Regional Municipality of Waterloo
Planning and Works Committee
Minutes
Tuesday, June 19, 2018
9:05 a.m.
Regional Council Chamber
150 Frederick Street, Kitchener, Ontario


Members absent: D. Craig

Declarations of Pecuniary Interest Under The Municipal Conflict of Interest Act

G. Lorentz declared a pecuniary interest for report TES-DCS-18-12, Class Environmental Assessment Study – Erb Street Improvements, Fischer-Hallman Road to Wilmot Line, City of Waterloo, due to his employment at Voisin Development Limited.

Delegations


Craig Robson appeared before the Committee in support of the report and thanked City and Regional staff for their work and cooperation.

Moved by K. Redman
Seconded by S. Foxton

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That the Regional Municipality of Waterloo take the following actions regarding the property municipally known as 1011 Homer Watson Boulevard in the City of Kitchener, as described in Report PDL-CPL-18-28/COR-TRY-18-61 dated June 19, 2018:

a) Approve a joint Tax Increment Grant with the Regional amount not to exceed $5,321,422 net of any other future brownfield assistance, to be financed from the incremental tax revenue for the property following remediation, phased redevelopment and reassessment; and

b) Provide a Tax Increment Grant subject to the phased redevelopment of the property; and,

c) Authorize the Region’s Commissioner of Planning, Development and Legislative Services and Commissioner of Corporate Services/Chief Financial Officer to execute any associated agreements with the registered owner of 1011 Homer Watson Boulevard and the City of Kitchener, with the form and content of such agreement(s) to be satisfactory to both the Regional and City of Kitchener Solicitors.

Carried

b) Paula Sawicki re: TES-RTS-18-06, Stage 2 ION: LRT from Kitchener to Cambridge – Preferred Route (Staff Presentation)

Paula Sawicki, Manager, Rapid Transit Coordination, provided a presentation to the Committee highlighting the background, proposed route, difference from the 2017 route and next steps, a copy of the presentation is appended to the original minutes.

i. Lee Ann Mitchell

Lee Ann Mitchell appeared before the Committee against the Preston portion of the preferred route and urged the Committee to reconsider other route options for Preston, a copy of her notes are appended to the original minutes.

ii. Terry Mycyck

Terry Mycyck appeared before the Committee and asked that staff reconsider the route going into Preston. In response to a Committee member’s question, Terry Mycyck suggested that an alternative to the stop at King and Eagle Street would be the beginning of the Spur Line, further down King Street and provided reasoning.
iii. Jordan Menard

Jordan Menard appeared before the Committee as a frequent transit rider and supporter of ION and the preferred route in Cambridge, noting that it meets the principles of transit effectively and that the changes proposed by citizens would make the route less rider friendly.

K. Kiefer brought forward an amendment to the recommendation stating that staff need to further evaluate the Shantz Hill and Eagle Street area to come up with possible route changes.

Thomas Schmidt, Commissioner, Transportation and Environmental Services provided a revised timeline stating that funding requests would potentially be going forward in 2020. He provided clarification to the Committee that the staff interpretation of the motion would be that the route is fixed to the top of Shantz Hill and staff will be looking at alternatives to going down the hill, station location in Preston and track location in the area of Preston to connect into the abandoned spur line and, based on the current recommendation, the route would be coming down Shantz Hill.

Moved by K. Kiefer

Seconded by H. Jowett

That the Regional Municipality of Waterloo endorse the Project Team Preliminary Proposed Route (2018) as displayed in Attachment 1 as the preferred route for Stage 2 ION: LRT from Kitchener to Cambridge as shown in Report TES-RTS-18-06 dated June 19, 2018;

And that subject to further evaluation of the portion of the route between Shantz Hill Road and Eagle Street North at William Street, and,

That the Region of Waterloo increase the contract with WSP Canada Group Limited by $967,243.71 plus applicable taxes for a revised total of $2,830,030.55 to cover the amended project scope requested.

Carried, as amended

c) Jane Gurney, PDL-CPL-18-30, Recommendation for Proposed Amendment to the Regional Official Plan (East Side Lands – Stage 2) (Staff presentation)

Jane Gurney, Principal Planner, provided a presentation to the Committee on background, changes to the designations and policy modifications in the proposed amendment; a copy of the presentation is appended to the original minutes.

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J. Gurney clarified that the Fairway lands were chosen as replacement lands as they were accommodating for industrial and that the designations of residential and industrial have to have an equal balance. It was noted that the next Municipal Comprehensive Review (MCR) would most likely take place in 2020, providing more opportunity for investors.

*B. Vrbanovic entered the meeting at 9:44 a.m.

i. Steven O'Melia, Miller Thomson

Steven O'Melia appeared before the Committee representing the Puopolo Property and provided a report to the Committee, commenting on the background, involvement of the property and the process with the proposed amendment; he requested that the Committee consider incorporating the Puopolo Property into urban lands. A copy of his report is appended to the original minutes.

Michelle Sergi, Director, Community Planning, provided background as to how the lands were assessed and which point the lands were incorporated into the process and stated that they were studied with a technical perspective.

ii. George Roussakis

George Roussakis appeared as a land owner on Riverbank Drive and requested his lands be included in the urban area.

iii. James Boudreau

James Boudreau appeared before the Committee as a land owner on Riverbank Drive and expressed feelings that the West Side lands were not included in the whole process and inquired as to why Municipal services cannot be extended to Riverbank Drive.

iv. Joseph Puopolo

Joseph Puopolo appeared before the Committee to state that, according to the Ontario Municipal Board (OMB) there is no provision stating that there needs to be equal parts of industrial and residential lands and noted that there is still opportunity to add residential lands prior to the MCR.

M. Sergi explained the rationale for the swapping of residential and industrial lands and stated that by putting the requirement into the ROP it met the criteria for creating a community and referred to Brenna MacKinnon, Manager, Greenfield Planning, to provide background of the Riverbank lands.

Mike Murray, Chief Administrative Officer, provided context in regards to a City of Cambridge report recommending a policy to be created to consider the Riverbank lands 2756498
in the MCR in which Cambridge Council denied in order to remain neutral during the process.

Moved by E. Clarke

Seconded by S. Shantz

That the Regional Municipality of Waterloo approve the Subwatershed Study for the Randall and Breslau Drains (December 2017) and Addendum to the Subwatershed Study (March 2018) (WSP) pursuant to Regional Official Plan policy 7.F.6 to the extent that it addresses matters of Regional interest; and

That the Regional Municipality of Waterloo adopt the proposed amendment to the Regional Official Plan with respect to lands in the northern part of the City of Cambridge and the southern part of the Township of Woolwich, as set out in Attachment ‘4’; and

That Regional staff be directed to prepare the implementing by-law for the proposed amendment to the Regional Official Plan as set out in Attachment ‘4’.

    Carried,

    Opposed: K. Kiefer and H. Jowett

d) Dave Aston, MHBC Planning, re: TES-DCS-18-12, Class Environmental Assessment Study – Erb Street Improvements, Fischer-Hallman Road to Wilmot Line, City of Waterloo

Dave Aston appeared before the Committee and provided a report requesting to have a potential roundabout at Erb Street West and connection to the Boardwalk. The report is appended to the original minutes.

S. Strickland added an item to the recommendation that staff give consideration to the roundabout, as indicated on the map provided by Dave Aston.

T. Schmidt noted that roundabouts and accident reports are considered as a part of an evaluation process for every intersection.

Moved by S. Strickland

Seconded by D. Jaworsky

That the Regional Municipality of Waterloo take the following actions with respect to the Class Environmental Assessment for Erb Street Improvements, from Fischer-Hallman Road to Wilmot Line, in the City of Waterloo:
a) Approve the Recommended Design Alternative for the proposed construction and widening of Erb Street from Fischer-Hallman Road to Wilmot Line as described in Report TES-DCS-18-12 dated June 19, 2018.

b) Direct staff to file a Notice of Completion as required by the Municipal Class Environmental Assessment and place the Environmental Study Report on the public record for review for a period of 30 days.

c) Amend Traffic and Parking By-law 16-023, as amended, upon completion of construction to add to Schedule 22, Reserved Cycling Lanes on the north side of Erb Street (Regional Road 9) from Fischer-Hallman Road to Ira Needles Boulevard in the City of Waterloo.

d) Amend Traffic and Parking By-law 16-023, as amended, upon completion of construction to add to Schedule 22, Reserved Cycling Lanes on the south side of Erb Street (Regional Road 9) from Fischer-Hallman Road to Ira Needles Boulevard in the City of Waterloo

e) That staff give consideration to a potential roundabout on Erb Street West.

Carried, as amended

e) Levi Oakey re: TES-TRP-18-09.1, Moving Forward (Transportation Master Plan Update) – Recommended Plan Additional Information

Levi Oakey appeared before the Committee and provided a report noting his recommendations on how to make active transportation a priority in the Transportation Master Plan, a copy of his report is appended to the original minutes.

In response to a Committee member’s question, T. Schmidt explained how resources are distributed to each project and currently there is no plan in place to increase staff resources for the Transportation Master Plan projects but staff will identify areas that need resource improvement in order to bring forward during the budget process.

Committee members noted support of the changes that were made to the plan and indicated that going forward there should more of a focus on moving people over moving vehicles.

Moved by K. Seiling

Seconded by S. Strickland


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Carried

Request to Remove Items from Consent Agenda


Motion to Approve Items or Receive for Information

Moved by J. Nowak

Seconded by S. Shantz

That the following items be approved:

- That the Regional Municipality of Waterloo amend Traffic and Parking By-law 16-023, as amended, upon completion of construction of the roundabout at the intersection of Herrgott Road (Regional Road 10) and Ament Line (Regional Road 17) to:
  
  a) Add to Schedule 10, Level 2 Pedestrian Crossover, Herrgott Road (Regional Road 10) at Ament Line (Regional Road 17), on All Entry and Exits;
  
  b) Remove from Schedule 17, Maximum Speed of 80 km/h on Herrgott Road (Regional Road 10) between Ament Line (Regional Road 17) and 450m North of Sunset Drive;
  
  c) Remove from Schedule 17, Maximum Speed of 80 km/h on Ament Line / Hawkesville Road (Regional Road 17) between 715 m East of Manser Road (Regional Road 5) and 450m West of Northside Drive (St. Jacobs);
  
  d) Add to Schedule 17, Maximum Speed of 80 km/h on Herrgott Road (Regional Road 10) between 400m South of Ament Line to 450 m North of Sunset Drive;
  
  e) Add to Schedule 17, Maximum Speed of 60 km/h on Herrgott Road (Regional Road 10) between Ament Line (Regional Road 17) to 400m South of Ament Line;
  
  f) Add to Schedule 17, Maximum Speed of 80 km/h on Ament Line / Hawkesville Road (Regional Road 17) between 715 m East of Manser Road (Regional Road 5) and 400m West of Herrgott Road (Regional Road 10);
  
  g) Add to Schedule 17, Maximum Speed of 60 km/h on Ament Line / Hawkesville between 400 m West of Herrgott Road (Regional Road 10) and 400m East of Herrgott Road (Regional Road 10); and
h) Add to Schedule 17, Maximum Speed of 80 km/h on Ament Line / Hawkesville Road (Regional Road 17) 400m East of Herrgott Road (Regional Road 10) and 450m West of Northside Drive (St. Jacobs).

- That the Regional Municipality of Waterloo amend Traffic and Parking By-law 16-023, as amended, to:
  
a) Remove from Schedule 4, No Stopping Anytime on both sides of Hespeler Road (Regional Road 24) from Highway 401 to Avenue Road;
  
b) Add to Schedule 4, No Stopping Anytime on both sides of Hespeler Road (Regional Road 24) from Highway 401 to Coronation Boulevard/Dundas Street (Regional Road 8);
  
c) Add to Schedule 15, Southbound Right-Turn Lane Designation on Hespeler Road (Regional Road 24) at Jaffray Street, Buses Excepted;
  
d) Add to Schedule 15, Southbound Right-Turn Lane Designation on Hespeler Road (Regional Road 24) at Coronation Boulevard (Regional Road 8), Buses Excepted; and,
  
e) Add to Schedule 24, Reserved Bus Lane, anytime, west side of Hespeler Road (Regional Road 24) from Jaffray Street to 170m south of Jaffray Street;

In the City of Cambridge, as outlined in Report TES-RTS-18-05 dated June 19, 2018.

- That the Regional Municipality of Waterloo relocate the existing intersection pedestrian signal from the current location at the Bridgeport Road (Regional Road 9) Peppler Street intersection to a new location approximately 130 metres to the east on Bridgeport Road at the Laurel Creek Trail crossing, as outlined in Report TES-TRP-18-07 dated June 19, 2018.

- That the Regional Municipality of Waterloo amend the Region’s Traffic and Parking By-law 16-023, as amended, to add the following to Schedule 10:
  
a) A Level 2 Pedestrian Crossover on Cedar Street (Regional Road 97) at the east entrance to Westgate Plaza (east approach), in the City of Cambridge, and
  
b) A Level 2 Pedestrian Crossover on Nafziger Road (Regional Road 5) at Maple Leaf Street (north approach), in the Township of Wellesley; as outlined in Report TES-TRP-18-08, dated June 19, 2018.

And that the following items be received for information:

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• Bleams Road Improvements Strasburg Road to Fischer-Hallman Road City of Kitchener Public Consultation Centre #1 Information Package

Carried

Regular Agenda Resumes

Reports – Transportation and Environmental Services

a) TES-WAS-18-14, Cambridge East Water Supply Class Environmental Assessment: Notice of Completion

H. Jowett requested that staff report back to Planning and Works Committee at the end of July and September regarding the impact on water taking in our neighbouring communities and wells. The request will be added to the tracking list.

Moved by K. Redman

Seconded by S. Shantz

That the Regional Municipality of Waterloo accept the “Cambridge Water Supply Class Environmental Assessment Project Report” summarized in this Report TES-WAS-18-14 dated June 19, 2018;

And that the Regional Municipality of Waterloo publish the Notice of Completion for the Project File Report and make the report available for public review and comment for a 30-day period, in accordance with the Municipal Engineers Association’s Class Environmental Assessment process.

Carried

b) TES-TRS-18-17, Pilot Transit Service Proposal in Elmira

S. Shantz inquired into the possibility of switching the date to February 1st in which Craig Dyer, Chief Financial Officer, explained that due to the budget timeline and process it would not be feasible.

Peter Zinck, Assistant Director, Grand River Transit stated that staff would have further discussion with Kiwanis and the Township of Woolwich regarding signage.

Moved by S. Shantz

Seconded by L. Armstrong

That the Region of Waterloo permit Kiwanis Transit and the Township of Woolwich to operate a community circulator transit service as a pilot project from September 4, 2018

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to March 1, 2019, subject to sufficient funding being provided by Kiwanis Transit and the Township of Woolwich, as described in report TES-TRS-18-17 dated June 19, 2018.

Carried

c) TES-WAS-18-13, Hidden Valley Intake Operating Protocol Redevelopment with Expert Panel

Moved by K. Seiling
Seconded by S. Foxton

That the Regional Municipality of Waterloo enter into a Consulting Services Agreement with C3 Water Inc. to provide consulting engineering services for undertaking the review and updating of the Hidden Valley Low Lift (HVLL) Intake Operating Protocol, at an upset limit of $242,058 plus applicable taxes.

Carried

Reports – Planning, Development and Legislative Services

a) PDL-CPL-18-29/COR-TRY-18-62, Brownfields Financial Incentives Program – Tax Increment Grant Application – 181 King Street South, City of Waterloo

K. Redman noted that the Region has been recognized as a leader for the program and that it is very beneficial in engaging the private sector.

