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PLANNING JUSTIFICATION **BRIEF**

OFFICIAL PLAN AMENDMENT

Southwest Corner of Beaver Creek Road and Conservation Drive

City of Waterloo

February 2022

Prepared for:
Northgate Land Corporation.

Prepared by:
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Our File 14148A

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1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited ("MHBC Planning") has been retained by Northgate Land Corporation ('Northgate') and 1455136 Ontario Ltd. ('Erbsville Kartway') to provide planning advice and to prepare a Planning Justification Brief in support of an Official Plan Amendment. The subject lands are comprised of two parcels: lands owned by Northgate and lands owned by Erbsville Kartway. The combined lands are a total of 55.72 hectares. Each of the separately owned parcels is identified on **Figure 1**. The subject lands are legally described as Part of Lot 28, German Company Tract (the 'subject lands').

The subject lands are located within the Beaver Creek Meadows District, for which the City of Waterloo has approved a District Plan. The Northgate lands are currently used for interim agricultural purposes and the Erbsville Kartway lands are currently developed with a kartway and single-detached dwelling. The lands are also subject to separate Draft Plan of Subdivision, Draft Plan of Vacant Land Condominium and Zoning By-law Amendment applications (File Nos. 30T17401, 30T-17402, 30CDM-17409, 30CDM-17410, Z-17-14 and Z-17-15).

The subject lands are proposed to be developed for primarily residential purposes. The proposed plans include:

I. Single and semi-detached dwellings (mainly internal to the subject lands);

II. Townhouse, stacked townhouse and apartment dwelling units both internal to the subdivision, along Conservation Drive, Beaver Creek Road and within the node located at the intersection of Conservation Drive and Beaver Creek Road;

III. Public parks;

IV. Stormwater management facilities;

V. A network of public and private streets, sidewalks and community trails with connections to Conservation Drive, Beaver Creek Road and the broader community trail network; and

VI. Natural Features and associated buffers.

The purpose of this Brief is to provide:

- A general description of the subject lands, surrounding land uses, existing conditions and locational context;
- A description of the proposed Official Plan Amendment; and
- An overview and analysis of applicable Provincial, Regional and municipal planning policies.

