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**Planning Justification Brief for 273-275 Sunview Street
 Minor Zoning By-law Amendment / Lifting of Holding Provision
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MHBC was retained by Dennis Home Corp. (the 'owner') to provide a planning opinion related to a Minor Zoning By-law Amendment (Minor ZBA) for lands municipally addressed as 273-275 Sunview Street in the City of Waterloo (hereinafter referred to as the "lands" or "subject lands"). The subject lands are currently occupied by two detached dwellings and are planned and zoned for residential uses. A site plan application for 18 townhomes dwelling units has been accepted by the Site Plan Review Committee with endorsement expected imminently. Through that review process, minor amendments to the Zoning By-law were identified as required to permit the development. Furthermore, all lands within the Northdale neighbourhood are subject to a Holding provision that must be lifted before development can proceed.

This Planning Justification Brief assesses the planning framework relative to the proposed use of the lands and includes the following:

- An introduction and general description of the subject lands, surrounding uses and existing conditions to provide an understanding of the locational and policy context;
- Overview of the proposed development and application;
- Review of existing policy framework and assessment of consistency with the Provincial Planning Statement, Regional Official Plan and the City of Waterloo Official Plan; and
- Description of the proposed Minor Zoning Bylaw Amendment.

Site Context and Surrounding Land Uses

The subject lands are located within the Northdale neighbourhood in the City of Waterloo on the west side of Sunview Street, east of Lester Street, north of University Avenue, and south of Hickory Street. Sunview Street is a local road that connects Hickory Street to University Avenue, which in turn provides east-west connectivity throughout the City including to both the University of Waterloo and Wilfred Laurier University.

The Northdale neighbourhood is a neighbourhood in transition, with a range of housing types from older low-rise housing through to high rise apartment buildings. The neighbourhood was planned to transition over time into a vibrant community with a broad mix of housing types and supporting commercial uses. The ION LRT station at the University of Waterloo is within walking distance, as are other GRT bus routes. Furthermore, the

City recently constructed a new public park immediately adjacent to the subject lands, which provides a year-round public amenity accessible to the future residents.

As noted, the subject lands contain two existing detached buildings which would be demolished as part of the site's redevelopment. Lands to the south, at 269 Sunview Street contain a 6-storey mid rise residential building. Further to the south on both sides of Sunview Street are a mix of 8-12 storey residential and mixed-use buildings. Directly to the east of the subject lands, on the opposite side of Sunview Street are low-rise buildings, all of which are zoned for 6 storeys. To the west of the subject lands, on Lester Street, are an 8-storey mixed-use building and a 6-storey residential building.

In summary, the subject lands are located within an area that contains a mix of built forms, including low, mid and high rise buildings, some which contain ground floor commercial uses. The lands are located within a very walkable neighbourhood with access to transit, public parks, shopping, and both universities.

Proposed Development

As noted earlier, the lands were the subject of a site plan application (SP-25-02) that proposed townhouse dwelling units in four separate buildings with limited supporting surface parking. The lands are accessed from a single driveway from Sunview Street. That site plan application has been supported by the Site Plan Review Committee, with minor linework revisions to be completed. Formal endorsement is imminent.

The proposed development includes the 18 townhouse dwelling units, with 3 surface parking spaces and a shared internal driveway. Each unit would have a small rear yard amenity area as well as a front entry and dedicated bicycle parking space. The two end units are oriented to Sunview Street, including walkways and entries facing the street. In order to permit the development, the following amendments to the Zoning By-law:

1. Lift the Holding provision that applies to the lands;
2. Reduce the minimum required ground floor height of the townhomes from 4.0 metres to 2.7 metres;
3. Exemption from certain cluster building regulations in subsection 3.C.10

PLANNING ANALYSIS

Provincial Planning Statement (2024)

On August 20, 2024, the Minister of Municipal Affairs and Housing issued the Provincial Planning Statement, 2024 (PPS, 2024) which took effect on October 20, 2024. The 2024 PPS replaces both the Provincial Policy Statement, 2020 and Growth Plan for the Greater Golden Horseshoe, 2020.

