbanization is planned to occur;

- g) facilitates residents' access to locally grown and other healthy foods in neighbourhoods; and
- h) promotes building designs and orientations that incorporate energy conservation features and the use of alternative and/or renewable energy systems."

Criteria 'd', 'e', 'g' and 'h' are not relevant to the proposed applications as the property does not contain any significant natural features, cultural heritage resources, food supplies, or renewable energy systems.

With regard to matter 'a', it is noted that the proposed development supports the planned function of the Urban Area and Built-Up Area of the ROP, which is the focus is the growth and development in the Region. With regards to matter 'b', it is noted that the proposed development will be serviced by municipal water and wastewater services provided to the existing building.

With regard to matters 'd' and 'f', it is also our opinion that the proposed development will support the achievement of more walkable and complete communities, increasing the range of uses within the area, which is located in close proximity to a range of land uses and existing public transit.

Based on the foregoing, it is our opinion that the proposed development conforms to the policy direction set out in the ROP for its Urban Area and Built-Up Areas.

f) Region of Waterloo New Official Plan (ROPA 6)

On August 18, 2023, Council for the Regional Municipality of Waterloo approved Regional Official Plan Amendment No. 6 ("ROPA 6"), which was the result of the Region's municipal comprehensive review to bring the Regional Official Plan into conformity with the PPS and the Growth Plan. On April 11, 2023, the Minister of Municipal Affairs and Housing approved ROPA 6 subject to various modifications.

As set out in the preamble for the Amendment "this amendment establishes the planning framework in the Regional Official Plan (ROP) to accommodate Waterloo Region's forecasted population and employment growth to 2051, in conformity with Schedule 3 of the Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan). It will help guide strategic decisions regarding land use planning and a range of Regional services, including transportation, public transit, water and wastewater supply and services, public health, economic development, affordable housing and others. The amendment also updates several other planning policies, objectives, and mapping in the ROP to ensure they conform to the Growth Plan and the Greenbelt Plan, 2017, or do not conflict with them, and are consistent with the Provincial Policy Statement, 2020.

The overall effect of this amendment is to support Waterloo Region's long-term growth and development in a way that achieves an equitable, thriving and sustainable regional community for all residents."

Key changes brought about by ROPA 6 include policy changes to support an intensification-first approach to accommodating growth; extending the planning horizon to the year 2051, establishing a hierarchy of urban areas and nodes/corridors where the majority of growth, and establishing new intensification targets for area municipalities including the City of Waterloo.

Section 1.1 of ROPA 6 provides that by 2051, the Region of Waterloo is anticipated to grow to accommodate a population of 923,000 people from its current population of approximately 600,000. Section 1.3 of ROPA 6 sets out the purpose of the plan to establish a framework for growth and development to the year 2051.

Chapter 2 of ROPA 6 sets out policy direction as to where and how to grow, and establishes several objectives in that regard:

- a) Build vibrant 15-minute neighbourhoods with a broad mix of land uses where people can meet their daily needs for goods, services, and employment within a 15-minute trip by walking, cycling, and rolling, and where other needs can be met by taking direct, frequent, and convenient transit;
- b) Promote an intensification-first approach to development and community-building that focuses on making better use of existing infrastructure and public service facilities, and on protecting the region's valuable water, agricultural and natural heritage systems;
- c) Advance transformational climate action by supporting a more energy-efficient, compact built form that will enable a modal shift to most trips being made by walking, cycling, and rolling;
- d) Mitigate and adapt to climate change, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability;
- e) Integrate and respect Indigenous values, history and cultures in planning for growth and change through respect, trust, and meaningful dialogue;
- f) Plan in a manner that improves social equity and overall quality of life, including human health, for people of all ages, abilities and incomes;
- g) Strive to prioritize the voices of children and youth when making decisions around regional investments and operations; and,
- h) Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations, Métis, Inuit, and other local Indigenous peoples.