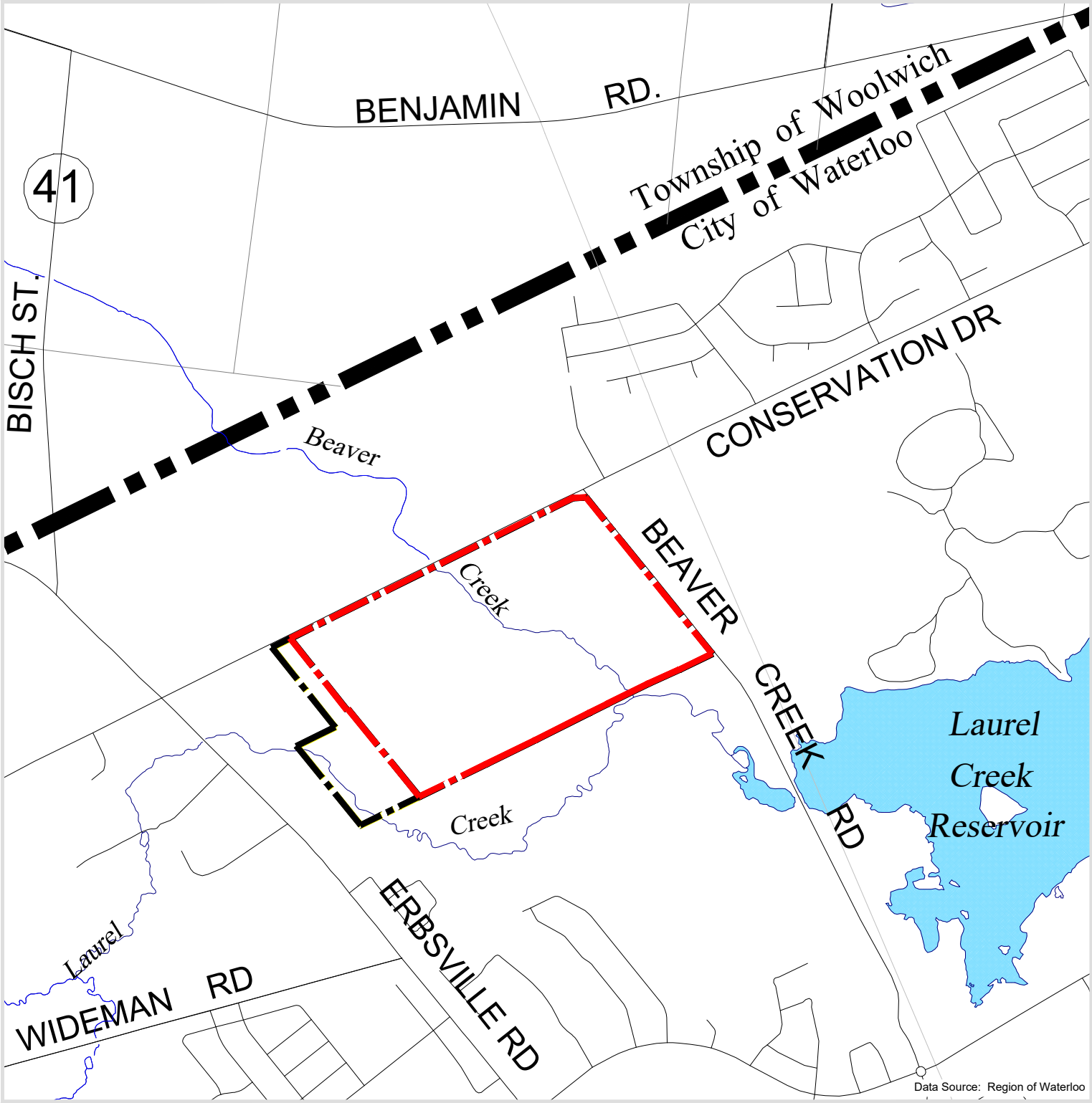


Figure 1
Location Plan

Legend

Northgate Lands
(1017081 Ontario Limited and Gabriella Groff)

Kartway Lands
(1455136 Ontario Inc.)

DATE:	November 30,2021
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north

K:\14148A-NORTHGATE-WATERLOO\REPORT\REPORT 2021\FIGURE 1 - LOCATION PLAN.DWG

Northgate Land Corporation & Erbsville Kartway
City of Waterloo,
Region of Waterloo

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1.1 SITE DESCRIPTION AND SURROUNDING LAND USES

The subject lands are located within a developing residential community in the northwestern portion of the City of Waterloo known as the 'Beaver Creek Meadows District', illustrated on the Location Plan (**Figure 1**). The subject lands comprise an area of 55.719 hectares and are located south of Conservation Drive and west of Beaver Creek Road. The subject lands are legally described as Part of Lot 28, German Company Tract, Geographic Township of Waterloo. The subject lands are currently used for interim agricultural and outdoor recreational purposes (Erbsville Kartway). Core Environmental Features include wetlands and woodlands along Beaver and Laurel Creeks which generally drain in a north to south direction and outlet to the Laurel Creek Reservoir located to the southeast. These features are within the central and western portions of the subject property. Privately owned lands and the Laurel Creek Conservation Area are located immediately to the south of the subject lands.

The Beaver Creek Meadows District (boundary illustrated on **Figure 2**) is located in northwest Waterloo along Beaver Creek and Laurel Creek. The District is characterized by large tracts of interim agricultural land, natural heritage features, a trailer park and limited areas of low density residential development however, it remains largely undeveloped. Within the District, the subject lands are situated between Conservation Drive to the north, Beaver Creek Road to the east, Laurel Creek Conservation Area to the south and Laurel Creek to the west.

2.0 DESCRIPTION OF PROPOSAL

As noted above, the lands are subject to Draft Plan of Subdivision (30T-17401 and 30T-17402), Draft Plan of Condominium (30CDM-17409 and 30CDM-17410) and Zoning By-law Amendment applications (Z-17-14 and Z-17-15), which collectively propose the development of a residential community, with a range of housing, parks, roads, trails, stormwater management and open space.

The range of housing includes multiple-residential units (within Blocks) along both Beaver Creek Road and Conservation Drive. These Blocks are proposed to contain building types that are vertically and horizontally separated, which are permitted in the Official Plan and District Plan. More specifically, the following Blocks are proposed to be included within the Official Plan Amendment (as identified on the Consolidated Draft Plan dated July 29, 2021):

- Blocks 9 and 10, Stage 1 (Northgate);
- Block 2, Stage 2 (Northgate);