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Chapter 2 of the PPS includes policies related to building homes and sustaining strong and competitive communities. Subsection 2.2.1 requires that planning authorities provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- a) (subsection c) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
- b) (subsection d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations

The proposed development efficiently uses land, infrastructure and public service facilities and supports existing transit by locating the development within a walkable area, close to multiple transit routes and options. Subsection 2.3.1.1 states that settlement areas shall be the focus of growth and development, and within settlement areas, growth should be focused in strategic growth areas, including major transit station areas. The subject lands are located within a strategic growth area, and more specifically within a Major Transit Station Area, where growth is to be focused.

Subsection 2.3.1.4 states that planning authorities should permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form. The proposed development achieves a compact built form and broadens the land uses within the immediate area, which contains a mix of residential housing types, commercial uses, and institutional uses.

Subsection 2.4.2 includes policies for Major Transit Station Areas ("MTSAs"). The policies establish minimum density targets for MTSAs. The proposed development will assist the City in achieving the minimum density targets.

Subsection 3.6.2 states that municipal sewage and municipal water services are the preferred form of servicing for settlement areas. The subject lands will be serviced with municipal water and sanitary sewage services. Section 3.9 refers to public spaces, recreation, parks, trails and open space. More specifically, healthy, active and inclusive communities should be promoted by planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages. The subject lands are immediately adjacent to a recently completed public park and within walking distance of a second, recently completed public park.

In our opinion, the application is consistent with the 2024 PPS.

Region of Waterloo Official Plan

The Region of Waterloo's Official Plan (ROP) was approved by the Ministry of Municipal Affairs and Housing, with modifications, on December 22, 2010, and approved with amendments by Oral Decision of the Ontario Municipal Board on June 18, 2015. Regional Official Plan Amendment 6 (ROPA 6), which establishes the planning framework for accommodating forecasted population and employment growth within the Region to 2051, has been approved by the Minister of Municipal Affairs and Housing. ROPA 6 established a new policy framework for Chapter 2 – Where and How to Grow of the ROP as well as new housing policies in Section 3.A, among other policy matters.

As of January 1, 2025, the ROP became an Official Plan of each of the area municipalities. This means that until the policies in the ROP are repealed or amended, they will continue to apply and be the responsibility of each Area Municipality to enforce. In that sense, the City administers the document including its review and interpretation relative to development applications.

Urban Areas and Urban Growth Centres

The subject lands are located within the Urban Area of the City of Waterloo. Section 2.B of the Plan indicates that the lands included within the Urban Area are intended to accommodate the majority of the Region's growth, with a substantial portion directed to the existing Built-up Area through re-urbanization. Focal points for re-urbanization include the Urban Growth Centres, Major Transit Station areas, Re-urbanization Corridors and Major Local Nodes. These focal points will make better use of existing urbanized land and infrastructure and reduce development pressure on farmland and other sensitive areas.

Section 2.D.1 of the ROP sets out general development policies for the Urban Area. In summary, development occurring within the Urban Area is to be planned and developed in a manner that: supports the Planned Community Structure; 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 a mix of land uses that supports walking, cycling and the use of transit; protects the natural environment; conserves cultural heritage resources; and respects the scale, physical character and context of established neighbourhoods where re-urbanization is planned to occur.

The proposed development satisfies the Urban Area development policies for the following reasons:

- The subject lands will result in the re-urbanization of lands located within a Major Transit Station Area, which is planned to accommodate intensification;
- The proposed development will contribute to a pedestrian friendly environment by locating the buildings along Sunview Street with the inclusion of pedestrian connections to the street;
- The proposed development supports the use of transit as the subject lands are well-located with respect to existing Grand River Transit bus routes, including iXpress, and within walking distance of the UW or Laurier-Waterloo Park ION Station;
- The proposed development will benefit from convenient access to community open space, including a new park at the corner of Hickory and Sunview Streets immediately adjacent to the subject lands.