Moved by D. Jaworsky
Seconded by S. Strickland

That the Regional Municipality of Waterloo take the following actions regarding the property municipally known as 181 King Street South in the City of Waterloo, as described in Report PDL-CPL-18-29/COR-TRY-18-62 dated June 19, 2018:

a) Approve a joint Tax Increment Grant with the Regional amount not to exceed $1,064,487 net of any other future brownfield assistance, to be financed from the incremental tax revenue for the property following remediation, redevelopment and reassessment;

b) Provide a Tax Increment Grant subject to the redevelopment of the property; and

c) Authorize the Region’s Commissioner of Planning, Development and Legislative Services and Commissioner, Corporate Services / Chief Financial Officer to execute any associated agreements with the registered owner of 181 King Street South and the City of Waterloo, with the form and content of such agreement(s)
to be satisfactory to both the Regional and City of Waterloo Solicitors.

Carried

Information/Correspondence

a) Council Enquiries and Requests for Information – No Items Pending

Other Business

a) Jon Arsenault re: Ontario Municipal Waste Association (MWA) Awards to the Region of Waterloo, Waste Management Division: Gold Award for Best Calendar and Gold Award for Best Campaign

Jon Arsenault, Director, Waste Management, provided an overview of the awards that were received and acknowledged staff for their work. Kathleen Barsoum, Coordinator, Waste Management presented the awards to the Committee.

Next Meeting – August 14, 2018

Adjourn

Moved by L. Armstrong

Seconded by D. Jaworsky

That the meeting adjourn at 11:13 a.m.

Carried

Committee Chair, T. Galloway

Committee Clerk, J. Rudy
PROJECT TO DATE

- 2011 Council endorsed route
- Public Consultation Centres (PCC)
  - No. 1 - Route alternatives developed
  - No. 2 - Preliminary Proposed Route (2017)
  - No. 3 - Refined route alternatives in Kitchener, North Cambridge (Preston area) and south Cambridge
  - No. 4 - Project Team Preliminary Proposed Route (2018)
- Planning and Works Committee - recommendation to endorse Preferred Route
PROJECT TEAM PRELIMINARY PROPOSED ROUTE (2018)

Legend
- Project Team Preliminary Proposed Route (2018)
- LRT Station
- Rail Corridor
- Potential Property Impacts
- Potential GO Station Location

Potential Property Impacts

<table>
<thead>
<tr>
<th>Properties Impacted*</th>
<th>Potential Full Buyout</th>
</tr>
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<tbody>
<tr>
<td>180-220</td>
<td>45-60</td>
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</table>

* Total, including partial and full buyout
HOW IS THE 2018 ROUTE DIFFERENT THAN THE 2017 ROUTE?

- 3 minutes faster
- 60 fewer properties impacted
- 70 fewer full property buyouts
- 33 fewer Built Heritage and Cultural Landscape Resources affected
- Reduces traffic and property impacts on King Street from River Road to Highway 8 underpass
- Reduces traffic and property impacts on Eagle Street east of Preston to Hespeler Road
- Reduces impact on properties along Beverley Street
NEXT STEPS
Pending Planning and Works Committee endorsement of the Project Team Preliminary Proposed Route;

- Preliminary design and the identification of the preliminary property requirements
- Finalize station locations/names
- Identify potential locations for traction power substations
- Determine the location of the maintenance and storage facility
- Prepare business case
FUTURE STEPS

- PCC No. 5 (present preliminary - design and property requirements) - 2019
- Present recommended project to Regional Council for final authority to initiate the formal Transit Project Assessment (TPA) process (Late 2019)
- Address any comments submitted during public consultation or Minister of Environment and Climate Change’s review periods
- File the Environmental Project Report for public review and complete the TPA process
- Submit Provincial and Federal funding applications
THANK YOU
Recommendation for Proposed Amendment to the Regional Official Plan (East Side Lands – Stage 2)
Regional Official Plan Amendment (ROPA)

Through the approval of the ROP, an additional 170 hectares of Urban Designated Greenfield Areas (UDGA) has been justified:

- A maximum of 55 hectares located west of Fountain Street, north of the future Ottawa Street extension in the Township of Woolwich.
- A maximum of 115 hectares to be located between Speedsville Road and the Grand River in the northern part of the City of Cambridge.
Township of Woolwich
Proposed ROPA
PROPOSED ROPA
Proposed Policy Modifications

1. Addition of "Note 4" to Table 1
2. Require future development to respect the findings and recommendations of applicable subwatershed studies
3. The southern boundary of the Urban Area in the Township of Woolwich is identified as the future alignment of the Ottawa Street extension
4. Consideration of the balance of the lands at Fairway Road/Fountain Street North through the future Municipal Comprehensive Review
5. Secondary Plan must be completed prior to submission of any development applications
Recommendation

That the Region:
1. Approve the Subwatershed Study and Addendum; and
2. Adopt the proposed ROPA; and
3. Direct staff to prepare the by-law for the proposed amendment to the ROP.
Proposed ROPA (East Side Lands – Stage 2)

Questions
I was born and raised in Preston, and I own a home on Chopin Drive, living there for the last seventeen years. I will be directly affected by the N3e route and the planned stop at the intersection of King and Eagle Streets, and although I do support the desire for LRT in our region, I am not a supporter of the Preston portion of the currently preferred route.

At this point, with the challenges in front of the project, the community group I represent fully supports Cambridge Council’s last vote to approve the majority of the Cambridge LRT route as set by the planning department but holding off on a decision for the Preston section that comes from Fairview Park Mall to Industrial Road.

Over the last year and a half, I have spoken often at both Regional and Cambridge Council meetings concerning Stage Two of this project and the logistics of the route into and through the city of Cambridge, and I consider my group not just engaged, but invested in finding the best possible route for my city.

And by no means have you been given an easy task. Cambridge brings a set of challenges and hurdles that were not part of the blueprint when developing a route for Stage One. Our city is a beast all her own, and it’s rivers, bridges, the 401, and numerous grade variations that are among the many obstacles you are facing when attempting to assign an LRT route from Kitchener to Cambridge.

There are learning curves in everything we do as humans. From the day we are born, we are constantly learning the checks and balances of not just the scientific universe, but of our actions, our words, and our choices in life. We learn what works and what doesn’t in our society. What’s acceptable and what would be considered over the top. We learn from our failures and our successes. And we learn from other people’s bombs and triumphs as well.

We all know some people’s learning curves are slower, and even steeper than other’s, but sometimes it’s not the person at all that has the problem; it’s the task that is the challenge, not someone’s intellect. In those cases, we must often slow down and take another look—maybe even ten more looks—before getting something right. We talk to people. We roll things around in our mind over and over. We listen to what others are sharing.
In the case of the LRT through Cambridge, the planning department can and should fall back on what it has learned in Stage one. As I said, the learning curve is there, and it’s a solid foundation to draw from. But because of the unique challenges Cambridge brings to the table, that learning curve can’t be fully trusted.

There are so many unanswered questions in this second stage of the LRT. And this is not the same as what you planned and placed in KW. Cost and environmental concerns can’t be fully addressed at this point. Impacts on traffic and heritage are a stab in the dark. Funding is this ugly thing lurking in the garden of a new government. And ridership numbers are as tangible as an icloud. There is no definitive proof that what has been done in Stage One is a success. So quickly pushing forward with Stage Two seems reckless.

Right now, the region has a perfect safety record because trains aren’t moving. We haven’t been through a brutal winter or suffered an intense storm that would bring down trees, cut electricity, or demonstrate the challenges of removing snow from LRT tracks and stops. We haven’t seen damage from flooding and ice jamming because the LRT hasn’t crossed rivers that experience that regularly. You haven’t done a lot of the things that will be required to place the LRT in Cambridge, so you can’t have all the answers, no matter what a computer model shows after inputting data.

Yes, you have to go on something, you have to rely on the information at hand, otherwise you would stare at each other over the table and nothing would get done. But holding back, taking another look, and listening to individuals who intimately know the area you are preparing to alter are not bad things. And in no way does a slow down on the LRT route into Cambridge speak to planning’s inability to handle the task placed on your desks. If anything, a pause and another look at this route speaks to your aptitude and determination to get this right for Cambridge. There is nothing wrong with being sent back to the drawing board. There is no foul in stating that “we have most of it but not all of it.” You’ve been given a tricky and demanding task and saying that you need more time to figure it out is part of any good learning curve.

You want to access Cambridge through Shantz Hill, the Speed River, and King and Eagle Streets. This is the oldest part of the region you are tinkering in, you need to be gentle, aware, and heed the warning of the residents. We know Preston better than anyone because we are there, living it, 24/7.

The current N3e route into Cambridge is a poor selection. There are alternatives routes that will shine and service the residents just as well, if not better. The resident groups from three Kitchener communities and our Preston group strongly urge you to take another look and find something more suited for Cambridge.
Planning & Works Committee June 19 -- Jordan Menard

Monday, June 18, 2018    7:24 PM

Opening Remarks
- Introduction
  - Who I Am
  - Frequent Transit Rider
  - ION Supporter
  - EasyGO Fare Card Beta Tester
Importance of this Routing
- Effective connections to GRT
- Bring the Transit to the People
- Opportunities for Affordable Housing
- City-building opportunities.

Why King & Eagle?
- 206 iXpress - Fairway Station to Southwood / Cedar - Galt
- GRT Route Redesign - Proposed 2021 Transit Network
- Speedsville / Eagle?
  - (Not Rider Friendly, not effective transit)
  - Option 1: Divert transit from Preston Core to Connect to ION stop
  - Option 2: Require Transfer or walking from Preston Core to ION Stop

Fast, Frequent, Friendly & Fair
- Fast - LRT
- Frequent - LRT Service plan
- Friendly
  - By choosing this routing we are choosing Rider-Friendly transit.
- Fair - One System, One Fare
June 18, 2018

Delivered Via Email: klfletcher@regionofwaterloo.ca

Chair Sailing and Members of Regional Council
c/o Kris Fletcher
Regional Clerk
Region of Waterloo
150 Frederick Street
3rd Floor
Kitchener ON N2G 4J3

Dear Sirs/Mesdames:

Re: Proposed Amendment to the Regional Official Plan
   East Side Lands – Stage 2
   North Cambridge Urban Boundary Expansion

We are the solicitors for Joseph and Laura Puopolo, who are the owners of the property municipally known as 850 Riverbank Drive, Cambridge. We attach an aerial photograph showing the location of their property, together with the additional access and development rights that they have secured over 1000 Riverbank Drive (George and Lori Roussakis) and 1010 Riverbank Drive (James Boudreau) (collectively, the "Puopolo Property").

The Puopolo Property is located within the North Cambridge Urban Boundary Study Area, which forms part of the area under consideration within the East Side Lands Stage 2 study. We are writing to Regional Council to express our clients' concern about the process that has been followed in the consideration of this proposed Official Plan amendment. It is our clients' position that the process and the recommendations arising therefrom do not conform to the Region's Official Plan, and are therefore inconsistent with the Provincial Policy Statement. We have set out the reasons for this position below.

Conformity with Official Plan

Council will recall that the Puopolo Property was within the identified future expansion lands that were part of the settlement before the Ontario Municipal Board of the Regional Official Plan appeals for the North Cambridge area (OMB File No. PL110080). The appeals that affected the Puopolo Property were settled on terms that provided that those lands, including the Puopolo Property, would be given "priority consideration" within the next municipal comprehensive review.

The obligation to provide priority consideration was undertaken by the Region of Waterloo, as approval authority, and was imposed by Ontario Municipal Board order. That obligation formed part of the Region's executed settlement of the Board appeals and remains in full legal force and effect. The specific wording of the settlement and of the implementing in the Regional Official Plan provides, in part, as follows (emphasis added):

Modification No. 1

Policy 2.B.3 is further modified adding a new subparagraph 2.B.3 (j) as follows:
As provided for through the municipal comprehensive review process associated with the final approval of this Plan and to further implement the Ontario Municipal Board decision relating to this final approval of this Plan, priority consideration will be given to a future amendment to this Plan to designate a maximum of 115 ha of Urban Designated Greenfield Area to be located between Speedsville Road and the Grand River in the northern part of the City of Cambridge, subject to the following:

i) Designation of these lands as Urban Area will be considered through a future amendment to his Plan commenced in 2016 and may be considered concurrently with a corresponding amendment to the City of Cambridge Official Plan;

iii) Priority consideration will first be given to enhancing the size of the residential area currently comprised of the lands designated rural residential in the City of Cambridge Official Plan located west of Fountain Street, north of Middle Block Road and south of Fairway Road North, with the objective being to create a residential cluster of sufficient size so as to permit its integration with the surrounding employment uses to form the beginning of a mixed use community that will permit future residents the opportunity to live close to where they work;

It is important to note that the Puopolo Property falls within both the area to be given priority consideration (between Speedsville Road and the Grand River) and the area to be given first priority within that priority consideration area (being west of Fountain Street, north of Middle Block Road and south of Fairway Road North). None of the other properties identified in the City of Cambridge staff report of May 18, 2018 (commenting on the proposed amendment) as being within “Area E” meet both of these priority criteria.

Despite the Official Plan requirement to give the Puopolo Property double priority consideration in this Official Plan amendment process, we understand that it was not even included within the initial mapping that was presented at public meetings held by the Region and the City of Cambridge. We further understand that it was not until the Region’s third public meeting, after several communications from our clients, that the Puopolo Property was finally brought into the area under consideration. By that point, there had already been extensive study and public input and the consideration of the Puopolo Property was prejudiced.

As late as March of 2018, City of Cambridge staff made presentations to City Council omitting the correct study area and improperly excluding the Puopolo Property. City staff also failed to consider the Puopolo Property in servicing reports that were prepared while the public consultation process was underway. For those reasons, it is our clients’ position that any recommendations made by the City of Cambridge within this process should be given no regard.

In summary, there is a demonstrable pattern that the lands west of Riverbank Drive were not given the priority consideration that they were required to be given, from the outset and even while the public consultation process was underway. This treatment by the Region (and the City) does not constitute priority consideration, and does not conform to either the Board settlement or the Regional Official Plan provision which implemented it. It is not too late for the Region to address that prejudice and conform with its Official Plan policies. It could do so by implementing a modified version of Option #3, as set out in the WSP Planning Rationale Report, that would include all of the Puopolo Property.
Planning Considerations

If the Region conforms to its Official Plan requirement to give the Puopolo Property priority consideration for inclusion within the current expansion of the North Cambridge Urban Boundary Area, it must in our view consider the following:

1. Modification No. L permits the designation of up to 115 hectares of "Urban Designated Greenfield Area", to be located between Speedsville Road and the Grand River, with priority first being given to enhancing the size of the residential area currently comprised of the lands designated rural residential in the City of Cambridge Official Plan. The Puopolo Property is within the priority area and is 7.6 hectares in area. There is ample room within the provisions of the Region’s Official Plan to include it in this Stage 2 expansion.

2. The proposed redesignation of employment lands that are already within the Urban Area, but are proposed to become subject to a different designation, is a separate matter that should not affect the consideration of the Puopolo Property. The lands that are proposed to be redesignated are specifically required by Policy 2.B.3(j)(iv) of the Region’s Official Plan to be given lower consideration than the enhancement of the residential area, and should not crowd out rural residential lands that are eligible for inclusion in the Urban Area. Doing so would not conform with the intent of the Board settlement or the provisions of the Region’s Official Plan. The Puopolo Property can be brought into the Urban Area without removing other lands.