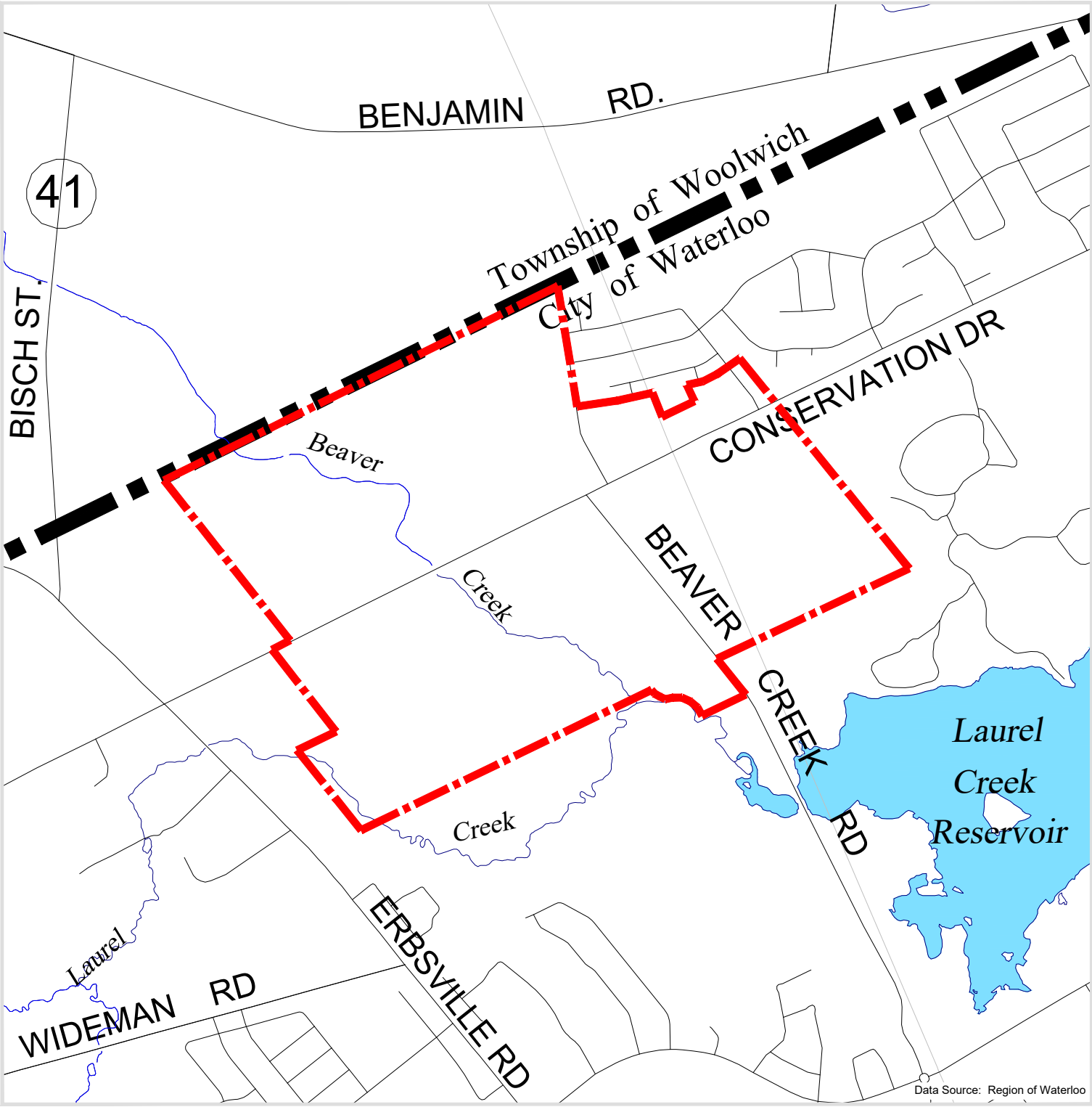


Figure 2

Beaver Creek Meadows District Boundary

Northgate Land Corporation & Erbsville Kartway
City of Waterloo,
Region of Waterloo

LEGEND

Beaver Creek Meadows District Boundary

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K:\14148A-NORTHGATE-WATERLOO\REPORT\REPORT 2021\FIGURE 2 - BCM LIMITS.DWG

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- Blocks 20 and 21, Stage 3 (Northgate).

The aforementioned Blocks are designated Low Density Residential in the City's Official Plan. Development within the Low Density Residential designation is generally intended to permit low-rise building types, ranging from single detached to townhouse dwellings. Allowance is made for other building types ('terrace dwellings' and apartment units), subject to certain criteria, contained in Subsection 10.1.3 (7-9). Subject to satisfying the criteria contained in those subsections, apartments are permitted with a maximum height of up to 12 metres. However no additional height is permitted for 'terrace dwellings' even if the same criteria are satisfied – they are limited to a maximum height of 10 metres. Terrace dwellings are not defined in the Official Plan.

The Official Plan Amendment proposes a Specific Provision Area for a portion of the lands, to permit an increase in height from 10 metres to 12 metres for multi-storey, multi-unit building types adjacent to Beaver Creek Road and Conservation Drive.

3.0 PLANNING ANALYSIS

3.1 Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS) was issued by the Province of Ontario in 2020 under Section 3 of the Planning Act. The PPS provides a vision and the policy framework for matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land in Ontario. It is to be considered in all planning decisions. One of the key considerations of the PPS is that planning decisions must "be consistent with" the PPS. The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, all of the relevant policies should be considered to understand how they work together. The following is an analysis of the proposed development in the context of the policies of the PPS.

Part IV of the PPS provides the vision for Ontario's Land Use Planning System:

> The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. It recognizes that the wise management of land use change may involve directing, promoting or sustaining development. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety.

Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

The PPS encourages a mix of land uses to provide choice and diversity. A variety of modes of transportation are promoted to facilitate pedestrian movement, active transit and less reliance on the automobile. Public transit is encouraged as a means of creating more sustainable, livable and healthy communities. The PPS strongly encourages development that will provide long term prosperity, environmental health and social well-being.

The subject lands are located within a Settlement Area, which are to be the focus of growth. Furthermore, Section 1.1.3.2 identifies that land use patterns within settlement areas shall be based on densities and a mix of land uses that, amongst other matters:

- efficiently use land and resources;
- efficiently use infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion;
- support active transportation;
- are transit-supportive, where transit is planned, exists or may be developed.