It is our opinion that the proposed development is aligned with these policy directions as it contemplates the addition of a new, compatible institutional use within an existing building and represents the wise use and management of resources. The proposed temporary use will support the efficient use of existing infrastructure, support the wise use of existing buildings, and supports the achievement of transit supportive densities to help

foster the development of 15-minute neighbourhoods. Based on the foregoing, it is our opinion that the proposed development conforms to ROPA 6.

g) City of Waterloo Official Plan

The City of Waterloo Official Plan is the principal land use planning document guiding the long-term growth and development of the City of Waterloo. The Official Plan was approved on November 21, 2012.

i. Designated Greenfield Areas and Built-Up Area

Schedule B3 (Designated Greenfield Areas) of the City of Waterloo Official Plan identifies the subject property as being located within the Built-Up Area within the Urban Area Boundary of the Region of Waterloo, as shown on Figure 11. Similar to the ROP, the City of Waterloo Official Plan directs that the majority of growth and redevelopment should occur within these areas (Section 3.3.1).

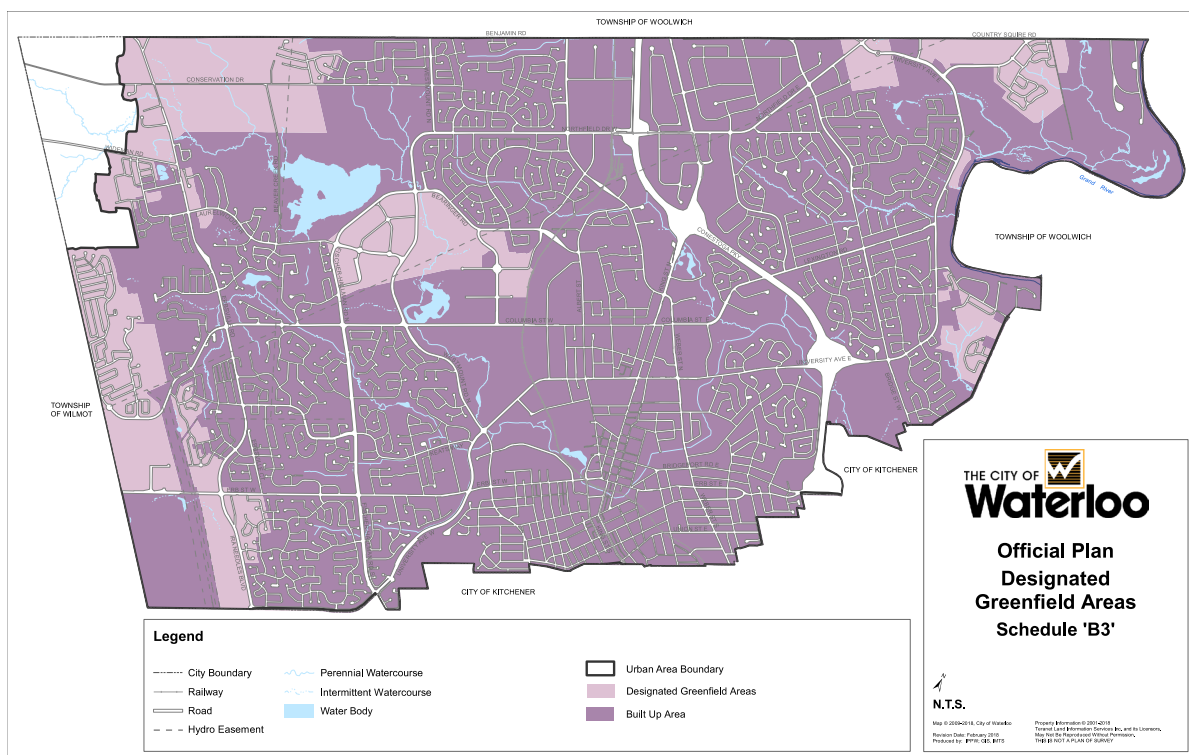


Figure 11: City of Waterloo Official Plan, Schedule B3 Designated Greenfield Areas

The proposed development is consistent with this policy direction and will support the intensification of land uses within the City's Built-Up Area.

ii. Land Use Designation

According to the City of Waterloo Official Plan, the subject property is designated as 'Mixed Use High Density Residential' by Schedule A (Land Use Plan) as shown in Figure 12. The Official Plan directs that "this designation is intended to provide opportunities for substantial levels of intensification. Properties are to be developed primarily for residential purposes, although complementary and ancillary nonresidential uses are also permitted. The aim of this designation is to encourage high density, mixed-use, primarily residential development in Major Nodes and Major Corridors." Where residential development is contemplated the Official Plan directs that the minimum net residential density on any one site shall be 150 bedrooms per hectare, and the maximum net residential density permitted on any one site shall not exceed 750 bedrooms per hectare. Likewise, the Official Plan permits a maximum building height of 81 metres, or 25 storeys.