3. The Puopolo Property has available servicing (as evidenced by the engineering reports and submissions provided to Region staff by our clients), is free of development constraints, and can be more readily serviced than some of the other lands which are under consideration for redesignation. There are no servicing reasons for the Puopolo Property not to be included within the Urban Boundary at this time.

4. The inclusion of the Puopolo Property within the Urban Area would offer the unique opportunity to create pedestrian connectivity between Riverbank Drive and the Grand River, establishing scenic lookouts and a possible riverbank trail as shown on the plan attached to this letter. This would be of great benefit to the entire area, but cannot be achieved if the Puopolo Property is excluded from the Urban Area.

5. The Puopolo Property is contiguous with an existing residential area and free from natural and cultural heritage resources conflicts. It is for the most part not visible from the Riverbank Drive "scenic route", and has only a minimal frontage thereon. In contrast, many of the other properties in the area which are being considered for redesignation have significant frontages on the scenic route, and their development will unavoidably have negative impacts thereon.

6. We have reviewed the concerns raised to the redesignation of the Puopolo Property by the residents on Riverbank Drive and, with respect, submit that they do not constitute proper and supportable planning issues. They are the very definition of “not in my backyard” concerns and should be given little, if any, weight within the Region’s consideration process. The stated concerns include:

   (a) proximity to the floodplain – this is the responsibility of the Grand River Conservation Authority, which has expressed no concerns with respect to the
inclusion of the Puropolo Property within the Urban Area. The environmental constraints have been satisfactorily addressed by the Region in MESP Stage 1 and 2, and further reinforced by independent study. This is not a reason to exclude the Puropolo Property from the Urban Area;

(b) loss of privacy – this can be addressed through normal planning measures such as setbacks, but in any event would apply more to the future residents of the Puropolo Property, which would be lower in elevation than the objectors;

(c) loss of view – this is not a planning issue, as no person has a right to insist on maintaining a view in perpetuity over someone else’s property;

(d) increased traffic on Riverbank Drive – there is no traffic analysis to support this concern. As noted in the Associated Engineering report submitted to staff, "...the design intent [of the development of the Puropolo Property] will be to direct traffic along the upgraded Middle Block Road to Fountain Street and/or the new North South Collector Road, and it is expected that changes to traffic volumes along Riverbank Drive would be negligible";

(e) disruption during the construction process – this would be temporary and not unusual, and is not a proper planning issue;

(f) loss of market value – this is also not a planning issue; and

(g) potential impact on the Riverbank Drive scenic route – there is no status for a "scenic route" along Riverbank Drive in any of the governing planning documents. However, in response to this concern, our clients retained a qualified heritage planner, Owen R. Scott, OALA, FCCLA, CAHP, to examine the issue. As noted in Mr. Scott’s report, which is appended to the Region staff report, the Puropolo Property is contiguous with an existing residential area, free from natural and cultural heritage resources conflicts and is for the most part not visible from the scenic route. Neither the Region nor the City conducted a heritage assessment, leaving Mr. Scott’s professional review the only one that can be given regard in Regional Council’s determination of this matter.

In summary, we urge Council to give full and proper consideration to the intent and language of its Official Plan in determining which lands should be brought into the North Cambridge Urban Area at this time. We submit that the Ontario Municipal Board settlement, and the modification to the Region’s Official Plan that resulted therefrom, fully support the inclusion of the Puropolo Property in this round of consideration.

We include the following additional documents for Council’s consideration:

1. a planning analysis prepared by David Butler, BES, MCIP, which speaks to the planning merits of the Puropolo Property within the existing planning policy and Official Plan context;

2. a supplementary servicing report prepared by Associated Engineering (Ont.) Ltd, which concludes that the servicing of the Puropolo Property could be more readily achieved than the servicing of lands north of the Randall Drain; and
3. the following electronic link to copies of documents that in our clients' view are relevant to Council's consideration of this matter:

https://www.dropbox.com/sf/95bxvdi70u88ldlAACd0evT2Aoyr24Gq_YYN7wMa?dl=0

Please note that our clients comments are limited to the proposed amendments that affect the North Cambridge Urban Area. They take no position with respect to those portions of the proposed amendment that relate to the lands within the Township of Woolwich.

We thank you for your attention to this matter, and ask that we be provided with written notice of any further meetings at which this matter will be considered, as well as notice of any decisions which are made with respect thereto.

Yours truly,

MILLER THOMSON LLP
Per: 

Steven J. O'Melia
SJO/dms

Enclosures

c. Joseph Puopolo, Puopolo Inc. (via email: joseph@PuopoloInc.com)

32009359
June 18, 2018

Chair Selling and Members of Regional Council
c/o Kris Fletcher
Regional Clerk
Region of Waterloo
150 Frederick Street
3rd Floor
Kitchener, Ontario
N2G 4J3

Dear Sirs/Mesdames

Re: Proposed Amendment to the Regional Official Plan
East Side Lands – Stage 2
North Cambridge Urban Boundary Expansion

I have been retained by Joseph and Laura Puopolo ("landowners"), who are the owners of the property municipally known as 850 Riverbank Drive, in the City of Cambridge to provide an independent planning opinion with respect to the proposed ROPA for the City of Cambridge. The Puopolo Property ("subject lands") is located within the North Cambridge Urban Boundary Study Area that forms part of the area under consideration within the East Side Lands Stage 2 Study.

I have reviewed the WSP report that forms the basis for recommendations to Regional Council with respect to the proposed ROPA. I have also reviewed various reports/submissions made by the landowners and their other consultants over the past several years in support of inclusion of the subject lands within the proposed ROPA.

In my respective opinion, the inclusion of the subject lands within the proposed ROPA has substantial planning merit and implements a 2015 Decision of the Ontario Municipal Board rendered with respect to future priority areas for expansion of the City of Cambridge urban boundary. Unfortunately, the proposed ROPA before you does not include the subject lands, for reasons that in my opinion have not been properly set out.
The following planning report has been prepared to assist Regional Council and staff with respect to this matter. In my opinion, the inclusion of the subject lands conforms with the Growth Plan for the Greater Golden Horseshoe, is consistent with the Provincial Policy Statement 2014 and properly implements the Decision of the OMB.

I would be pleased to meet with Regional planning staff to discuss this matter further.

INTRODUCTION

The subject lands comprise three properties totaling 7.6 Ha including portions of there, highlighted in Green:

1000 Riverbank Drive – James Boudreau
1010 Riverbank Drive – George/Lori Roussakis
850 Riverbank Drive – Joseph & Laura Puopolo

The lands were studied as part of MESP Stage 1 for environmental constraints. As of 2015, they have been given priority consideration for inclusion into the urban boundary. As per the landowner’s first
consultation meeting with City of Cambridge staff in 2015 after the OMB settlement, it was their desire to develop these lands that would be compatible with the surrounding residential neighbourhood.

In addition to being developers, Joseph and Laura’s primary residence is at 850 Riverbank Drive and it is understood that they will be acting as stewards of an additional 60 acre parcel on the Grand River in coordination with the GRCA (Grand River Conservation Authority) and other governing bodies. Through the MESP Stage 2 process, these lands should be included in the Urban Envelope.

Furthermore, it is my understanding that my clients have actively participated in the Regional planning process and have made numerous submissions to Regional staff with respect to the planning merits of the inclusion of their lands within the urban boundary of the City of Cambridge. My clients wish to actively pursue a residential infill development that will conform with all of the policies of the Regional Official Plan and the City of Cambridge Official Plan that will complete this residential community located on the west side of Riverbank Drive.

In order to assist Regional Council and staff, I have undertaken an evaluation of the subject lands in the context of conforming with the Growth Plan. The following represents my summary analysis with respect to various key policies of the Growth Plan.

**GROWTH PLAN ANALYSIS**

1. Guiding Principles 1.2.2

   In my professional planning opinion, the inclusion of the subject lands with the City of Cambridge urban area would achieve all of the key guiding principles of the Growth Plan.

   1. **Build compact, vibrant and complete communities.**

      Inclusion of the subject lands provides for a compact urban form and would “knit” into the existing residential community. Furthermore, inclusion of the subject property fully completes the Riverbank Drive community and allows for successful integration of servicing, heritage features, and pedestrian trails.

      Failure to include the property at this time, will create many other planning issues regarding:

      1. Future inclusion, integration into the new built form.
      2. Safety issues for major landholders abutting the Grand River and trespass thus impacting privacy.
      3. Providing an integration plan for these lands and surrounding rural residential development.
      4. Integrating trails/interfaces with the natural features of the Grand River.

   2. **Plan and manage growth to support a strong and competitive economy.**

      Developing a strong and vibrant economy requires development properly integrated with proposed employment lands. The development of the subject lands provides for an
integrated community between employment lands and a variety of housing forms to support all different types of demographic groups.

3. Protect, conserve, enhance and wisely use the valuable natural resources of land, air and water for current and future generations.

All of the subject lands have been reviewed in both MESP Stage 1 and 2 studies. It is my understanding that they are free of development constraints, and these studies have been confirmed through independent consultants NSRI retained by the landowners in two separate studies (2010, 2017)

4. Optimize the use of existing and new infrastructure to support growth in a compact, efficient form.

Given the cost of bringing new infrastructure to this community via a major north/south wastewater pipe, it is appropriate to include the subject lands. They are situated within 400m metres of a major outlet at Middleblock Road. As noted by Associated Engineering, servicing for the subject lands is achievable and will leverage existing and future investments. Inclusion of the subject lands is the most efficient use of existing services.

5. Provide for different approaches to managing growth that recognize the diversity of communities in the GGH

This solution allows for a variety of different housing types while providing for integration with the existing built form. Density targets can be achieved through a mix of housing throughout the new urban area that is desirable to creating a diverse community.

6. Promote collaboration among all sectors — government, private and non-profit — and residents to achieve the vision.

Through the planning process, the landowners have attempted to submit their comments through multiple Public Consultations to achieve a complete vision for the community. In all of submissions, the landowners reviewed ways to integrate any development with the existing Rural Residential. In my opinion, integrating the entire Riverbank area from Middleblock Road to Fountain Road helps to develop and achieve a future vision for the community that integrates with surrounding development.

2. Growth Forecasts 2.2.1.1

1. In keeping with the ROP and OMB Decision, priority consideration was given to the subject lands for further integration. It was identified through the OMB settlement and subsequent ROP amendments that additional lands are required to meet growth forecasts.

3. Managing Growth 2.2.2.1
a) directing a significant portion of new growth to the built-up areas of the community through intensification –

The OMB Decision states:

Modification No. L - Policy 2.B.3 is further modified adding a new subparagraph 2.B.3 (j) as follows:

(iii) “Priority consideration will first be given to enhancing the size of the residential area currently comprised of the lands designated rural residential in the City of Cambridge Official Plan located west of Fountain Street, north of Middle Block Road and south of Fairway Road North, with the objective being to create a residential cluster of sufficient size so as to permit its integration with the surrounding employment uses to form the beginning of a mixed use community that will permit future residents the opportunity to live close to where they work;”

- OMB Settlement PL110080 (emphasis added)

b) focusing intensification in intensification areas –

The incorporation of the subject lands would allow for modest low intensification, while offering compatibility with the existing rural residential community. Appropriate density targets in the entire area can still be met through a balancing of intensification across the 115 Ha.

c) building compact, transit-supportive communities in designated greenfield areas –

This policy is intended to create a walkable, transit-friendly community. The development of the subject lands would enhance walking routes and provides greater integration and connectivity with employment properties. Figure 3 demonstrates that the subject property is becoming the hole-in-the-donut as urban area expansion naturally expands around this area. It makes logical sense to include this area. It makes logical sense to include this area, especially given proximity to services and transportation nodes.
As referenced by Map 3A

d) reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments –

The inclusion of the subject lands would allow for integration of development areas into pedestrian friendly areas.

"The Region’s document provides conservation recommendations for a variety of scenic road types, including “rural connectors”. Although Riverbank Drive is not listed as a scenic road or character street in the Region’s document, it best fits this category. Some key recommendations that might apply to Riverbank Drive are:

1. Consider opportunities to provide public access to water features through views, an overlook, lookout or, trails/pathways when possible.
2. There are opportunities with the development of the Polocorp lands to provide trails/pathways to the Grand River from the road and adjacent planned open spaces (Figure 33). “Consider maintaining natural ditch and bank contours that complement the existing topography rural landscape”

CHC Report — Page 17 - February 21, 2018

e) providing convenient access to intra- and inter-city transit - Not applicable.
g) planning and investing for a balance of jobs and housing in communities across the GGH to reduce the need for long distance commuting and to increase the modal share for transit, walking and cycling –

"Inclusion of the subject properties support the inclusion of walking and cycling trails which will provide a direct interface to the Grand River. Polocorp and Madison have been in direct communication with residents along Riverbank Drive, many whom have provided letters of support. Through these relationships, new opportunities for future trail connections between the East Side Lands and the Grand River are being considered by the owners and may be considered in the future. This approach is consistent with the following objectives of the Stage 1 Lands MESP:

1. Promote the integration of nature and public realm
2. Promote functional attractive and vibrant urban areas
3. Promote the development of places that are enjoyed and well used by people in the community
4. Continue to promote increased connection to the Grand River and its tributaries through enhancements to the trail system"

- KLM Planning – February 22nd

"Within the northerly study area the existing driveway to 850 Riverbank Drive is to be converted to a street providing access to the Polocorp lands (Figure 32). Additional access required within the Polocorp lands for emergency access purposes will be designed for emergency vehicles only and will not permit vehicular access to and/or from the development (Figure 34). This emergency access, however, could benefit the scenic route character by providing a connection to nearby existing or proposed networks which support access between the road and the Grand River Valley corridor or other trails."

- CHC Report – February 21st  Page 19

h) encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services

The development of the subject lands would incorporate characteristics of the existing rural residential development and encourage a variety of housing options while completing an existing community. It interfaces with proposed open space and parks and trails.

"We acknowledge that staff have expressed concerns respecting the inclusion of Urban Designated Greenfield Areas along Riverbank Drive in the context of a future ‘Scenic Route’ and the ability for these lands to contribute to the 55 residents and jobs combined per hectare density target required by the ROP (Policy 2.D.17.b.i). In response to this, the proposed development concept on the Polocorp lands has increased the number of units
to positively contribute towards meeting this objective. However, to ensure residential uses on the Polocorp lands are appropriately integrated with the existing residential uses along Riverbank Drive, appropriate developments standards and guideline could be incorporated into future policies and/or zoning standards and may include but is not limited to the following:

- minimum lot frontages of 15m (large lot)
- increased setbacks to existing residential uses to provide separation and additional opportunities for landscaping; minimum landscaping and lot coverage requirements;
- architectural control and urban design guidelines to ensure a high quality design (Vista Hills Development is a good example of the type of design vision for these lands).
- Integration with existing community space and the creation of new parks and trails provide further amenity space for existing and new residents.”

- KLM Submissions February 21st

i) directing development to settlement areas, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in settlement areas

The OMB Decision identifies the subject lands as priority for study within inclusion of the Urban Area Boundary. At this stage priority consideration Has not been given as the lands abut exiting residential and would provide direct connections to an existing community whereas new development to the east and north would require the development of a new community.

j) directing major growth to settlement areas that offer municipal water and wastewater systems and limiting growth in settlement areas that are serviced by other forms of water and wastewater services

This policy encourages that the City and Region should look to other means to service existing rural residential homes in the area. If servicing is available in the area, the preference as per this policy is to convert them to municipal water and wastewater systems.

Furthermore, providing servicing connections to riverbank drive would allow for future connections for the existing residential dwellings. ROP requires all new servicing to be public (i.e. municipal water and sewage) to allow for better control of water quality.