Section 1.1.3.6 of the PPS 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, a mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The subject lands are located in an area planned for development, adjacent to the Conservation Meadows' District, and north of the Laurelwood community. The lands are designated and planned for residential development and are required to meet projected growth needs. Infrastructure to accommodate the proposed subdivision will be provided through connections to existing and planned municipal infrastructure.

Section 1.4.3 of the PPS requires that planning authorities provide for an appropriate range and mix of housing types and densities to meet the projected market-based and affordable housing need of current and future residents. In addition, the PPS requires that planning authorities:

- Provide for all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements arising from demographic changes and employment opportunities;
- Direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- Promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

In this regard, the Official Plan Amendment, to permit an increase in height to facilitate a wider range of housing choice, is consistent with the PPS. The Amendment will permit multi-storey, multi-unit buildings in a developing area of the City, making efficient use of land and planned infrastructure, while locating

more intense forms of development on the perimeter of the community, closer to the planned school, commercial uses and transit.

3.2 Growth Plan for the Greater Golden Horseshoe

The Province of Ontario approved the Growth Plan for the Greater Golden Horseshoe (the "Growth Plan"). The Growth Plan applies to all decisions on matters, proceedings or applications, made under the *Planning Act* and the *Condominium Act*, 1998, subject to any applicable regulations. The Growth Plan applies to the Greater Golden Horseshoe ("GGH"), which includes the Regional Municipality of Waterloo and the constituent lower tier municipalities, including the City of Waterloo. The Growth Plan establishes a vision for the Greater Golden Horseshoe based on the principles of compact and complete communities, economic competitiveness, optimizing the use of infrastructure, integrated transportation networks, intensifying existing Built-up Areas and protecting natural heritage and employment areas over the long term.

The Region of Waterloo Official Plan ('ROP'), City of Waterloo Official Plan and Beaver Creek Meadows District Plan include a more detailed policy framework and land use plans.

The Growth Plan includes a series of guiding principles, regarding how land is to be developed, resources managed and protected, and public dollars invested. The principles include:

- Support 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;
- Support a range and mix of housing options, including additional residential units and *affordable* housing, to serve all sizes, incomes, and ages of households

The Official Plan Amendment will permit the development of multi-storey, multi-unit residential buildings that will increase the range and mix of housing options within the planned community. In our opinion, the Amendment conforms to the Growth Plan.

3.3 Region of Waterloo Official Plan

The subject lands are located within the Urban Area of the City of Waterloo (see **Figure 3**) and are located within the Designated Greenfield Area (DGA) according to Map B3 – Designated Greenfield Areas of the ROP). The Urban Area contains the primary urban areas of the cities of Kitchener, Waterloo and Cambridge and portions of the Township of Woolwich. The Urban Area is intended to accommodate the forecasted growth needs to the year 2031.

Section 2.D.17 of the ROP requires that development occurring within the DGA be planned and developed to achieve a density target of 55 residents and jobs combined per hectare. Densities will be measured on average over the entire DGA. Section 2.D.18 of the ROP requires that municipalities, in collaboration with the Region determine how the density target for greenfield areas will be distributed.