As previously discussed, the purpose of the application is to allow for the temporary use of the building for the purposes of a private school, and further no additions to the existing buildings or broader redevelopment is proposed.

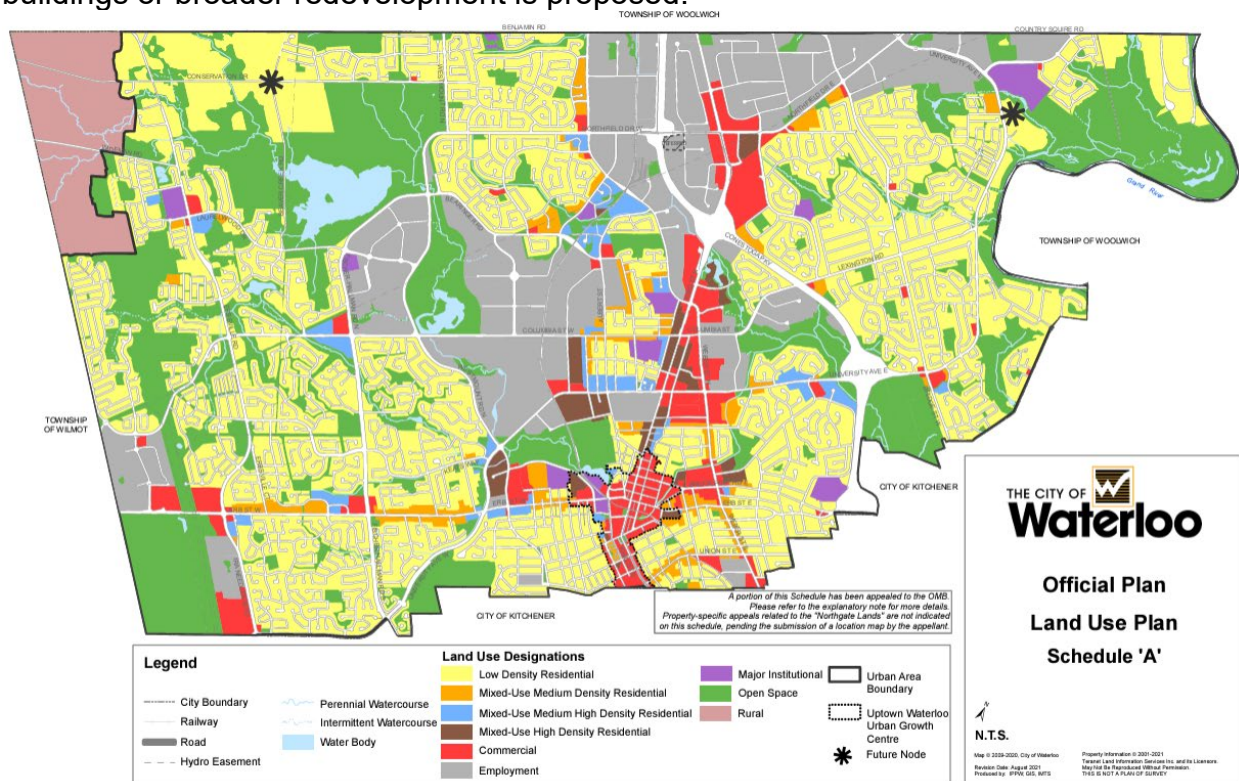


Figure 12: City of Waterloo Official Plan, Schedule A

While the long term vision for the site, expressed by the Official Plan, is for high density mixed use purposes, nothing in the plan prevents the ongoing use of the building for its longstanding institutional purposes. It is our opinion that the introduction of the private school use on a temporary basis is appropriate for the continued use of the existing buildings, and that the proposed use not prevent the long-term redevelopment of the site.