4. Designated Greenfield Areas 2.2.7.1 (all policies)

1. New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that.—
1. contributes to creating complete communities

Inclusion of the subject land would allow for a completion of development around the Riverbank area. The plan as proposed would break up the community with the exclusion of the west side of Riverbank Drive. With the amount of residential intensification being suggested on the east side of Riverbank Drive, it is recommended that in accordance with the policy all sides be planned. As configured the current Preferred Option put forward by the City/Region buffers the existing residential homes, but it does not effectively integrate them with the new proposed community.

2. creates street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services

Inclusion of the subject lands is the only option only enhances the existing and future community, through the creation of new trail systems that benefit existing and new residents. As per the ROP and City of Cambridge Official Plan and MESP Stage 1 Study, leveraging natural resources through the use of trails and other public interfaces should be encouraged.

3. provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods

Including the subject lands provides availability for a mix of uses and allows for further integration of parks, greenspace, trails and the Grand River enhancing the existing community.

While the intent of the Growth Plan is to encourage dense housing form, the provision of larger single-detached dwellings is still required to accommodate market trends and allow for compatibility to existing neighbourhoods. This type of housing is most appropriate in existing communities that contain larger lots and the proposed development for the subject lands has been designed to be sympathetic to the surrounding housing form.

4. creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.

Inclusion of the subject lands allows for a wide variety of opportunities, namely the creation of trails that access the Grand River. The Grand River is a significant resource that is referenced in the MESP Stage 1 Plan, Regional Official Plan.
5. Settlement Area Boundary Expansions 2.2.8 (all policies although 2 d, f, g are not applicable in this case)
   1. The policies in this section apply only to the expansion of a settlement area within a municipality.

   2. A settlement area boundary expansion may only occur as part of a municipal comprehensive review where it has been demonstrated that –

   a) sufficient opportunities to accommodate forecasted growth contained in Schedule 3, through intensification and in designated greenfield areas, using the intensification target and density targets, are not available:
      i. within the regional market area, as determined by the upper- or single-tier municipality, and
      ii. within the applicable lower-tier municipality to accommodate the growth allocated to the municipality pursuant to this Plan

   b) the expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in Policy 2.2.8.2(a)

   While the time horizon on certain lands north of the Randall Drain do not exceed 20 years, with servicing constrains they represent a significantly longer time horizon to bring sanitary services to (5-10 years). It does not make sense to add new lands in that cannot be serviced realistically before the next MCR when lands closer to the upcoming services i.e. the subject lands can be serviced earlier. While the explicit policy states 20 years the intent is not to incorporate lands that cannot be sequentially or timed in an appropriate timeframe.

   c) the timing of the expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the intensification target and density targets, and the other policies of this Plan –

   Inclusion of the subject lands can be done without sacrificing development targets through a balancing across the entire development area as referenced previous planning submissions.

   "What is also important to note is that the ROP provides that the density targets will be measured on average over the entire Urban and Township Designated Greenfield Area (Policy 2.D.17.l). With approximately 115 ha. of Urban Designated Greenfield Areas being considered, it is our view that there is ample opportunity to increase the density elsewhere to ensure the minimum target is achieved. Providing opportunities for context sensitive growth along Riverbank (e.g. low-density residential) and more intensive residential uses in the balance of the area (e.g. low and medium-density residential - singles, semis and towns) will accommodate a greater diversity of housing choices in the community which conforms with Provincial Policy and the ROP"
the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner

The subject lands will be close to further servicing expansion and therefore cost effective, as noted by multiple submissions by Associated Engineering - April 2017 and February 2018.

"Despite the Official Plan requirement to give the Polocorp Property double priority consideration in this Official Plan amendment process, it was not even included within the initial mapping that was presented at public meetings held by the Region and the City of Cambridge. We understand that it was not until the third public meeting, after several communications from our clients, that the Polocorp Property was finally brought into the area under consideration. By that point, there had already been extensive study and public input and the consideration of the property was prejudiced.

As late as March of 2018, City of Cambridge staff made presentations to City Council omitting the correct study area and improperly excluding the Polocorp Property. City staff also failed to consider the Polocorp Property in servicing reports that were prepared while the public consultation process was underway."

Steven O’Meilia Letter – June 2018

2. Infrastructure Planning 3.2.1

a) Infrastructure planning, land use planning, and infrastructure investment will be coordinated to implement this Plan. Infrastructure includes but is not limited to transit, transportation corridors, water and wastewater systems, waste management systems, and community infrastructure.

"From a detailed servicing perspective, Madison and the owners of the subject lands have retained Associated Engineering who have a significant amount of experience in the area. Associated Engineering concluded in April 2017 that the East Side Stage 2 Lands which include those lands within in our Modified Option can be serviced from a transportation, sanitary, stormwater and water perspective. This is premised on proposed servicing that is being completed both through the East Side Stage 1 Lands ("PISR") as well as the recently completed North Cambridge Business Park Municipal Class EA.

Associated Engineering has provided an addendum letter dated November 24, 2017
(attached hereto as Attachment #2) as follow up to their previous submissions. Associated Engineering has requested that servicing allocation be granted on a priority basis for both the Stage 1 and Stage 2 East Side Lands at the same time. The rationale for this is that it is probable that some of the Stage 2 lands will be ready to be developed before the Stage 1 lands. We agree with this approach from a land use planning perspective as this will allow for the full utilization of the planned improvements to Preston Wastewater Treatment Plant and results in a more efficient use of existing and planned infrastructure improvements within the East Side Lands and supports an appropriate growth strategy. Additional development within the area will result in a new revenue stream through development charges and property taxes that will assist the Municipality in advancing other necessary infrastructure improvements necessary to support the full build out of the East Side Lands."  

- KLM Submission — April 2017

b) Priority will be given to infrastructure investments made by the Province of Ontario that support the policies and schedules in this Plan.

"Associated Engineering (AE) has provided a Servicing Overview in a letter dated February 21, 2018 (attached). This overview builds upon previous preliminary development concepts previously provided to staff. Preliminary Engineering Assessments indicate that the development of water and stormwater servicing solutions for the lands is relatively straight-forward. Sanitary servicing is somewhat more complicated and will require a strategic and comprehensive approach. The servicing options in this overview support the inclusion of the Polocorp lands in order to provide for an appropriate sanitary servicing solution which would include a pumping station at the northwest corner and would also allow for opportunities for existing residents to connect to the future system."  

- KLM Submission February 21, 2018 — Attachment 2

3. Water and Wastewater Systems 3.2.5

a) Municipalities should generate sufficient revenue to recover the full cost of providing municipal water and wastewater systems.

In order to expedite the development of the Stage 2 Lands, multiple developers had offered to expedite the servicing towards Middleblock Road through a front-ending agreement. This would alleviate any initial budgetary restrictions at a City/Regional level and allow for servicing to be brought from Allendale Road to Middleblock Road. It is logical that lands be serviced at this time.
North Cambridge Business Park Class EA

b) Municipalities are encouraged to plan and design municipal water and wastewater systems that return water to the Great Lake watershed from which the withdrawal originates.

The subject lands abut the Grand River that is part of the Great Lake Watershed, and there are opportunities to facilitate stormwater management to the Grand River, via the subject lands. Since a comprehensive Stormwater Management plan has not been completed or provided at this time, we cannot complete a more detailed assessment.

c) Construction of new, or expansion of existing, municipal or private communal water and wastewater systems should only be considered where the following conditions are met: a) Strategies for water conservation and other water demand management initiatives are being implemented in the existing service area; b) Plans for expansion or for new services are to serve growth in a manner that supports achievement of the intensification target and density targets; c) Plans have been considered in the context
of applicable inter-provincial, national, bi-national, or state-provincial Great Lakes Basin agreements.

The inclusion of the subject lands allows for servicing of existing rural residential developments for water/wastewater. There are over 25+ private Septic systems along Riverbank Drive from Fairway Road to Middleblock Road. While there is opposition of a number of residents to municipal servicing, it is consistent with Provincial Policy that if services are being brought into the area all residents should be upgraded to Regional servicing. Public services allow for greater control of water quality, and as such, the ROP provides policies that require new parcels attach to municipal services.

Inclusion of the subject lands can be done without sacrificing development targets through a balancing across the entire development area as referenced previous planning submissions.

"What is also important to note is that the ROP provides that the density targets will be measured on average over the entire Urban and Township Designated Greenfield Area (Policy 2.D.17.l). With approximately 115 ha. of Urban Designated Greenfield Areas being considered, it is our view that there is ample opportunity to increase the density elsewhere to ensure the minimum target is achieved. Providing opportunities for context sensitive growth along Riverbank (e.g. low-density residential) and more intensive residential uses in the balance of the area (e.g. low and medium-density residential - singles, semis and towns) will accommodate a greater diversity of housing choices in the community which conforms with Provincial Policy and the ROP."

- February 21, 2018 – KLM Planning

d) Through sub-area assessment, the Minister of Infrastructure, in consultation with municipalities and other stakeholders, will undertake an analysis of the implications of forecasted growth for water and wastewater servicing.

Servicing studies for the City of Cambridge have been undertaken to determine future servicing of this area. Associated Engineering has made multiple submissions regarding existing and future flows in this area determining servicing is possible.

"Although we have not seen the actual documentation, we understand through various related projects that the Wastewater Treatment Master Plan (WWTMP) Update is nearing completion and will include a provision that allocates some capacity of the Preston WWTP to the Stage 1 lands of the East Side Lands area (as defined through the 2014 MESP). This would be for the interim condition and is based on a recent capacity analysis that confirmed that all of the Stage 1 lands could currently be serviced by the Preston WWTP. Therefore, the ultimate servicing solution (trunk sewer) to convey wastewater flows for the broader East Side Lands to the Kitchener WWTP could be deferred for many years.

We support this approach as it affords greater operational efficiency for the Region and Cities’ existing servicing infrastructure and allows deferment of significant capital costs."
However, we request that the allocation of existing capacity at the Preston WWTP not be limited to Stage 1 lands, but rather be extended to include the Stage 2 lands, where technically feasible. We believe the capacity analysis of the Preston WWTP was completed prior to the start of the Stage 2 MESP, and therefore it was a logical conclusion to limit the allocation to Stage 1 lands. However, with the Stage 2 MESP advancing towards a hopeful completion in 2018, some or all of the Stage 2 lands are due similar consideration for servicing in the interim condition. In reality, it is quite possible that the Madison and/or Polocorp lands may be among the first to the table with formal proposed development plans prior to the full build out of the Stage 1 lands, and it will be important to ensure that servicing capacity is available for these and other developments as they actually evolve, vs. an arbitrary allocation based on assumed development staging.

Rather than allocating capacity of the Preston WWTP to specific property limits, we suggest a more flexible approach that allocates a daily flow rate from the broader East Side Lands area (eg. Stage 1 or Stage 2 or the Airport lands) on a first-come-first-served basis, with the caveat that development approvals are subject to confirmation of available conveyance and treatment capacity. We believe this would be a more effective approach and would allow development that is ready to proceed to do so unhindered (subject of course to all the necessary approvals). Actual flows from existing / new developments should continue to be monitored along with the progress and expected timing for future developments to better inform Region and City staff regarding the triggers and timing of when to proceed with the ultimate servicing solution.

We believe that this approach is deemed to be reasonable and mutually beneficial and we would appreciate the Region’s acknowledgement and adoption into the Stage 2 MESP servicing strategy. By copy of this letter to Nicole Sapeta, we also request that the proposed approach be incorporated into the current WWTMP update. Furthermore, we are also copying this letter to Sarah Austin of the City of Cambridge, regarding the recently completed North Cambridge Business Park EA, which included considerations of the majority of the Stage 2 lands west of Fountain Street as part of the drainage area for the proposed interim sanitary pumping station. It is requested that the City acknowledge that, per the inclusion of the proposed Polocorp Inc. development lands in the Stage 2 MESP study limits, they also be included in the future calculations for the interim pumping station."

- Associated Engineering - November 24, 2017

e) Municipalities that share an inland water source and/or receiving water body, should co-ordinate their planning for potable water, stormwater, and wastewater systems to ensure that water quality and quantity is maintained or improved.

Inclusion of subject property supports the following positive outcomes:

1. My clients are willing to work in front ending or cost sharing agreement with the City/Region to bring servicing to the area.
2. Improve servicing in the entire community which will help reduce or remove other wastewater systems i.e. septic systems.
3. It makes logical sense to make the most of proposed services coming to the area.

f) Municipalities, in conjunction with conservation authorities, are encouraged to prepare watershed plans and use such plans to guide development decisions and water and wastewater servicing decisions.

It is my understanding that my clients have proactively engaged with the GRCA (Grand River Conservation Authority) throughout this process. I am advised by my clients that they have received no correspondence indicating that the subject lands are unsuitable for development.

g) Municipalities are encouraged to implement and support innovative stormwater management actions as part of redevelopment and intensification.

At this time, a stormwater management plan has not been provided by the City or Region. It makes sense for the subject lands to be included at this time as there will likely be outflows from other lands at higher elevations, namely lands east of Riverbank Drive.

4. Community Infrastructure 3.2.6

a) Community infrastructure planning, land-use planning, and community infrastructure investment will be co-ordinated to implement this Plan.

At this stage, despite being given priority consideration under the ROP, the subject lands do not appear to be fully considered in servicing discussions.

b) Planning for growth will take into account the availability and location of existing and planned community infrastructure so that community infrastructure can be provided efficiently and effectively.

c) An appropriate range of community infrastructure should be planned to meet the needs resulting from population changes and to foster complete communities.

d) Services planning, funding and delivery sectors are encouraged to develop a community infrastructure strategy to facilitate the co-ordination and planning of community infrastructure with land use, infrastructure and investment through a collaborative and consultative process.

To make best use of proposed infrastructure, it makes logical sense to integrate with the main servicing connection the Middleblock Road connection when available.

e) Municipalities will establish and implement minimum affordable housing targets in accordance with Policy 1.4.3 of the PPS, 2005.

- Not applicable
f) Upper- and single-tier municipalities will develop a housing strategy in consultation with lower-tier municipalities, the Minister of Municipal Affairs and Housing and other appropriate stakeholders. The housing strategy will set out a plan, including policies for official plans, to meet the needs of all residents, including the need for affordable housing – both home ownership and rental housing. The housing strategy will include the planning and development of a range of housing types and densities to support the achievement of the intensification target and density targets.

- Not Applicable

5. Natural Systems 4.2.1

a) Through sub-area assessment, the Minister of Infrastructure and other Ministers of the Crown, in consultation with municipalities and other stakeholders will identify natural systems for the GGH, and where appropriate develop additional policies for their protection.

Two independent studies were conducted, MESP Stage 1 and MESP Stage 2 to study environmental constraints. In both studies, the subject area was deemed free of development constraints. This was further studied before MESP Stage 1 independently. NSRI completed its initial study on 850 Riverbank in March 30th 2010, supplementary site visits were conducted with WSP.

b) For lands within the Greenbelt Area, all policies regarding natural systems set out in provincial plans, applicable to lands within the Greenbelt Area, continue to apply.

Not Applicable

c) Planning authorities are encouraged to identify natural heritage features and areas that complement, link, or enhance natural systems.

Initially the subject lands have been selected over other properties that include more adverse impact on Natural Heritage Systems, specifically lands north of Randall Drain. From the Provincial mapping, it is clear that other lands that were selected (specifically lands north of Shirey lands).
The development of the Shiry North lands could have a negative impact on the scenic character of Riverbank Drive. The existing character is that of an open farm field with medium distance views to a treed creek valley (photo).
“The scenic character of the road at this location could be improved with tree planting and development could be screened from the road to some extent. However, any development will alter the view from the road and introduce an urban flavour to the current rural character of this section of Riverbank Drive.