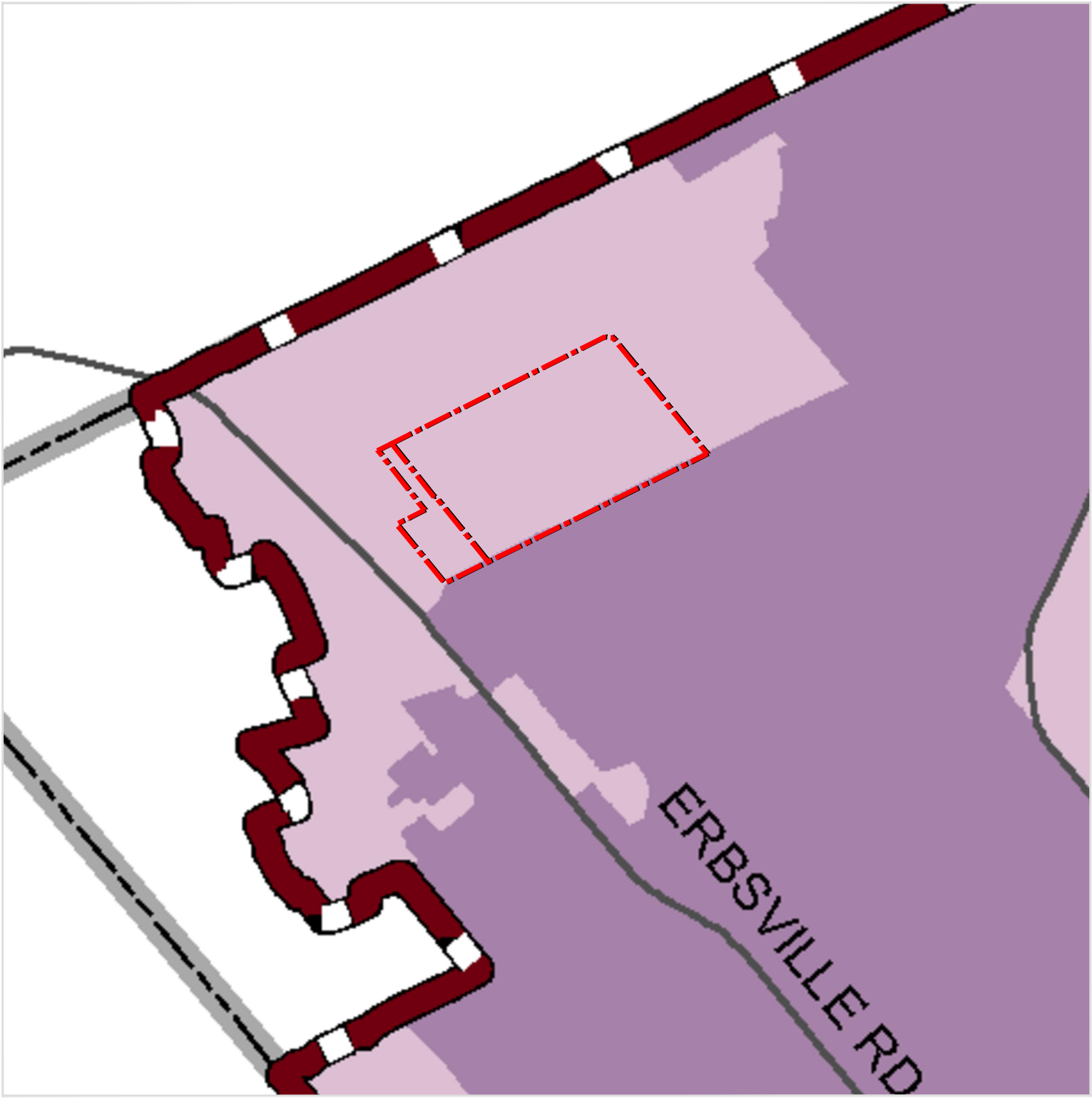


Figure 3

Region of Waterloo Regional Official Plan Map 3a, Urban Area

(June 18,2015)

Northgate Land Corporation & Erbsville Kartway,
City of Waterloo,
Region of Waterloo

LEGEND

- Subject Lands
- Built-Up Area*
- Urban Designated Greenfield Areas
- Prime Industrial/Strategic Reserve (Serviced)
- Urban Growth Centres
- Reurbanization Corridors **
- Major Transit Station Areas **
- Central Transit Corridor Environmental Assessment Study Area
- Planned Highway 7
- Region of Waterloo International Airport
- Urban Area Boundary

DATE: November 10,2016

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DRN: LHB

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K:\14148A-NORTHGATE-WATERLOO\REPORT\REPORT 2021\FIGURES 13-17 ROP MAPS.DWG

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The community, reflected in the Draft Plans of Subdivision and Condominium and the Zoning By-law Amendment applications is planned to achieve the density target, with the inclusion of a wide range of housing, including multi-storey, multi-unit residential buildings (building types that are not considered an 'apartment'). The Official Plan Amendment will permit the development of these alternative built forms, which will provide more choice for future residents and achieve the density targets within the DGA.

In our opinion, the Official Plan Amendment conforms to the Regional Official Plan.

3.4 City of Waterloo Official Plan

The City of Waterloo Official Plan represents the City's vision for growth and change within the community. The Official Plan sets out principles, objectives and policies designed to direct the form, extent, nature and rate of growth and change within the City to 2031.

The subject lands are designated Low Density Residential and Open Space on Schedule 'A' to the City of Waterloo Official Plan (see **Figure 4**). Schedule 'A' also identifies a Future Node (designated as 'Beaver Creek Node') at the intersection of Conservation Drive and Beaver Creek Road. Specific Provision Area 37 (SPA 37), which applies to the Beaver Creek Node, requires that it will be developed as a Minor Node comprised of a mix of commercial and higher density residential uses.

Section 10.1.3 provides that lands within the Low Density Residential designation shall accommodate primarily low-rise residential land uses at lower densities than the rest of the City. The maximum net residential density permitted in this designation is 150 bedrooms per hectare and a maximum building height of 10 metres. Subsection (7) permits apartments and terrace dwellings within the Low Density Residential designation, subject to criteria, which are outlined in Subsections (8) and (9). Where apartment buildings are permitted, the maximum height is up to 12 metres. The criteria in Subsection (8) and (9) are listed below, together with an evaluation of the subject lands:

Policy	**Analysis**
The property is not located within a Heritage Conservation District	The lands are not located within a Heritage Conservation District
Terrace dwellings and or apartments represent an appropriate and desirable land use for the neighbourhood	The Beaver Creek Meadows District Plan identifies both apartment buildings and terrace dwellings as appropriate and desirable land uses
Terrace dwellings and or apartments will not destabilize the neighbourhood	The neighbourhood has not yet been established – the District Plan has planned for both building types within the community
The proposal will achieve a high standard of urban design	Multi-unit dwellings are subject to site plan control, which will assess the design against