Transit Oriented Development

As the subject lands are located within an identified Major Transit Station Area, the Transit Oriented Development policies of the ROP apply. Section 2.D.2 of the ROP sets out specific Transit Oriented Development ("TOD") provisions to be considered in the review of a development application on or near existing or planned rapid transit. These policies ensure that development addresses the following objectives:

- Creates an interconnected and multi-modal street pattern that encourages walking, cycling or the use of transit and supports mixed-use development;
- Supports a more compact urban form that locates the majority of transit supportive uses within a comfortable walking distance of the transit stop;
- Provides an appropriate mix of land uses that allows people to walk or take transit to work and provides for a variety of services and amenities;
- Promotes medium and higher density development as close as possible to the transit stop; fosters walkability by creating pedestrian-friendly environments; and
- Supports a high quality public realm to enhance the identity of the area and create gathering points; and provides access from various transportation modes to the transit facility

The proposed development will result in residential uses within walking distance of the UW and Laurier-Waterloo Park ION Stations and multiple GRT bus stops. Convenient pedestrian connections to the municipal sidewalk on Sunview Street are also proposed on the site to ensure future residents enjoy safe access to transit

stops on Columbia Street and University Avenue West. Pedestrian access to the ION Station is provided via Columbia Street or University Avenue to the UW campus or Waterloo Park station. Furthermore, the subject lands are located in a mixed-use area of the city so future residents of the development will have the option to walk or cycle to a range of destinations, including commercial, employment and institutional uses. Accordingly, in our opinion, the proposal is consistent with the aforementioned TOD objectives.

Livability in Waterloo Region

The Region of Waterloo identifies objectives which will contribute to enhancing livability within the Region with the overall goal to create vibrant urban and rural places. Among these objectives include planning for an appropriate range and mix of housing choices for all income groups and increase transportation opportunities for pedestrians, cyclists and transit users.

The proposed townhouse development contributes to providing an appropriate mix of housing choices within the Northdale Neighbourhood. The Northdale Neighbourhood includes a diverse population including both students and non-students. The proposed development offers an alternative housing option for both students and non-students, including family sized units. Additionally, the proposed development is located within a Major Transit Station Area, with access to public transit and active transportation connections throughout the neighbourhood

In summary and in our opinion, the Minor ZBA, which will permit residential uses with family sized units, conforms to the Regional Official Plan.

City of Waterloo Official Plan

The City's Official Plan sets out policies that direct growth and change until 2031. The City of Waterloo is currently undertaking a phased review of its 2012 Official Plan. 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 following outlines the applicable Schedules as contained in the Official Plan:

- Schedule A – Land Use Plan: Low Density Residential
- Schedule A6 – Specific Provision Areas: SPA 45
- Schedule B1 – Height and Density: Low Density, 6 storeys
- Schedule A45a - Street Frontage Areas and Streetscape Elements:
 - Street Hierarchy:
 - Residential Street (Sunview Street)
 - Street Frontage Areas:
 - Neighbourhood Frontage Area (Sunview Street)
- Schedule J – Major Transit Station Areas

City of Waterloo Low Density Residential (Northdale)

The subject lands are designated Low Density Residential on Schedule 'A' to the City of Waterloo Official Plan. Schedule B1 designates the lands as "Low Density, 6 storeys.", as they are located within Northdale. The Low Density Residential (within Northdale) designation permits low to mid-rise development, including townhouses, with a maximum density of 250 bedrooms per hectare. The proposed townhouse development has proposed density of 247 bedrooms per hectare and at 3.5 storeys, is well below the permitted height.

Northdale Specific Provision Area 45 Policies

The Official Plan includes specific policies for the Northdale neighbourhood, which are intended to implement the findings and recommendations of the Northdale Land Use and Community Improvement Plan Study. The

specific policies apply to the Northdale neighbourhood in its entirety, which is bounded by Columbia Street West, King Street North, University Avenue West and Phillip Street.

Northdale is a neighbourhood in transition and is anticipated to accommodate a significant portion of the City's future growth in the form of infill and intensification, specifically because of its central location within the city, excellent access to the City's two universities and college, the Major Node at King and University and as part of a Major Transit Station Area (UW ION Station). The Official Plan envisions that the area will become a complete neighbourhood, accommodate a diverse demographic, with a range of land uses, housing types and other uses. The area is intended to be supported by a network of pedestrian-oriented streets and pathways, cycling facilities that are supportive of active transportation and increased densities. The vision for Northdale is accompanied by 10 principles, and preferred neighbourhood elements which are discussed in the associated Urban Design Brief.