In contrast, development of the Puopolo lands, would present no impact of any kind on the Riverbank Drive scenic route. These lands are not adjacent to the route and the current housing along the road would obscure any development in any case as the Puopolo lands are at a much lower elevation and are behind existing homes and mature vegetation”.

CHC – April 10th 2018

d) Municipalities, conservation authorities, non-governmental organizations, and other interested parties are encouraged to develop a system of publicly accessible parkland, open space and trails, including shoreline areas, within the GGH that – a) clearly demarcates where public access is and is not permitted b) is based on a co-ordinated approach to trail planning and development c) is based on good land stewardship practices for public and private lands.

Inclusion of the subject lands further support the creation of publically accessible parkland, trails of publicly accessible parkland, open space and trails, including shoreline areas, within the GGH that:

a) clearly demarcates where public access is and is not permitted

b) is based on a co-ordinated approach to trail planning and development

c) is based on good land stewardship practices for public and private lands.

Existing plans prepared by the City/Region do not current allow for appropriate for provisions public spaces and interface to existing features as promoted by the ROP, Cambridge Official Plan, Grand River Conservation Authority (GRCA) and the City of Cambridge MESP Stage 1 Study. There are currently no public accesses anywhere along the Grand River in Cambridge from King Street to the Fairway Bridge. Inclusion of the subject lands would provide opportunities for the public to access the Grand River, including opportunities for active transportation and leisurely enjoyment of the natural heritage feature. These connections are currently lacking between King Street and the Fairway Street bridge. Providing a connection through the proposed development is beneficial to both the existing and future residents of the area, understanding that parkland features should be provided in both planned (i.e. play areas) and unplanned (natural heritage) venues.

e) Municipalities are encouraged to establish an urban open space system within built-up areas, which may include rooftop gardens, communal courtyards, and public parks.

The inclusion of the subject property would positively improve parks to the existing and
new community and would form another part of a park system.

6. Co-ordination 5.4.2

a) A co-ordinated approach will be taken both within the Government of Ontario, and in its dealings with municipalities and other related planning agencies, to implement this Plan, in particular for issues that cross municipal boundaries.

b) Where planning is conducted by an upper-tier municipality, the upper-tier municipality, in consultation with the lower-tier municipalities, will – a) allocate the growth forecasts provided in Schedule 3 to the lower-tier municipalities b) identify intensification targets for lower-tier municipalities, to achieve the intensification target and density targets for urban growth centres where applicable c) identify density targets for the designated greenfield areas of the lower-tier municipalities, to achieve the density target for designated greenfield areas d) provide policy direction on matters that cross municipal boundaries.

Inclusion of the subject lands can be done without sacrificing development targets through a balancing across the entire development area as referenced previous planning submissions.

"What is also important to note is that the ROP provides that the density targets will be measured on average over the entire Urban and Township Designated Greenfield Area (Policy 2.D.17.i). With approximately 115 ha. of Urban Designated Greenfield Areas being considered, it is our view that there is ample opportunity to increase the density elsewhere to ensure the minimum target is achieved. Providing opportunities for context sensitive growth along Riverbank (e.g. low-density residential) and more intensive residential uses in the balance of the area (e.g. law and medium-density residential - singles, semis and towns) will accommodate a greater diversity of housing choices in the community which conforms with Provincial Policy and the ROP."

- February 21, 2018 – KLM Planning

c) Where planning is not conducted by an upper-tier municipality, the affected lower-tier municipalities and the upper-tier municipality will work together to implement the matters listed in policy 5.4.2.2. The Minister of Infrastructure will work with the affected municipalities as appropriate to implement these policies.

d) Notwithstanding policy 5.4.2.2, if at the time this Plan comes into effect a lower-tier municipality's population is greater than 50 percent of the population of the upper-tier municipality, the upper-tier municipality may assign some or all of its responsibilities pursuant to the policies of this Plan to the applicable lower-tier municipality, provided that applicable allocations and targets are met at the regional or county level. 5. Single-tier municipalities in the outer ring and adjacent municipalities should ensure a co-ordinated approach to implement the policies of this Plan.
PROVINCIAL POLICY STATEMENT 2014

1. Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns 1.1.1 Healthy, liveable and safe communities are sustained by:

   1. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

   Inclusion of the subject lands are efficient and in keeping with provincial policy. If there are to be investments undertaken by the City and Region to bring new services to the area, they should be leveraged by all available properties in the priority area including the subject lands.

   2. accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

   Inclusion of the subject lands promotes a mix of units and is in keeping with the existing built form. It also supports park and open space and allows access to previously inaccessible areas such as the Grand River.

   3. avoiding development and land use patterns which may cause environmental or public health and safety concerns;

   Not including the subject lands at this time will lead to the following environmental concerns:

   a) Ageing septic systems in the area
   b) Lack of integration with Subject lands regarding Storm Water Management outflow

   Not including the subject lands at this time will lead to the following safety concerns:

   a) There will be an increase of pedestrian traffic on or near Riverbank Drive, without appropriate trail systems
   b) Place pressure on lands west of Riverbank Drive with access to the Grand River. If lands are developed on the East, but the west it will increase the number of trespasses onto the property

   4. avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
Avoiding the subject lands would constitute prevent efficient expansion of settlement areas. The lands in question are less than 400m from the current urban boundary. In effect by ignoring the lands in question they are leapfrogging over the available lands to develop others that are outside of priority consideration.

5. promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

To make the best use of proposed infrastructure would be best serviced by incorporating the subject lands.

6. improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;

Creation of an integrated trail system including sidewalks would be beneficial to existing residents and may be more safe along Riverbank Drive. Creation of multi-use trails will also be more preferable for newer residents, rather than attempting to access the Grand River via the subject lands and other areas adjacent to the Grand River.

7. ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and

“There are limited existing underground and overhead utilities within the subject lands, summarized as follows:

Cambridge & North Dumfries Hydro – Existing plant consists of a single 3-phase circuit of aerial power lines on wood poles along Allendale Road and Riverbank Drive. Major improvements to the existing aerial power lines along Fountain Street are proposed in coordination with the planned 2018 road improvements project. Extension of these services along Middle Block Road are required.”

- Associated Engineering April 18th 2017

8. promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate

2. Land Use Compatibility 1.2.6
   a) 1.2.6 Land Use Compatibility 1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other
contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

Land use compatibility can be achieved with the development of the subject lands and the adjacent rural residential community with a proper subdivision design incorporating various buffering techniques.

3. Housing 1.4 (all)

In my opinion, a unique housing form that is compatible with the adjacent residential community can achieved on the subject lands. Furthermore, a full range of housing types is promoted by the PPS.

4. Sewage, Water & Stormwater 1.6.6

1.6.6.1 Planning for sewage and water services shall:
   a) direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:
      1. municipal sewage services and municipal water services; and
         Inclusion of the subject lands achieves an efficient use of municipal services. It does not make logical sense to service lands at a greater distance.
      2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available;
         In accordance of the policy, private water/wastewater systems should be deployed when municipal services are not present. Since municipal services will be brought into the area it is in accordance with this policy to bring them onto municipal services.
   b) ensure that these systems are provided in a manner that:
      1. can be sustained by the water resources upon which such services rely;
      2. is feasible, financially viable and complies with all regulatory requirements; and
      3. protects human health and the natural environment;
         Given the age of many systems in this community, it would be advisable and in line with initiatives by the GRCA to remove private septic systems where possible.
   c) promote water conservation and water use efficiency;
   d) integrate servicing and land use considerations at all stages of the planning process; and
e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

1.6.6.3 Where municipal sewage services and municipal water services are not provided, municipalities may allow the use of private communal sewage services and private communal water services.

Private systems are allowed in place of municipal services. With the introduction of sewers in the area, specifically the east side of Riverbank Road, it makes logical sense to extend services to all owners in the area.

1.6.6.4

Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development.

1.6.6.6

Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5 planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.

1.6.6.7 Planning for stormwater management shall:
   a) minimize, or, where possible, prevent increases in contaminant loads;
   b) minimize changes in water balance and erosion;
   c) not increase risks to human health and safety and property damage;
   d) maximize the extent and function of vegetative and pervious surfaces; and
   e) promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.

Associated Engineering contemplates the required Wastewater needs and pumping.

Servicing Studies for the Municipality of Cambridge have been undertaken to determine future servicing of this area. Associated Engineering has made multiple submissions regarding existing and future flows in this area determining servicing is possible.
"Although we have not seen the actual documentation, we understand through various related projects that the Wastewater Treatment Master Plan (WWTMP) Update is nearing completion and will include a provision that allocates some capacity of the Preston WWTP to the Stage 1 lands of the East Side Lands area (as defined through the 2014 MESP). This would be for the interim condition and is based on a recent capacity analysis that confirmed that all of the Stage 1 lands could currently be serviced by the Preston WWTP. Therefore, the ultimate servicing solution (trunk sewer) to convey wastewater flows for the broader East Side Lands to the Kitchener WWTP could be deferred for many years.

We support this approach as it affords greater operational efficiency for the Region and Cities’ existing servicing infrastructure and allows deferment of significant capital costs. However, we request that the allocation of existing capacity at the Preston WWTP not be limited to Stage 1 lands, but rather be extended to include the Stage 2 lands, where technically feasible. We believe the capacity analysis of the Preston WWTP was completed prior to the start of the Stage 2 MESP, and therefore it was a logical conclusion to limit the allocation to Stage 1 lands. However, with the Stage 2 MESP advancing towards a hoped completion in 2018, some or all of the Stage 2 lands are due similar consideration for servicing in the interim condition. In reality, it is quite possible that the Madison and/or Polocorp lands may be among the first to the table with formal proposed development plans prior to the full build out of the Stage 1 lands, and it will be important to ensure that servicing capacity is available for these and other developments as they actually evolve, vs. an arbitrary allocation based on assumed development staging.

Rather than allocating capacity of the Preston WWTP to specific property limits, we suggest a more flexible approach that allocates a daily flow rate from the broader East Side Lands area (e.g. Stage 1 or Stage 2 or the Airport lands) on a first-come-first-served basis, with the caveat that development approvals are subject to confirmation of available conveyance and treatment capacity. We believe this would be a more effective approach and would allow development that is ready to proceed to do so unhindered (subject of course to all the necessary approvals). Actual flows from existing/new developments should continue to be monitored along with the progress and expected timing for future developments to better inform Region and City staff regarding the triggers and timing of when to proceed with the ultimate servicing solution.

We believe that this approach is deemed to be reasonable and mutually beneficial and we would appreciate the Region’s acknowledgement and adoption into the Stage 2 MESP servicing strategy. By copy of this letter to Nicole Sapeta, we also request that the proposed approach be incorporated into the current WWTMP update. Furthermore, we are also copying this letter to Sarah Austin of the City of Cambridge, regarding the recently completed North Cambridge Business Park EA, which included considerations of the majority of the Stage 2 lands west of Fountain Street as part of the drainage area for the proposed interim sanitary pumping station. It is requested that the City acknowledge that, per the inclusion of the proposed Polocorp Inc. development lands in the Stage 2 MESP study limits, they also be included in the future calculations for the interim pumping station."
5. Long-Term Economic Prosperity 1.7

1.7.1 Long-term economic prosperity should be supported by:
   a. promoting opportunities for economic development and community
      investment-readiness; PROVINCIAL POLICY STATEMENT 20
   b. optimizing the long-term availability and use of land, resources, infrastructure,
      electricity generation facilities and transmission and distribution systems, and
      public service facilities;

   The current land use configuration excluding the subject lands does not make
   best use of available lands. It in effect stretches out development in a non
   compact manner.

   c. maintaining and, where possible, enhancing the vitality and viability of
      downtowns and mainstreets;

      Not Applicable

   d. encouraging a sense of place, by promoting well-designed built form and
      cultural planning, and by conserving features that help define character,
      including built heritage resources and cultural heritage landscapes;

      To maintain the cultural and scenic values of the scenic road along Riverbank
      Drive, CHC was retained the landowners to prepare multiple submissions and
      reports as to how our concept and design inclusive of the subject lands improves
      upon the scenic road design. It is important to note that City has not put any
      formal policies in place pertaining to the road and scenic route.

   e. promoting the redevelopment of brownfield sites;

      Not Applicable

   f. providing for an efficient, cost-effective, reliable multimodal transportation
      system that is integrated with adjacent systems and those of other jurisdictions,
      and is appropriate to address projected needs to support the movement of
      goods and people;

      The subject lands are well located to existing and planned roads and given it's
      proximity to the MESP Stage 1 Employment, there is an increased likelihood that
      people could live and work within this community.
g. providing opportunities for sustainable tourism development;

The Grand River has been recognized in the Regional Official, GRCA Strategic Plan, City of Cambridge Official Plan as a strategic resource. Inclusion of the subject lands would allow for better connectivity to this resource.

h. providing opportunities to support local food, and promoting the sustainability of agri-food and agri-product businesses by protecting agricultural resources, and minimizing land use conflicts;

I am advised that Walnut Vale Farm and TJ Vegetables are in close proximity to the subject lands. Walnut Vale Farms owned by the Puopolo family has started a vegetable farm. Agri-business and community available produce may become another available feature of this neighbourhood.

i. promoting energy conservation and providing opportunities for development of renewable energy systems and alternative energy systems, including district energy;

Builders who build on the subject lands will be encouraged to offer solar options at times of construction for new homes.

j. minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and

k. encouraging efficient and coordinated

6. Energy Conservation, Air Quality & Climate Change 1.8

1.8 Energy Conservation, Air Quality and Climate Change 1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:

a) promote compact form and a structure of nodes and corridors;

b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;

c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;

d) focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities;

e) improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;

f) promote design and orientation which: PROVINCIAL POLICY STATEMENT 21 1. maximizes energy efficiency and conservation, and considers the mitigating
effects of vegetation; and 2. maximizes opportunities for the use of renewable energy systems and alternative energy systems; and

g) maximize vegetation within settlement areas, where feasible.

7. Natural Heritage 2.1 (indicate that your lands are not part of a Natural Heritage feature)

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.3 Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.

2.1.4 Development and site alteration shall not be permitted in:
   a) significant wetlands in Ecoregions 5E, 6E and 7E1; and
   b) significant coastal wetlands.

2.1.5 Development and site alteration shall not be permitted in:
   a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;
   b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
   c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
   d) significant wildlife habitat;
   e) significant areas of natural and scientific interest; and
   f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b) unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

The subject lands do not have any significant wetlands. While they do abut wetlands, they can be managed at the time of site planning process through a Plan of Subdivision application to the Region. All proposed residential lots would backing onto any Significant Wetland are buffered, with considerable setbacks.

- In 2010, the landowners undertook preliminary site review of the property with NSRI.
- In 2013, the MESP Stage 1 Study was completed identifying the same constraints
- In 2017, when the subject area was added to the study it was studied again as a part of MESP Stage 2.
2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

2.1.9 Nothing in policy 2.1 is intended to limit the ability of agricultural uses to continue.

8. Natural Hazards 3.1

3.1.1 Development shall generally be directed to areas outside of: a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards; b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and c) hazardous sites.

The lands in question were identified for future study by City and Regional to determine if there were any potential hazardous lands. After 4 Independent studies two undertaken by the City of Cambridge and Region of the Waterloo, with two more studies by NSRI, it is clear that the subject lands have been studied sufficiently and if there were hazards they would have been identified in Natural Heritage System mapping at this point.

3.1.2 Development and site alteration shall not be permitted within: a) the dynamic beach hazard; b) defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.3 Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.