	Official Plan policies, Urban Design Guidelines and neighbourhood specific guidelines
Sufficient infrastructure exists to service the site	Infrastructure is planned for the Beaver Creek Meadows community, including improvements to both Beaver Creek Road and Conservation Drive
The development capacity of the site is not exceeded, and the proposal does not require significant relief from standard regulations	The lands are subject to a Zoning By-law Amendment to establish new zones and regulations for the community
The development maintains the land use intensity of the surrounding low density residential neighbourhood	The lands are part of the Beaver Creek Meadows District, which has been planned to establish a new community, while integrating with existing development to the northeast.
The development results in context-sensitive intensification in the low density residential neighbourhood	The lands do not represent intensification within an existing established neighbourhood
The proposal complies with other criteria that may be deemed appropriate by the City based on the context of the site	The land uses for the community were considered through the District Plan, which permits both terrace dwellings and apartments up to 4 storeys in height
The property is located on the periphery of a low density residential neighbourhood, or is adjacent to a school site	The Blocks within which multi-unit and apartment buildings are proposed are located on the periphery of the planned neighbourhood – along Conservation Drive and Beaver Creek Road.
The property abuts a designated Node or Corridor, and buffers other properties designated Low Density Residential from properties within the designated Node or Corridor	Portions of the subject lands abut and/or include the Node. The subdivision has been planned to transition from higher density uses on the periphery of the community to lower density uses within the interior.
The property has direct vehicular access onto an arterial or major collector road	The lands have direct access to Conservation Drive, which is a Major Collector Road.

The Draft Plan provides for a mix and range of residential unit types, including single-detached dwellings, townhouse dwellings and multi-unit buildings, including apartment buildings. As the above evaluation demonstrates, all of those land uses are appropriate for the subject lands.

In this regard, the Official Plan would permit the development of a 4-storey apartment building, with a maximum height of 12 metres. Although a 'terrace dwelling' is subject to the same criteria, it is not

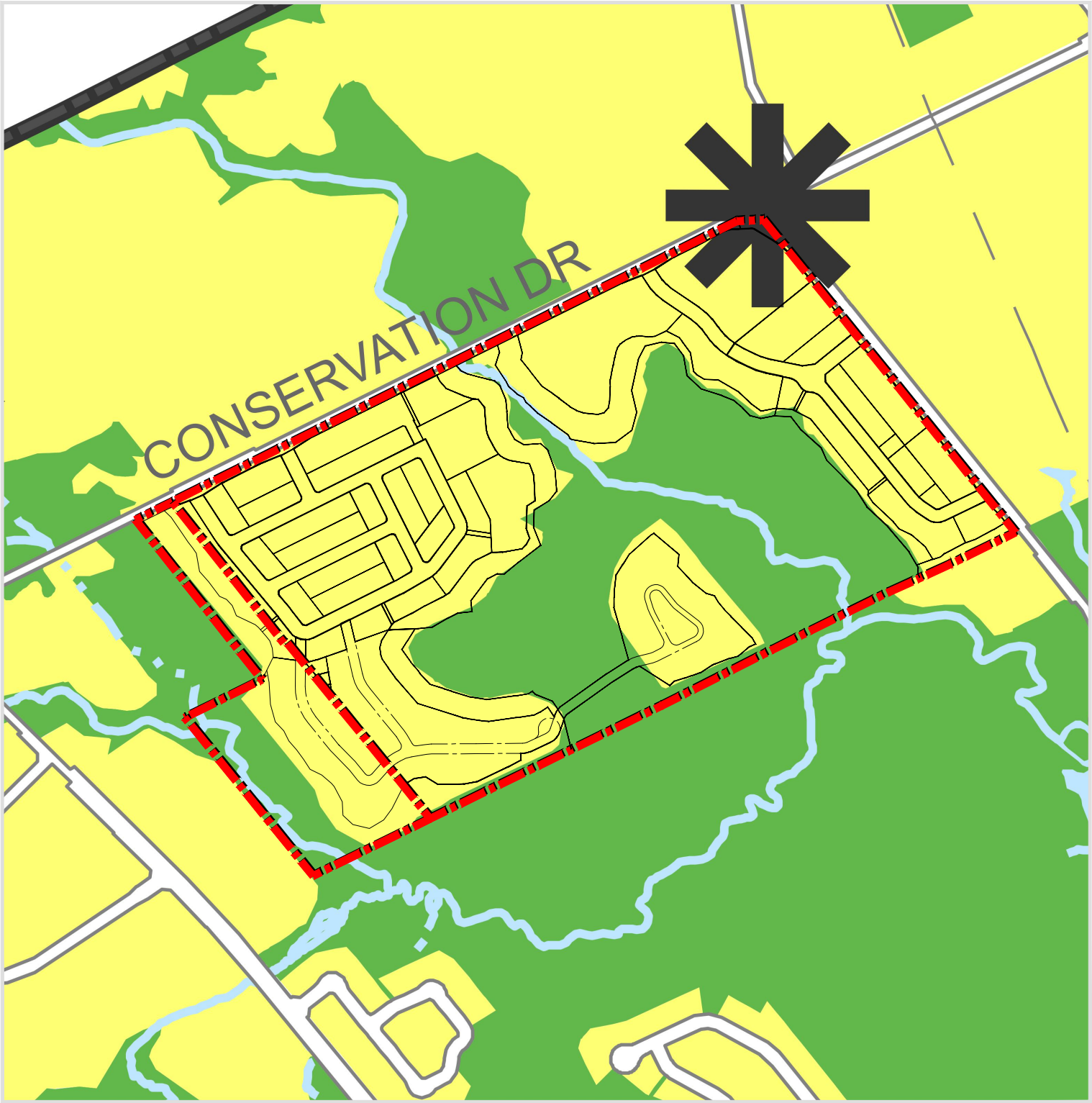


Figure 4

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

(September 2019)