The proposed development supports the policies of the Northdale Neighbourhood by proposing an 18-unit townhouse block that complements the existing housing forms, while offering choice in recognition of the significant new supply of apartment dwelling units. The townhouse development will contribute to the diversity of housing options for both students and non-students. The proposed townhouse development will provide direct sidewalk access to Sunview Street, supporting a pedestrian friendly community.

Street Typologies and Street Frontage Areas

Sunview Street - Residential Street

Residential streets will be designed to retain or enhance the residential character, with a more intimate streetscape scale. Key design features will include traffic calming measures, different paving patterns to emphasize pedestrian realm at crossings and intersections, consistent street trees, integrated stormwater management and pedestrian scale lighting.

The proposed development is oriented to the street, with pedestrian entrances facing the public realm on the end units facing Sunview Street. A sidewalk already exists on Sunview and will be enhanced through this development. Other elements of the streetscape would form part of the municipal right-of-way, including boulevard plantings consistent with the balance of the streetscape.

University of Waterloo Major Transit Station Area

The subject lands are located within the University of Waterloo Station Area. Section 3.8 of the Official Plan contains the policies for development within Station Areas. Major Transit Station Areas are planned to achieve a gross density target of 160 persons and jobs per hectare by 2041. This will be achieved by, amongst other matters:

- Accommodating a mix of transit supportive land uses that create both origins and destinations for transit users;
- Becoming focal points for active transportation networks, with connections to other destinations;
- Support the unique character of each of the station areas and create attractive places for working, learning, living and recreation;
- Stimulate new investment and promote economic development by encouraging job growth and commercial vitality;
- Support place-making through public and private realm improvements, public art, new open spaces and enhanced amenity.

The proposed development will contribute towards achieving the minimum density target for the station area. Furthermore, the pedestrian focused design, which provides pedestrian access to Sunview Street, including directly from two units, will assist in providing connections to the surrounding transit and active transportation networks. The proposed development is in a location which provides future residents with the option to use the ION network to reach key destinations in Kitchener and Waterloo.

In summary, in our opinion, the proposed Minor Zoning By-law Amendment conforms to the City of Waterloo Official Plan

City of Waterloo Zoning By-Law 2018-050

The City of Waterloo approved a new Zoning By-law in September 2018 (By-law 2018-050). The subject lands are zoned (Holding) Residential Northdale-Six (H)RN-6). The majority of the other properties on the northern end of Sunview Street are also zoned RN-6 (with or without a Holding provision), other than the public park immediately to the north of the subject lands, which is zoned Parks and Recreation (OS1).

The RN-6 zone permits a variety of residential uses including townhouse, stacked townhouse and apartment dwellings. The proposed townhouse development is a permitted use.

The development complies with all of the regulations in the RN-6 zone, except for the minimum required ground floor height. In this regard, the Minor Zoning Bylaw Amendment proposes a reduction in the minimum required ground floor height from 4.0 metres to 2.7 metres.

Although the development complies with all of the setbacks in the RN-6 zone, the Zoning Bylaw has another set of regulations that apply to 'cluster developments'. A 'cluster development' is defined as follows:

"means a development design technique that locates multiple SINGLE DETACHED BUILDINGS, SEMI-DETACHED BUILDINGS, TOWNHOUSE BUILDINGS, and or STACKED TOWNHOUSE BUILDINGS on a LOT to allow the remaining land to be used for a variety of open space and common element purposes."

As the development includes four buildings located on a single lot, it meets the definition of a cluster development. Subsection 3.C.10 includes additional setback regulations that apply to the lands and that differ from the RN-6 zone. The following table includes the RN-6 regulation and the 3.C.10 regulation as well as the proposed setback of the development:

RN-6 zone regulation	3.C.10 Cluster Development	Proposed
Street Line – 3.0 m (min)	Street Line – 6.0 m (min)	3.02 m
N/A	Private Road – 6.1 m (min)	6.0 m
Side Yard – 3.0 m (min)	Interior Lot Line – 7.5 m (min)	3.03 m and 3.04 m

In this regard, the Minor Zoning Bylaw Amendment proposes to recognize the regulations in the RN-6 zone for Street Line Setback and Side Yard Setback and exempt the development from the more restrictive Street Line Setback and Interior Lot Line Setback in subsection 3.C.10.