3.1.4 Despite policy 3.1.2, development and site alteration may be permitted in certain areas associated with the flooding hazard along river, stream and small inland lake systems: a) in those exceptional situations where a Special Policy Area has been approved. The designation of a Special Policy Area, and any change or modification to the official plan policies, land use designations or boundaries applying to Special Policy Area lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or b) where the development is limited to
uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

3.1.5 Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:

a) an institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;

b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or

c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

3.1.6 Where the two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources.

The subject lands are above the 100 year floodline as delineated by the GRCA. This defined flood line has stood up to regular seasonal increases in water flow and major flood events in the GRCA watershed. At this time all mapping indicates that the subject land is free of constraints as confirmed by NSRI in preliminary and supplementary reports.

Resources.

3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

a. development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;

b. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;

c. new hazards are not created and existing hazards are not aggravated; and

d. no adverse environmental impacts will result.

3.1.8 Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.

9. Implementation & Interpretation 4.7

4.7 The official plan is the most important vehicle for implementation of this Provincial Policy
Statement. Comprehensive, integrated and long-term planning is best achieved through upper- and lower-tier official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required. The authority to identify land uses has been passed down by the province to ensure that land use planning is done on a local basis and incorporates the best interests for the public.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas. PROVINCIAL POLICY STATEMENT 34 In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

Comprehensive review: means

a) for the purposes of policies 1.1.3.8 and 1.3.2.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
   a. is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
   b. utilizes opportunities to accommodate projected growth or development through intensification and redevelopment; and considers physical constraints to accommodating the proposed development within existing settlement area boundaries;

3. is integrated with planning for infrastructure and public service facilities, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;

4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;

5. confirms that sewage and water services can be provided in accordance with policy 1.6.6; and 6. considers cross-jurisdictional issues. b) for the purposes of policy 1.1.6, means a review undertaken by a planning authority or comparable body which: 1. addresses long-term population projections, infrastructure requirements and related matters; 2. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2; and 3. considers cross-jurisdictional issues.

In undertaking a comprehensive review the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.
In my respectful opinion, the subject lands have been subject to a comprehensive review by the Region, and no significant planning issues have been identified that would support their exclusion from the proposed ROPA.

The subject lands have been assessed with respect to the Provincial Policy Statement 2014, and in my opinion their inclusion in the proposed ROPA is consistent with the PPS.
CONCLUSIONS

Based upon my independent planning review and analysis, the following conclusions have been reached;

1. The Subject lands should be included in the Urban Area at this time due to:
   a. The subject lands are free of development constraints and classified in the MESP Stage 2 report in Figure A6-4 as developable.
   b. The servicing studies prepared by Associated Engineering conclude that these lands can be efficiently serviced via a pumping station that would outlet to Middleblock Road.
   c. The Heritage/Scenic road study prepared by CHC has confirmed minimal to no impact on the Scenic Route and that other lands selected have more impact to the Scenic Route.
   d. The subject lands and the rural residential lands along Riverbank Drive fall within priority consideration area as per the 2015 OMB Decision.
   e. Completes existing community with both the west and east side of Riverbank Drive.

2. The proposed ROPA is inconsistent with the PPS and not in conformity with the Growth Plan due to:
   a. The lack of an adequate functional servicing report to address the cost of Riverbank infrastructure. (3.2.1 Infrastructure Planning GGH) The need for pumping station for Puopolo lands and the lands north of the Randall Drain. (3.2.6 Community Infrastructure GGH, 1.6.6.2 Provincial Policy Statement)
   b. The need to provide services for an area currently on septic tanks. Given the age of the majority of systems, upgrades are required and full municipal connections according to the PPS/Growth Plan is preferential. (3.2.6 Community Infrastructure)
   c. The need for connections for full services if connections are being brought into the area.
   d. The exclusion of these lands create an incomplete and fragmented community. This is not in keeping with creating a complete community. (1.2.2 Guiding Principles GGH, 1.1.3.6 Provincial Policy Statement).

3. The proposed ROPA is not in conformity to the 2015 OMB decision
   a. The proposed ROPA is not in conformity to Modification No. 1 related to providing “priority consideration” for the subject lands and other rural residential lands along Riverbank Drive.
   b. The deletion of the subject lands will not lead to a compact and complete community. The proposed “Schedule A” create a situation where new development is “leap-frogging” over existing communities.
   c. The lack of incorporation of the Rural Residential lands on the west side of Riverbank Drive into the Preferred Land Use Option. Only east side is included, creating and incomplete and fragmented, fractured community “Part of Riverbank in and part are out”, which represents non-conformity.
   d. There is no detailed and complete servicing report to review the various land use options.
   e. There is no detailed scenic road report to address the heritage and scenic aspects of Riverbank Drive. The inclusion of lands east of Riverbank has not been addressed from a land use compatibility, scenic road and heritage perspective.
   f. The subject lands were prejudiced from the start due to its exclusion and then when included in the study area, various planning and engineering studies did not comprehensively include these lands.
in their analysis. For example, in the engineering overview at the March 2018, City of Cambridge meeting, these lands were omitted from the study area.

4. **Subject Lands - Land Compatibility:**

a. As per earlier submissions, compatibility can be achieved through the following:
   - large lot residential in keeping with the existing built form and character of the area;
   - increased setbacks, and lot depth;
   - increased landscaping and screening plantings;
   - maximum lot coverages; and,
   - maintaining the existing tree and vegetation cover along the rear of the properties that back onto the subject lands. Currently, there is extensive vegetation cover that screens the views of the resident looking towards the Grand River.

b. I will be working with Owen Scott to develop a more comprehensive plan to ensure compatibility with the existing rural residential community located on the west side of Riverbank Drive.

5. **Subject Lands - Density:**

The WSP report indicated on page 73 – “the density target is community-wide and can still be achieved by providing higher densities in other areas”. In my opinion, I agree with this statement which indicates that density targets can still be met with the inclusion of the subject lands.

6. **Other Related Planning Matters**

a. A full “robust” planning rationale report was only made available to affected landowners only one working day before the Planning/Works Committee Meeting, which will deal with the matter. A full report with criteria was not available at the public meetings of March 15 and May 1st, 2018.

b. There has been no formal servicing report made available for our review. At the public meeting of May 1st, 2018, landowners were informed and advised that a full report would be available to justify the preferential land-use.

**SUMMARY**

In my respectful opinion, the exclusion of the subject lands does not implement the Decision of the Ontario Municipal Board of 2015, wherein the priority areas for future expansions of the urban area had been adjudicated.

Furthermore, the exclusion of the subject lands does not provide for a complete community and does not address other policies of the Growth Plan for the Greater Golden Horseshoe as set out in this planning report. The selection of other lands leaves a “hole” within the built-up area and represents a “leapfrogging” of development. In my opinion, this is inappropriate and has not been properly justified.

The exclusion of the subject lands is not consistent with the Provincial Policy Statement 2014 for the reasons set out in this planning report.
In my opinion, the proposed ROPA does not represent good planning and is not in the public interest.

Respectfully submitted,

THE BUTLER GROUP (CONSULTANTS) INC.

[Signature]

David A. Butler, MCIP, RPP
President
File: 2017- 5077

Michelle Sergi – Director of Community Planning
Region of Waterloo
150 Frederick Street - 7th Floor
Kitchener, ON, N2G 4J3

Re: SERVICING FOR THE POLOCORP LANDS IN THE EAST SIDE LANDS

Dear Ms. Sergi:

On behalf of our clients, Polocorp Inc., who have interests in developing lands within the Stage 2 area of the East Side Lands we are writing this letter as a follow up to our previous correspondence and discussions with Region and City of Cambridge staff. As illustrated in previous correspondence, preliminary development concepts have been prepared to promote discussion with Region and City staff. This letter is intended to summarize and reiterate the feasibility of servicing the Polocorp development lands, in the context of the upcoming OPA and completion of the Stage 2 MESP.

Preliminary engineering assessments indicate that the provision of water and stormwater servicing solutions for the subject lands are relatively straight-forward and feasible, subject to typical Region and City requirements. Sanitary servicing is somewhat more complicated and will require a pumping solution, but is still completely feasible.

We understand that the Stage 2 MESP includes a servicing recommendation such that the proposed trunk sanitary sewer to be extended along the future North-South Collector Road will have an invert elevation of approximately 300.0m. This depth would allow for the gravity servicing of most (if not all) of the stage 2 lands south of Randall Drain and east of Riverbank Drive.

Figure 1-1 attached presents a cursory overview of what we generally understand to be the appropriate servicing strategy for the Polocorp lands. Water servicing would require an extension of watermain along Middle Block Road and/or Riverbank Drive. For sanitary servicing, since the Polocorp lands are generally at an elevation lower than 300.0m, they cannot be serviced by gravity, requiring a small pumping station and approximately 900m of forcemain to convey flows to the trunk sewer outlet.

We also understand that the recommended secondary plan and draft OPA, as contemplated in the Stage 2 MESP, excludes the Polocorp lands from the City’s urban boundary, but does include the Shirey lands north of Randall Drain, south of Fairway Road. Although no details have been provided by the MESP team for how the servicing of these lands would be accomplished, it is our understanding that sanitary servicing of any lands north of Randall Drain would require a pumping solution. Any associated piping would be required to cross beneath the drain, and the creek bottom elevation (at its highest point near Fairway Road) is approximately 300.0m. Such a crossing would be a
June 18, 2018  
Michelle Sergi – Region of Waterloo

distance of more than 2km away (assuming an alignment that uses existing municipal road right-of-ways), and cannot drain by gravity to the proposed, deep trunk sewer outlet. Figure 1-2 illustrates the vertical profile constraints for servicing lands north of Randall Drain to the proposed trunk sewer outlet.

It is arguable that the servicing of the Polocorp lands would be simpler and less invasive to implement than the lands to north of Randall Drain. Both areas would require the extension of municipal services in concert with adjacent development lands, however the closer proximity of the Polocorp lands to the trunk sewer outlet, and the fact that it does not require a crossing of the natural feature (Randall Drain), suggests that the Polocorp servicing solution is more desirable. Furthermore, servicing of the Polocorp lands could facilitate the enfolding of existing residential lands (currently on private sewage systems) into a new municipal sewage system.

Another consideration for the servicing of the two areas is timing. Based on current work being undertaken by the City, the extension of the deep trunk sewer outlet is likely to be completed in the 5 year time horizon, and construction of a Polocorp pumping station and forcemain could conceivably follow immediately thereafter. The longer distance required to service the Shirey lands is further complicated by the likely forcemain route of either along Fairway Road / Fountain Street or through development lands immediately to the south, both of which present more complex coordination and timing issues.

In conclusion, it is our opinion that from an engineering perspective, the servicing of the Polocorp lands would be less challenging than the servicing of lands north of Randall Drain. We would be happy to discuss this further with you, at your convenience.

Yours truly,

Duane Lindner, P.Eng.
Project Manager

cc: Joseph Puopolo - Polocorp Inc.
June 18, 2018

Leslie Pucan
Region of Waterloo
150 Frederick Street 2nd Floor
Kitchener, Ontario
N2G 4J3

Dear Ms. Pucan:

RE: Planning and Works Committee – Class Environmental Assessments Study – Erb Street Improvement, Fischer-Hallman Road to Wilmot Line, City of Waterloo
OUR FILE: Y594E

On behalf of our client, Voisin Development Limited The INCC Corp., we are submitting this letter as comments on the staff report for the Class Environmental Assessment Study - Erb Street Road Improvements. We have been working with a group of landowners and City and Regional Staff as it relates to addressing traffic considerations on the west side of Waterloo. Meetings have occurred with City and Regional staff to discuss a potential new connection to Erb Street for a new north-south road extending from Thordale Drive to Erb Street to assist with providing:

- An alternative north-south traffic movement to alleviate vehicle trips through the Erb Street/Ira Needles Boulevard roundabout;
- A secondary access/route for emergency vehicles in the event there is delay in the Erb Street/Ira Needles Boulevard roundabout; and,
- Additional cycling and pedestrian movement connections.

It is our understanding that the Region and the City were coordinating to address traffic considerations and in our previous comments we suggested that the Class EA should not proceed in advance of the City study in the event that a new road connection to Erb Street was identified as a preferred solution. A copy of the submission (dated July 2017) is attached to this letter.

Since that time, the City of Waterloo has further progressed on the Integrated Multi-modal Transportation Study (IMMTS) and completed a report which recommends the following roadway improvements, among others:

- Implementation of an intersection of The Boardwalk with Erb Street, to be controlled by a roundabout. The North leg of the roundabout is to be approximately at the driveway location between BMO and Shoppers Drug Mart.
We have prepared a plan that illustrates the approximate location of the roundabout and an alternative road pattern to illustrate the connection from The Boardwalk/Thorndale Drive to Erb Street. The details associated with the Municipal road extension will be subject to further review and approval, however the new road was included within the City of Waterloo Development Charges By-law.

We request that the following recommendation be included as part of the consideration of the report:

"Direct staff to update the report to identify the additional roundabout on Erb Street and modify the "Recommended Design Alternative 2C" to illustrate the potential for a future roundabout."

Attached to this letter is a modified plan illustrating this request.

We would be pleased to have further discussion with Regional staff as it relates to this letter and recognition that the Class EA provides for the future roundabout potential, and in advance of the filing of a notice of complication.

Yours truly,

MHBC

[Signature]

David Aston, M.Sc., MCIP, RPP
Partner

Attach:
DA:jg

Cc: Greg Voisin, Vince Varga, Phil Hewittson, Joel Cotter, Cam Rapp, Barbara Sutherland, Brian Reed, Carol Cressman
July 12, 2017

William Gilbert, P. Eng. Senior Project Manager
Region of Waterloo
150 Frederick Street
Kitchener, ON N2G 4J3

Dear Mr. Gilbert:

RE:  Class Environmental Assessment – Erb Street Improvements, Waterloo
OUR FILE Y594E

On behalf of our client, Voisin Development Limited and The INCC Corp., we are pleased to submit this letter as input to the ongoing Class Environmental Assessment (EA) for Erb Street Improvements. Our understanding is that the Class EA is assessing improvements along Erb Street in order to improve roadway capacity to meet projected traffic growth and to improve active transportation facilities for pedestrians and cyclists along the corridor.

We want to thank you for taking the time to meet with our team to discuss the study objectives and a potential new connection to Erb Street for a new north-south collector road in the Westhill District. The potential north-south collector road is generally an extension of The Boardwalk to the north from the newly constructed Thorndale Avenue.

We understand the Region and the City are working together to address traffic considerations on the west side of Waterloo. The City is undertaking a broader transportation study for the west side of Waterloo. We suggest that these studies need to be coordinated from the perspective of traffic analysis and counts (including traffic counts for Saturday peak period), assumptions for land uses and potential for additional road improvements to address traffic movement on the west side. Specifically, we would recommend that the Regional Class EA should not proceed in advance of the City study in the event that a new road connection for the north-south collector is identified as a preferred solution and a new connection is required to Erb Street. We also request that the Class EA begin to identify the potential for a new connection to Erb Street. We request a copy of any traffic model information as it relates to the analysis.

A preliminary plan for the north-south collector road was reviewed at our last meeting. The plan proposes a new roundabout on Erb Street. There are a number of benefits to the proposed north-south collector, including a further movement option for vehicles/cyclists/pedestrians; alternative route for emergency services vehicles, potential for street connections to existing parcels that may result in removal of other access points on Erb Street, and the potential for improved movement in the existing Erb Street roundabout with diverted traffic to the north-south collector.
We look forward to working with the City and Region to establish a road network that serves the current and future traffic and transportation needs for the Waterloo West Side.