Northgate Lands & Kartway Lands,
City of Waterloo,
Region of Waterloo

LEGEND

Subject Lands

Land Use Designations

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

DATE:	June 15,2020
SCALE:	Not to Scale
FILE:	14148A
DRN:	LHB

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K:\14148A-NORTHGATE-WATERLOO\REPORT\REPORT 2021\FIGURES 18-21 - WATERLOO OFFICIAL PLANS JUNE 2020.DWG

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permitted to exceed 10 metres in height. The height limitation of 10 metres places a significant restriction on the built form – it is challenging to develop a stacked townhouse building (or similar built form) with an appropriate number and size of units, while remaining at or below 10 metres.

The Official Plan does not distinguish between an apartment building and terrace dwelling in terms of their built form – there is no compelling policy basis for why a terrace dwelling is limited to 10 metres and an apartment building permitted 12 metres when both buildings are only permitted in specific locations, outlined in the criteria above. Furthermore, the general nature of the policies and criteria are to ensure that redevelopment applications that propose apartment buildings and terrace dwellings are compatible with existing neighbourhoods. In this case, the proposed development is within Designated Greenfield Area – there is no existing neighbourhood.

Beaver Creek Meadows District Plan

The Beaver Creek Meadows District Plan is a non-statutory planning document, approved by Council resolution that is intended to complement the City's Official Plan by providing additional detail regarding the design and development of the proposed Beaver Creek Meadows Community. The District Plan works in conjunction with the City's Official Plan. It is the intent of the City that all new development within the Beaver Creek Meadows District is consistent with the District Plan.

Within the subject lands, along Conservation Drive and Beaver Creek Road, the lands are designated Low Density Residential 2, Mixed-use Medium Density Residential or Park (see **Figure 5**). The boundary of the Minor Node is also identified – it extends along the frontage of both Conservation Drive and Beaver Creek Road.

The Low Density Residential 2 designation permits terrace dwellings up to 4 storeys in height (Section 3.4.8) and low rise apartments specifically along Conservation Drive, also up to 4 storeys. As such, the District Plan, which was adopted after the approval of the Official Plan does not distinguish between a terrace dwelling and apartment building in terms of their permitted height – both are permitted up to 4 storeys. No maximum height in metres is specified, although a typical 4 storey building would exceed 10 metres in height.

Section 3.4.20 of the District Plan states that "terrace dwellings will be encouraged along Major Collector Roads – Conservation Drive and within or adjacent to the Mixed-Use Node (Minor Node) and public institutional sites."

The lands subject to the proposed Official Plan Amendment are located along Conservation Drive and Beaver Creek Road. The Blocks along Beaver Creek Road are adjacent to the Minor Node. The District Plan distinguishes between terrace dwellings and low rise apartments – low rise apartments are only permitted along Conservation Drive and within the Minor Node Area. As such, the District Plan permits and encourages terrace dwellings, up to 4 storeys in height, along both Conservation Drive and Beaver Creek Road.