Within this Zone, the following primary uses are permitted:

- Multi-unit residential building (including apartment building)
- Mixed use building with dwelling units above the first storey
- Long term care facility
- Assisted living facility

In addition to these uses a range of complementary and ancillary uses are permitted including:

- Cafe
- Child care centre
- Commercial recreation
- Commercial wellness
- Drug store
- Food store
- Medical clinic
- Office
- Personal service shop
- Restaurant and take-out restaurant
- Spiritual uses
- Variety store

While the zone permits a number of institutional uses (including child care centres and spiritual uses), Private Schools are not an expressly permitted use within this classification. Accordingly, in order to permit the School on a temporary basis, the applicant is proposing a temporary use provision to allow for the shared use of the building for school purposes for a period of up to three years initially.

4. LAND USE PLANNING RATIONALE

This section of the Report builds on the previous sections and provides land use planning opinion with regards to the site-specific planning regulations proposed to accommodate the contemplated development.

a) Appropriateness of Temporary Use Provision

As discussed, the applicant is seeking permission to operate a Private School on a temporary basis of up to three years within the existing building. In our opinion, this approach is appropriate as it will facilitate the wise sharing of use of the existing building which is primarily used on evening and weekends associated with church programming. The proposed use will not conflict with the church programming given its day-time use requirements, and rather make use of a building and its facilities that have historically been used for institutional purposes.

Further, the use of a temporary use provision is considered appropriate in this instance given that the long term use of the site, as contemplated by the municipal Official Plan and Zoning By-Law, is for high density, mixed use purposes. By restricting the use to a temporary basis and linking it to an existing institutional use (with no intention to relocate or redevelop the lands) will ensure that the use itself will not preclude the long-term vision for the lands.

b) Compatible Institutional Use

The proposed use is a compatible use with the other land uses existing on the subject land, including the church / religious use and the daycare facility. In many ways, the proposed temporary use is similar to the existing child care facility, as it will operate during weekday hours and provide similar educational activities. The use will not introduce any incompatible human health or safety concerns to the existing uses on the premises, or the surrounding land uses. Likewise, there is no known contamination on the property given its longstanding institutional use, which could preclude or potentially preclude the establishment of a private school on the site.

c) Appropriate Building, Amenities and Facility for Private School

In addition to being compatible with the existing uses on the premises and those in proximity to the site, the building itself is functionally well-equipped to accommodate a school. As noted, the building was previously a YMCA recreational centre and has a number of suitably sized rooms which will be used for student classrooms and offices. The building also has a full size gymnasium and outdoor amenity area (tennis court / multi-purpose amenity area) which will provide indoor and outdoor amenity opportunities for the school. The building also has barrier free access and an elevator to accommodate potential accessibility accommodations.

5. CONCLUSION

This Planning Justification Report provides an assessment of the proposed temporary use contemplated at the property known municipally as 145 Lincoln Road, Waterloo to allow for the use of the existing building as a private school for a period of up to three (3) years. This Report includes a discussion on the existing conditions of the site, its context, the land use planning policy framework applicable to it and land use planning rationale for the development proposed.

Based on our assessment of the applications, it is our opinion that the proposed temporary use application is justified as has regard to the “Matters of Provincial Interest” set out in the Planning Act, and is consistent with the PPS, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Waterloo Official Plan, and the City of Waterloo Official Plan.

Moreover, it is our opinion that the shared-use of the existing building is appropriate and complementary to the existing religious and day care uses, supports the orderly and wise use of the site, and supports the wise use of existing infrastructure. It is our opinion that this application serves the public interest and represents sound land use planning.

Based on the above and the conclusions of this Report, it is our recommendation that the City of Waterloo:

- Deem the application complete and process the application in accordance with the municipal processes;
- Notify commenting agencies, the public and neighbouring landowners of the temporary use application in accordance with Planning Act requirements and municipal policies and procedures; and,
- That the Director of Planning, who has delegated authority for Temporary Use Provisions, grant a temporary use provision for the property to allow for the Private School use for an initial period of up to three years (3).

Respectfully submitted,