The proposed internal driveway is 6.0 metres wide. As such, a minor reduction from 6.1 metres to 6.0 metres is proposed.

Minimum Ground Floor Height

As discussed, the lands are planned for townhouse dwellings, which by their nature are not designed as mixed-use buildings. There are multiple mixed-use buildings in the immediate area, as well as multiple commercial

developments within a short walk along Columbia Street, Phillip Street and University Avenue. In our opinion, requiring a 4.0 m high ground floor is not necessary to establish an appealing townhouse dwelling design.

Building Setbacks and Driveway

The development complies with the setbacks in the RN-6 zone. However, because there are multiple buildings, the cluster regulations also apply, which are more restrictive. In our opinion, the RN-6 regulations are more applicable and relevant as they were intended to direct built form, including setbacks throughout the neighbourhood. Applying the more suburban regulations of subsection 3.C.10 would be inconsistent with the setbacks that apply to all of the other mid and high rise developments that exists in the neighbourhood. The proposed buildings maintain an appropriate setback from the north and south lot lines, which are a park and mid-rise building respectively, and from the street.

The driveway is only 10 cm less than the cluster regulation requires. Section 6.8 of the Zoning Bylaw would permit a 3.0 metre wide driveway for the subject lands. A wider driveway is proposed, however a minor reduction is required due to space limitations. It does not impact the functioning of the site.

Lifting of the Holding (H) Provision

The following table analyzes the required criteria for the removal of a Holding provision as outlined in Section 7.11.17 of the RN-6 Zone:

CRITERIA	SATISFIED
a) Verification of sufficient servicing capacity (water, sanitary and stormwater) to fully service the lot and development thereon.	Functional Servicing Brief prepared by K Smart Associates Ltd confirms there is sufficient capacity to accommodate the development. The City provided their modeling results that also confirm capacity
b) Verification of sufficient transportation capacity and transportation infrastructure within the surrounding road network affected by the development and or use of the lot.	The development includes 3 parking spaces, which will produce a negligible amount of traffic. The development instead focuses on active transportation as the primary means of movement to and from the lands.
c) For known or suspected contaminated sites as identified by the Region, verification from the Region and or the Province of Ontario that the owner has completed a Record of Site Condition.	N/A
d) Where an increase in building density is proposed pursuant to Section 37 of the Planning Act, the completion and registration of an agreement pursuant to Subsections 37.3 and 37.4 of the Planning Act between the owner of the lands and the City.	N/A
e) A Block Plan has been prepared in accordance with the Block Plan policies of the Official Plan for the Northdale Neighbourhood Specific Provision Area, where applicable.	N/A

CRITERIA	SATISFIED
f) Verification through Site Plan Control endorsement that the lot and development thereon will conform to: (i) the Official Plan; (ii) the Region's Official Plan; and (iii) the City's Urban Design Manual in effect, including the Northdale Urban Design Guidelines	The Site Plan Review Committee supports the plans, with only minor revisions required to clarify certain elements on the plan (e.g. bicycle parking) and sidewalk width. Endorsement is imminent.
g) Demonstrate compliance with the Provincial D-6 Guideline "Compatibility Between Industrial Facilities and Sensitive Land Uses" where there are potential land use compatibility issues associated with existing and or planned industrial uses operating in proximity to residential or other sensitive land uses.	N/A

In summary, the development satisfies the requirements to lift the Holding provision.

CONCLUSION

In summary, the proposed Minor Zoning By-law Amendment (Minor ZBA) is appropriate and represents good planning for the following reasons:

- The Minor ZBA considers the planning objectives and policies outlined in the 2024 PPS and supports the policy direction of promoting a range of housing within Major Transit Station Areas.
- The Minor ZBA conforms to the Regional Official Plan and City Official Plan.
- The requirements to lift the Holding provision have been satisfied.
- The minor revisions to the Zoning Bylaw are to permit a lower main floor height that is more appropriate for a townhome and to modify regulations in the cluster development provisions which differ from the same regulations in the RN-6 zone. The development complies with the setbacks from the RN-6 zone.

Yours truly,
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