Southwest Corner of Conservation Drive and Beaver Creek Road

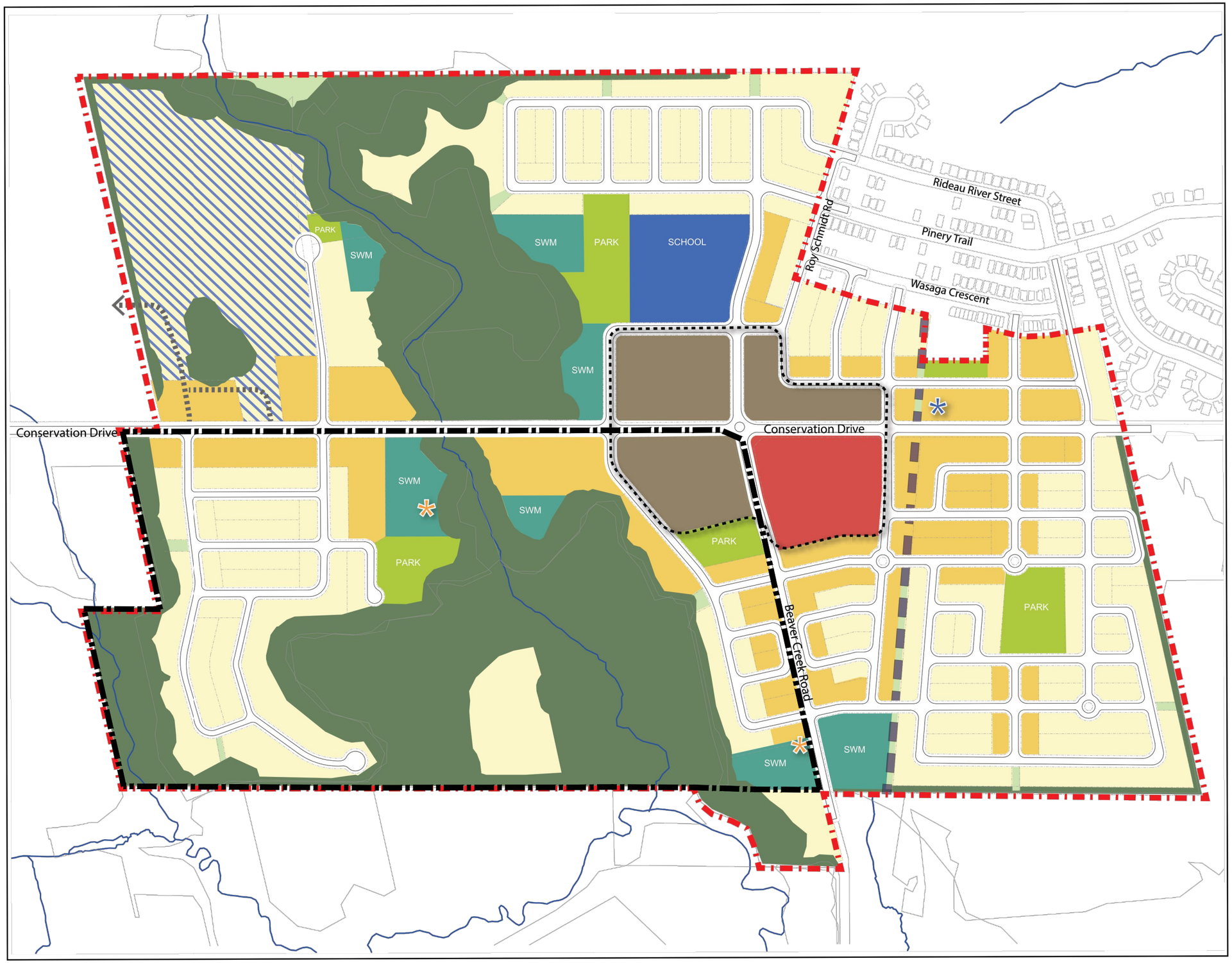
Notwithstanding the permission and encouragement within the District Plan, and the fact that the District Plan was adopted after the Official Plan, given the height limitation within the Official Plan, a 4-storey terrace dwelling could not be constructed without an amendment to the Official Plan.

In our opinion, permission for a maximum height of 12 metres and 4 storeys for a terrace dwelling (and other similar multi-storey, multi-unit residential building types) is consistent with the District Plan.

Figure 5

BEAVER CREEK MEADOWS DISTRICT PLAN

MAP 3
LAND USES



Subject Lands

LEGEND

- District Plan Boundary
- Mixed Use Node

Residential Designations

- Low Density Residential 1
- Low Density Residential 2
- Mixed Use Medium Density Residential

Commercial Designations

- Mixed-Use Neighbourhood Commercial

Open Space Designations

- Open Space Land Uses - Park
- Other Green Spaces
- Natural System (includes buffers)

Other Lands and Features

- SWM — Stormwater Management Facility
- Temporary Stormwater Management Facility
- Spiritual Use
- Elementary School
- Potential New Road Connection
- Hydro Corridor
- Pumping Station

0 50 100 200 300 metres

Last Updated: January 19, 2016

4.0 CONCLUSION

This Planning Justification Report concludes that the proposed Official Plan Amendment represents good planning for the following reasons:

1.0 The proposed increase in height to permit multi-storey, multi-unit residential building types is consistent with the *Provincial Policy Statement*.

2.0 The proposed increase in height to permit multi-storey, multi-unit residential building types conforms to the Growth Plan for the Greater Golden Horseshoe.

3.0 The proposed increase in height to permit multi-storey, multi-unit residential building types conforms to the Region of Waterloo Official Plan.

4.0 The terrace dwelling and low-rise apartment built forms are both permitted on the subject lands. The locations where such building types are proposed satisfy the criteria in Section 10.1.3 of the City's Official Plan.

5.0 Apartments constructed in the same location are permitted a height of 12 metres, while other low rise multi-storey, multi-unit building types are restricted to a height of 10 metres, although both building types must satisfy the same criteria. In our opinion, it is appropriate for both building types to be permitted the same maximum height of 12 metres.

6.0 The Beaver Creek Meadows District Plan permits and encourages 4 storey terrace dwellings along Conservation Drive and along Beaver Creek Road adjacent to the Minor Node.

7.0 Permission for terrace dwellings and other similar multi-storey, multi-unit building types will provide more housing choice for future residents, allowing for a wider range of housing within the community that will appeal to a broader demographic.

Respectfully submitted,

MHBC