Please call with any questions.

Yours truly,

MHBC

David Aston, M.Sc., MCIP, RPP
Partner

C. Mark Christensen, Greg Vaisin, Vince Varga, Jeff Martens, Phil Hewitson
Tomorrow, Waterloo Regional Council will once again be presented with the Regional Transportation Master Plan Update "Moving Forward". I attended the last council session and had provided feedback to Emily Slofstra's presentation on behalf of CycleWR. At that time, I was heartened to hear many of the city leaders speaking up for pedestrians, cyclists, and a vision that included more space for people and new technologies. [Tomorrow's update seems to contain much of the same vision as before, but with an additional map that shows some of the future bike lanes / infrastructure that is planned as part of the document. Staff has also provided their feedback on the questions asked by many of councillors. When reading "Moving Forward" I see so much potential, but at the same time I have seen how the current plans have been implemented and I wonder if there can ever be wording strong enough to see the roads and lives of our community really change.

Summary
I think we should aspire to significantly more accountability regarding pedestrians and cyclists in Moving Forward.

Recommendations
My prime recommendation is that we delay Moving Forward until we have completed an updated Active Transportation Master Plan that focuses on how we can improve intersections for people.

If it is critical that council pass Moving Forward I would encourage two more amendments:

1) The goals as outlined in Moving Forward should be included in any report to council regarding new projects. These are: optimize the transportation system; promote transportation choice; foster a strong economy; and support sustainable development. Currently I often see references to how a project will fulfill these goals but I believe it would be valuable to council to see these goals specifically identified and responded to by staff. This will also make it easier for citizens to see how a specific project aligns with Moving Forward.

2) The hiring of a staff member who specializes in urban street design and planning. This individual would ideally come from an Urban Design/Architecture background and would identify new opportunities to improve the street space for pedestrians. Ideally this position would be a separate office from that of the transportation coordinators and their review would be appended to reports to council. This would allow council to understand concerns with certain projects and make the best possible decision for our communities.

Longer Exploration
I am one of the current co-chairs of the Mount-Hope Breithaupt Park Neighbourhood Association in Kitchener. Many of you would have heard of my predecessor, Lane Burman and his co-chair Ted Parkinson. When I first moved into the neighbourhood, they were fighting for a pedestrian crossing on the new Weber Street expansion. This expanded road ran through the heart of our neighbourhood and Lane and Ted petitioned regional staff and councillors for pedestrian crossing at Wilhelm. It was a lengthy, arduous process but after much debate, we got ourselves a crossing that many from our community use on a daily basis and that allows for greater connectivity to our neighbourhood's showpiece pedestrian infrastructure, the Spurline Trail.

However, for all of that work, the reality is my neighbourhood has been hopelessly divided by this four lane "street". Speeds continue to be an issue. The lack of connectivity for people in our neighbourhood has led to deep divisions and disconnect in our messaging. A divide was created between Midtown and my own end of the 'hood, Breithaupt Park, that continues to fester and that my co-chair and I must constantly work to overcome.

The RTMP is a community-building document. In Geoffrey Keyworth's presentation to Waterloo City Council he said that "Everywhere that we put infrastructure, we see development". The RTMP seems to miss the reality that this works for all types of infrastructure. When the region builds its large unfriendly roads, we see unfriendly development, rather than destinations, such as the array of car dealerships along Weber St.

Recently roadwork was completed on Wellington Street as it turns into Shirley Avenue. On this road the sidewalk is placed on the opposite side of most of the majority of businesses and stops before it gets to Bingenmans itself. We have painted bike lanes on a road that has transport trucks commuting daily, which is the type of infrastructure that has proven deadly in Toronto in recent years. Northfield
Drive is now extremely wide and essentially a highway with painted bike lanes on the side as well. The green paint where there is an on ramp for cars is nice but still extremely dangerous. Pedestrian crossings are rare in our cities and regional staff have often followed MTO guidelines in ways they never would follow road minimums.

With the acquisition of city land through the LRT build and the fact that most accidents in Waterloo Region occur at intersections it's clear that the region will play a pivotal role in defining how our cities will become safer and friendlier places for everyone.

I fully understand that there are difficulties accommodating cycling needs. I also look to cities changing around the world, including our own visionary roundabouts, and see opportunity. An opportunity for a broad community vision that actively seeks to create more places for people in our cities and towns.

Two cities that underwent such change were Ghent in Belgium and 1970s Groningen in the Netherlands. Both cities began by making targeting an ambitious goal to end car traffic through their cities. Growing up in New Hamburg, this makes a lot of sense to me. There are businesses along the 7 and 8, but the core of New Hamburg is Peel Street. Peel Street encourages traffic to drive to it, rather than through it, ending at the river and not being an effective bypass for traffic. In Ghent and Groningen they actually have less congestion by taking that same plan and expanding by several orders of magnitude. Both cities have chosen to make it extremely difficult for you to get your car or truck through town and instead make it very easy to walk and cycle through town. This has led to a host of stats that we could use here in Waterloo Region. In Ghent within a year, the impacts of the plan are: 25% increase in bicycle users, 8% increase in public transportation ridership, 12% decrease in car traffic during the rush hour, even 29% less cars on the most important routes within the ring road and 58% in the residential streets. Six interviewed inhabitants out of 10 consider cycling as safer than before.

This all came about because the city focused on how to build a new "Circulation Plan": figuring out how to get vehicles around neighbourhoods and not through them. A plan like that would inject new life into a neighbourhood like Mount Hope-Brathaupt Park.

Another element that I believe should be considered is the environmental effects. We have a strong commitment locally and from polls I have seen, Waterloo Region takes environmental protection seriously. 49% of our Greenhouse gas emissions come from transportation. We can do significantly better by encouraging those who are "interested but concerned" to try other modes of transportation to reduce their environmental impacts. When I was younger, I biked from New Hamburg to Stratford for work. There were old gravel roads and it wasn't a direct route, but it made me feel great and was about an hour commute. By car, many complete well over a 1-hour commute and it becomes natural. I was young and pretty reckless, but I also once tried to bike into Kitchener and found that roads quickly became too busy with cars to perform such a feat. Imagine if we made cycling to work in Kitchener or Waterloo a viable alternative. God bless the parent that would allow their teenage son to bike down Snyder's Road at dawn and dusk for work, but even I would find that crazy with the current state of road safety.

Therefore, my recommendation is that we postpone the Transportation Master Plan so that it can be informed by the Active Transportation Master Plan review of intersections. The ATMP can define the roads and intersections that will be most valuable to complete with Active Transportation facilities and these decisions can be "baked in" to the Transportation Master Plan. This will allow these people-friendly facilities and intersections to take priority and allow roadways that may not be as valuable for active transportation uses to be shown. While there is currently a map of future bicycle infrastructure included in the RTMP, there is no timeline for specific projects, and 2031 is too long of a timeframe for the completion of a safe, connected active transportation grid.

To elaborate on my previous recommendations, in the case where it is felt by council that Moving Forward is too important to postpone, then I would suggest that:

1) The goals outlined by Moving Forward be reported on for each new transportation project presented to council. On many of the reports that I have seen it is suggested that a project aligns, but not how it aligns with the goals. This would be helpful to citizens and council itself as projects are
presented and someone can quickly identify how staff have actually assessed the project to these goals.

2) The next budget include the hiring of a new staff member who focuses specifically on the urban street design of transportation projects. This staff member would assess each project and provide feedback to transportation planners on how best to build the project from the perspective of pedestrians and cyclists. In an ideal scenario, this would work as its own office focusing on bringing more human elements to street designs. I envision this office providing their own report on projects that would be appended to the final reports, allowing councillors to see suggestions and alternatives that specifically focus more on urban design elements. This would allow council to more adequately weigh the opportunities that are presented as well as provide a unique vision for residents to see. This role could also undertake a review of the Corridor Design Guidelines, to ensure that national standards are being met and implemented.

In all, I hope you will consider these options. Thank you for taking the time to read this letter; I am hopeful we can continue moving forward.

Sincerely,

Levi Oakey

342 Edwin St., Kitchener
June 18, 2018

Regional Clerk
Region of Waterloo
150 Fredrick Street, 2nd Floor
Kitchener, ON
N2G 4J3

Attention: Chair and Members of the Regional Works Committee

Dear Chair Tom Galloway and Members of the Regional Works Committee,

Re: Recommendation for Proposed Amendment to the Regional Official Plan
   East Side Lands: Stage 2
   Regional Official Plan Amendment
   City of Cambridge
   Region of Waterloo

We act as legal counsel to White Water Holdings Inc. and Lorne Kumer ("our clients"). Our clients are registered owners of lands located north of Middle Block Road, west of Fountain Street and east of Riverbank Drive. We are writing in support of the Staff Recommendations to you in their Report of June 19, 2018.

Our clients have participated throughout the public process leading up to the Staff Recommendations to you. Further, our clients were actively involved in the earlier Regional Official Plan Amendment ("ROPA") process and subsequent Ontario Municipal Board, including the series of negotiations and mediations, which resulted in Minutes of Settlement process, and agreement by all involved, including the Region of Waterloo.

We are enclosing for your consideration, a planning opinion from our client’s professional planner dated June 7, 2018, Ms. Elizabeth Howson, MCIP, RPP of the planning consulting firm Macaulay Shiomi Howson Ltd. This planning opinion is supportive of Staff’s Recommendations and in particular the process followed in regard to conformity with the Growth Plan for the Greater Golden Horseshoe (2017) (Growth Plan).
It is our respectful submission that the Region of Waterloo has carried out a responsible and considered process in the current proposed ROPA. Our clients fully support the recommendations of your Staff and your Committee and Council moving forward in its implementation.

Yours very truly,

HOROSKO PLANNING LAW

Barry A. Horosko

Cc    E. Howson
      White Water Holdings Inc.
      L. Kumer
      Madison Homes
      S. Waque

Encl.

Planning Opinion of June 7, 2018 from Macaulay Shiomi Howson Ltd.
June 7, 2018

White Water Holdings Inc.
and Mr. Lorne Kumer
c/o B. Horosko
Horosko Planning Law
Suite 101
300 North Queen St.
Toronto, Ontario
M9C 5K4

Dear Sirs:

Re: Proposed Region of Waterloo Official Plan Amendment, North Cambridge Urban Boundary Expansion - East Side Lands Stage 2 / Written Comments Received from McCarter Grespan on behalf of the Forwell Lands, 957859 Ontario Limited

As requested I have carried out a review of the proposed North Cambridge Urban Boundary expansion – East Side Lands, Stage 2, and in particular the issues identified in the April 2, 2018 and April 30, 2018 submissions from McCarter Grespan on behalf of the Forwell Lands, 957859 Ontario Limited (Forwell). The key issue identified on behalf of Forwell, in my opinion, is as stated in both their submissions:

“The 2017 Growth Plan applies to the proposed expansions…..The MESP and Secondary Plan start with a conclusion regarding where expansions are to be considered, namely, within what have been identified as the “Stage 2 Lands”. This preconceived starting point is not in keeping with the process contemplated Policy 2.2.8.3 of the 2017 Growth Plan and does not represent a Municipal Comprehensive Review as defined by the Growth Plan. We conclude the proposed amendment to the Regional Official Plan does not conform with the 2017 Growth Plan from a number of perspectives." (April 30, 2018 Submission)

My review with respect to this issue included, in addition to the Forwell submissions:

- Growth Plan for the Greater Golden Horseshoe (2017)(Growth Plan);
- Ontario Regulation 311/06 Transitional Matters – Growth Plans as amended;
- City of Cambridge Planning & Development Committee Report No. 18-049(CD) Re: North Cambridge Urban Boundary Expansion, Meeting Date: 05/08/18;
- Region of Waterloo Official Plan;
- Ontario Municipal Board Decision, Case No. PL110080, July 14, 2015; and,
It is my opinion, that contrary to the Forwell submissions, the proposed expansion is not subject to the 2017 Growth Plan given its history and planning status. In particular:

- The North Cambridge urban boundary expansion was authorized through the approval of the Region of Waterloo Official Plan by the Ontario Municipal Board on June 18, 2015, prior to the approval of the Growth Plan 2017 on July 1, 2017.

The Region of Waterloo Official Plan was adopted on June 16, 2009 by Regional Council. The Ministry of Municipal Affairs and Housing (MMAH) issued a Notice of Decision to approve the Plan with modifications on December 22, 2010. The Plan was subsequently appealed to the Ontario Municipal Board (OMB) by a number of parties. The appeal process culminated with the issuance of an Oral Decision to approve the Official Plan, with modifications, on June 18, 2015. The OMB confirmed its decision through a follow-up Memorandum of Oral Decision and Order of the Board dated July 14, 2015.

The Plan was thus prepared in conformity with the Growth Plan, 2006 which was the Growth Plan in effect during this period – confirmed by its approval by MMAH and the OMB. The Plan as approved by the OMB, in Chapter 2, Shaping Waterloo Region’s Urban Communities, provides direction with respect to Urban Area Expansions including policies specifically related to expansions east of the Grand River in the Township of Woolwich and the City of Cambridge. Those policies found in Sections 2.B.3 (h), (i) and (j), in my opinion, provide the specific criteria which must be satisfied for such urban expansions to occur in the Township of Woolwich and the City of Cambridge.

Specifically, with respect to the City of Cambridge, the policy states:

“As provided through the **municipal comprehensive review process** associated with the final approval of this Plan and to further implement the Ontario Municipal Board decision relating to the final approval of this Plan, priority consideration will be given to a future amendment to this Plan to designate a maximum of 115 ha of Urban Designated Greenfield Area to be located between Speedsville Road and the Grand River in the northern part of the City of Cambridge subject to the following:.....”

The policies thus acknowledge that they reflect the results of a municipal comprehensive review process; and establish the quantum of the lands to be added to the urban boundary and the general location where that land should be located, subject to a specific comprehensive process including an official plan amendment. The policies also establish a number of other criteria such as the completion of watershed studies; and undertaking a planning process to determine development densities and general mix and location of land uses. Further, priority consideration is to be given to enhancing the size of the residential area currently comprised of the lands designated rural residential in the City of Cambridge Official Plan located west of Fountain Street, north of Middle Block Road and south of Fairway Road North. In addition, consideration may be given to a reconfiguration of the existing Prime Industrial/Strategic Reserve designation so as to better integrate the lands to be designated “Urban Area” for residential purposes to ensure compatibility of existing and future residential uses with adjacent employment lands.
• Section 3(6) of the Transitional Matters – Growth Plans Regulation states that any matter deemed to have commenced after June 15, 2006 and before May 18, 2017 that would add any amount of land to an area of settlement, as is the situation in this case, shall be continued and disposed of in accordance with the 2006 Growth Plan.

Section 2 of Ontario Regulation 311/06 states that:

"For the purposes of this Regulation, a matter deemed to have been commenced,.....
(b) in the case of an official plan, an amendment to it or a repeal of it, on the day the by-law adopting the plan, amendment or repeal is passed;"

Further, Section 3(6) states:

"A matter that is described in clause 2(b) and commenced by an upper-tier or single-tier municipality after June 15, 2006 and before May 18, 2017 that would add any amount of land to an area of settlement shall be continued and disposed of in accordance with the 2006 Growth Plan as it read on June 16, 2006."

Based on the Transition Regulations, given that the Official Plan was approved in June 2015 and that it establishes the amount of land to be added to the settlement area, together with a detailed process for such an addition, in my opinion, in accordance with the regulations, the expansion should be continued and disposed of in accordance with the Growth Plan, 2006. The process which should be followed is the detailed process established in the Region of Waterloo Official Plan, as approved by the OMB in conformity with the Growth Plan, 2006.

• The Growth Plan, 2017 establishes that the minimum density target contained in the applicable upper-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply to designated greenfield lands, such as this situation, until the next municipal comprehensive review is approved and in effect.

As noted the Region of Waterloo Official Plan is approved and in effect. The Plan clearly establishes the quantum and general area of the lands in Cambridge and Woolwich which are to be included in the urban boundary. In my opinion, therefore, Section 2.2.7.5 of the Growth Plan, 2017 is applicable to those lands. Section 2.2.7.5 states:

"For upper- and single-tier municipalities in the outer ring, the minimum density target for designated greenfield areas contained in the applicable official plan that is approved and in effect as of July 1, 2017 will continue to apply until the next municipal comprehensive review is approved and in effect."

In conclusion, therefore, it is my opinion, contrary to the Forewell submissions, that the proposed expansion is not subject to the 2017 Growth Plan given its history and planning status and the provisions of Ontario Regulation 311/06 Transitional Matters – Growth Plans as amended. Rather, it is my opinion, that the Region of Waterloo is entitled to proceed with
the North Cambridge boundary expansion in accordance with the process set out in Section 2.B.3 of the Regional Official Plan as approved by the OMB in conformity with the Growth Plan, 2006.

Yours truly,

MACAULAY SHIOMI HOWSON LTD.

[Signature]

Per: Elizabeth Howson, MCIP, RPP
Principal
June 18, 2018

By E-mail only: regionalclerk@regionofwaterloo.ca

Regional Clerk
Region of Waterloo
150 Fredrick Street. 2nd Floor
Kitchener, ON
N2G 4J3

Attn: Council of the Region of Waterloo

Re: Proposed Amendment to the Regional Official Plan (East Side Lands – Stage 2)
Our clients Madison Riverbank Holdings Ltd., Madison Middleblock Limited, Madison Fountain North Limited and Breslau Properties Limited
895 Riverbank Drive and 4300 Fountain Street
And west of Fountain Street, north and south of Township Road 80,
City of Cambridge and Township of Woolwich
Region of Waterloo

Dear Regional Chair and Members of Regional Council;

KLM Planning Partners Inc. ("KLM") is the land use planning consultant representing Madison Riverbank Holdings Ltd., Madison Middleblock Limited, and Madison Fountain North Limited herein after referred to as ("Madison"); and Breslau Properties Limited ("Breslau Properties"). Madison owns property in the northern part of the City of Cambridge and Breslau Properties owns property in the southern portion of the Township of Woolwich in a smaller community known as Breslau. Both the Madison lands and the Breslau Properties Lands are situated in the Region of Waterloo and are part of a larger area commonly known as the East Side Lands. The Region is currently advancing the land use planning framework within the Stage 2 Lands to facilitate long-term development and growth of this area. The Stage 2 lands are located just north of the Stage 1 Lands which formed the basis of the North Cambridge Business Park ("NCBP").

The Madison lands are approximately 48.5 hectares in size and are situated north of Middle Block Road, west of Fountain Street, and east of Riverbank Drive and are known municipally in part as 895 Riverbank Drive and 4300 Fountain Street. Madison has been a landowner in north Cambridge for over 50 years and has actively been involved in the process which has led to the proposed designation of the 170 hectares of Urban Designated Greenfield Areas ("DGA") within the Stage 2 – East Side Lands area.
The Breslau Properties lands are approximately 44 hectares in size and are located in the southern portion of the Township of Woolwich, on the west side of Fountain Street North, north and south of Township Road 80 and north of the future Ottawa Street extension. Breslau Properties has owned these lands for nearly forty year and also has been actively involved in the process which has led to the proposed designation of the 170 hectares of Urban Designated Greenfield Areas ("DGA") within the Stage 2 – East Side Lands.

The purpose of this letter is to provide our comments to both Council and staff of the Regional Municipality of Waterloo in relation to the proposed Regional Official Plan Amendment ("ROPA") respecting the designation of a maximum of 170 hectares of Urban DGA within the Stage 2 - East Side Lands. The proposed amendment affects lands in both the southern portion of the Township of Woolwich and the northern part of the City of Cambridge.

At this time, we wish to advise Council that we are supportive of the proposed ROPA contained within the Statutory Public Hearing Report proposed to designated 170 hectares of DGA within the Stage 2 - East Side Lands. This is consistent with and conforms to existing Region of Waterloo Official Plan ("ROP") policies. We respectfully ask that Regional Council not defer or delay the decisions respecting the final implementation of the proposed ROPA. There is still a lengthy process ahead including the necessary amendments to the Township of Woolwich and City of Cambridge Official Plans and Zoning By-laws as well as draft plan of subdivision approval for all 170 hectares of land to permit urban uses contemplated within the ROP. For these reasons, we are hopeful that Regional Council will work with all stakeholders and assist in moving these amendments forward as quickly as possible.

Background

The Region of Waterloo updated the ROP which was ultimately adopted by Regional Council on June 16, 2009, in conformity with the former Growth Plan for the Greater Golden Horseshoe (2006) ("2006 Growth Plan"). The ROP was modified and ultimately approved by the Ministry of Municipal Affairs ("MMA") on December 22, 2010, and then subject to a number of appeals by several parties to the Ontario Municipal Board ("OMB"). Madison and Breslau Properties were active throughout the ROP review and have been additionally involved through the OMB appeals of the ROP respecting their lands. Through the OMB process, modifications to the ROP were made as part of a comprehensive settlement and the OMB issued an oral decision to approve the ROP on June 18, 2015 followed by a written decision on July 14, 2015.

The final approval of the ROP by the OMB was the culmination of a multi-year comprehensive official plan review which began when the 2003 Regional Growth Management Strategy outlined a program for considering future development and urban area expansion of the East Side Lands. The East Side Lands have planned for a potential location for growth for nearly 15 years and the approval of the ROP in 2015 by the OMB which is consistent and conforms with all applicable
Provincial policy and was the result of years of study and effort by many stakeholders. The ROP identifies the quantity of DGA to accommodate the 2031 population identified by the 2006 Growth Plan.

The Stage 2 Lands are designated “Prime Agricultural Area” on Map 7 (The Countryside) of the ROP and are located outside of the existing urban area as illustrated on Map 3a (Urban Area). However, the lands are also situated within the Countryside Line as illustrated on Map 7 of the ROP. The Countryside Line represents the long-term boundary between the existing Urban Area/Township Urban Areas and agricultural farmlands and sensitive natural areas (i.e. the countryside area) (ROP - Policy 2.1 and 2.8.1). Future expansions to the boundaries of the Urban Area are only permitted onto lands within the Countryside Line as shown on Map 7 and as part of a municipal comprehensive review (“MCR”) (ROP - Policy 2.8.3). For reasons expressed in this letter, it is our opinion that the Urban Area expansion has been approved through a MCR process and onto lands that are within the Countryside Line.

As part of the 2015 OMB approval, the policies within the ROP recognize that justification exists for the designation of 170 hectares of Urban DGA for residential purposes beyond what is currently designated in the ROP. Priority consideration is given to 55 hectares of Urban Designated Greenfield Area in the northern portion of the East Side Lands near Breslau. The lands owned by Breslau Properties are located within this area. The remaining 115 hectares of Urban DGA is generally located in the southern area of the East Side Lands at the northern end of the City of Cambridge which includes the lands owned by Madison. Policies within the ROP indicate that priority consideration is to be given to enhancing the size of the residential areas currently designated Rural Residential in the City of Cambridge Official Plan (west of Fountain Street, north of Middle Block Road, and south of Fairway Road North) to create a residential cluster of sufficient size to be integrated with surrounding and future employment uses.

The following policies are those that are relevant to the current ROPA respecting the additional DGA within the Stage 2 – East Side Lands in both the City of Cambridge and the Township of Woolwich:

2.8.3 (d) the expansion provides sufficient lands for a time horizon not exceeding 20 years, using the density targets, reurbanization targets and other policies in this Plan. In conformity with the provisions of subsection 2.8.3 (a) and the Schedule 3 2031B forecast of the Places to Grow: Growth Plan for the Greater Golden Horseshoe, and to further implement the Ontario Municipal Board decision relating to the final approval of this Plan, justification exists for the designation of a maximum of 170 ha of Urban Designated Greenfield Area for residential purposes over and above that included in the Urban Area as of the time of the final approval of this Plan. This additional land will be designated in accordance with the provisions of subsections 2.8.3 (i) and (j);

The policies applicable to the Township of Woolwich are as follows:
2.B.3 (i): As provided for through the municipal comprehensive review process associated with the final approval of this Plan and to further implement the Ontario Municipal Board decision noted above, priority consideration will be given to a future amendment to this Plan to designate a maximum of 55 ha of Urban Designated Greenfield Area for residential purposes located west of Fountain Street and north of the future Ottawa Street extension in the southern portion of the Township of Woolwich to establish, through the development of these lands for residential purposes, what is expected to be an appropriate medium to longer term settlement boundary, subject to the following:

i) Designation of these lands as Urban Area will be considered through a future amendment to the ROP commenced in 2016 and may be considered concurrently with a corresponding amendment to the Township of Woolwich Official Plan;

ii) Consideration of the implementing amendment to this Plan will be subject to the provisions of subsection 2.B.3 g) and subsection 2.B.3 h); and

iii) The southern edge of the Urban Area east of Woolwich Street South through to Fountain Street will be deemed to be the final alignment of Ottawa Street as determined through the applicable environmental assessment process without further amendment to this Plan

The policies applicable to the City of Cambridge are as follows:

2.B.3 (j) As provided for through the municipal comprehensive review process associated with the final approval of this Plan and to further implement the Ontario Municipal Board decision noted above, priority consideration will be given to a future amendment to this Plan to designate a maximum of 115 ha of Urban Designated Greenfield Area for residential purposes to be located between Speedsville Road and the Grand River in the northern part of the City of Cambridge, subject to the following:

i) Designation of these lands as Urban Area will be considered through a future amendment to the ROP commenced in 2016 and may be considered concurrently with a corresponding amendment to the City of Cambridge Official Plan;

ii) Consideration of the implementing amendment to this Plan will be subject to the provisions of subsection 2.B.3 g) and subsection 2.B.3 h);

iii) Priority consideration will first be given to enhancing the size of the residential area currently comprised of the lands designated rural residential in the City of Cambridge Official Plan located west of Fountain Street, north of Middle Block Road and south of Fairway Road North, with the objective being to create a residential cluster of sufficient size so as to permit its integration with the surrounding employment uses to form the beginning of a mixed-use community that will permit future residents the opportunity to live close to where they work;
iv) Subject to iii) above, as part of the amendment process additional consideration may also be given to a reconfiguration of the existing Prime Industrial Strategic Reserve designation so as to better integrate the lands to be designated Urban Area by the amendment for residential purposes to ensure compatibility of existing and future residential uses with adjacent employment lands; and

(v) Any reconfiguration of the Prime Industrial Strategic Reserve lands as provided for in iv) above will not result in an increase in either the amount of land currently designated Prime Industrial Strategic Reserve lands or the amount of additional Urban Area for residential purposes permitted by this policy (115 hectares including any portion of the Prime Industrial Strategic Reserve lands converted to residential).”

The policies above establish the basis and framework for the final delineation of the Urban Area within the Stage 2 lands. The policies in the ROP related to the Township of Woolwich have clearly identified the lands which are to be included in the Urban Area. These lands represent a logical and contiguous expansion of the exiting community which will result in the efficient extension of existing services including sewers, water and roads.

The policies respecting the final delineation of Urban DGA in north Cambridge allow for the consideration of several options but direct where priority consideration for future urban uses should be provided. The area indicated in the existing ROP builds upon the existing rural residential community to establish a residential cluster of sufficient size so as to permit its integration with the surrounding employment uses in order to form the beginning of a mixed-use community that will permit future residents the opportunity to live close to where they work.

In order to evaluate the various options for lands to be considered for future urban uses, the ROP includes the following policy:

Policy 2.B.3 (h) states that “for any proposed Urban Area expansions east of the Grand River the Township of Woolwich and the City of Cambridge, in collaboration with the Region have undertaken a planning process to determine the development densities, and general mix and location of land uses appropriate for that area”

The Region of Waterloo in consultation with the City of Cambridge, Township of Woolwich and the Grand River Conservation Authority commenced the Master Environmental Servicing Plan (“MESP”) and Secondary Plan public consultation process in December 2016. The purpose of this study was to plan for the future urban expansion and development of the Stage 2 – East Side Lands and to complete a subwatershed study, master drainage plan, transportation assessment, water and wastewater assessment and preliminary preferred land use option to support the ROP policies respecting the location of 170 ha. of DGA.

The proposed amendment to the Region of Waterloo, in addition to the required amendments to the City of Cambridge and Township of Woolwich Official Plans in the future will be required
to implement the findings of the MESP and preliminary land use options within the Stage 2 - East Side Lands to bring them into the urban area. This process conforms with and implements the in-effect policies within the ROP. The ROPA currently being proposed constitutes the necessary amendment at the Regional level to designate the Madison Lands and Breslau Properties Lands and surrounding area as Urban DGA.

**East Side Lands – Stage 2, Master Environmental Servicing Plan and Secondary Plan Study**

In December 2016, Regional Council authorized the initiation of the ROPA required to implement Policy 2.B.3 (d) of the ROP to bring an additional 170 hectares of Urban Designated Greenfield Area into the Urban Area. The proposed ROPA was required to finalize the delineation of the Urban Area in the Stage 2- East Side Lands, which were textually designated in the existing in-effect ROP.

The Region retained WSP in 2016 to complete the technical studies to provide background for identifying the boundaries of the proposed 170 hectares of Urban DGA. As part of the evaluation, subwatershed studies were completed which then led to the land use planning analysis. The public participation component to the land use planning evaluation consisted of four (4) PCC’s in which various findings related to the future Urban Area were presented. This included the draft subwatershed studies at the beginning of the process and preliminary land use scenarios for the expanded urban area as the process evolved. The preferred land use scenario was presented at the final PCC on March 20, 2018, which was based on all the work completed by WSP and in response to comments received through the public consultation process. The preferred land use scenario was established by WSP in consultation with municipal planning staff. WSP established a list of evaluation criteria which was structured upon the overall policy framework within the ROP respecting new communities. The ROP requires new communities to develop as complete communities which encourage a range of housing options, have character and a sense of place, a compact and mixed-used to support active transportation and public transit and which are serviced efficiently by municipal drinking and wastewater systems.

Based on this foundation provided by the ROP, each land use scenario was evaluated based on the following five (5) themes:

1. Natural Environment and Hazard Lands
2. Land Use and Development Patterns
3. Socio-Economic Considerations
4. Cost and Sustainability
5. Transportation

Each evaluation criteria noted above was then focused into key objectives in order to determine the precise location of the future Urban Area. Generally, the objectives utilized by WSP for the consideration of future Urban DGA includes the avoidance of natural features, maximizing
development opportunities through a compact built form, ensuring land use compatibility with the Airport, future employment areas and existing rural uses including existing agricultural operations with future urban uses, minimizing impacts on the existing community and cultural heritage, ensuring efficient and cost-effective servicing and appropriate transportation considerations.

These evaluation criteria resulted in the preferred land use scenario recommended by WSP in conjunction with the Region of Waterloo, City of Cambridge and Township of Woolwich. A copy of the preferred land use scenario is attached in Figure 1.

Figure 1 – Preferred Land Use Scenario

The policies respecting the proposed urban expansion in Breslau established a defined area for future urban uses. This location was confirmed through the completion of the subwatershed study and land use planning process. These lands represent a logical and contiguous expansion of the exiting community which will result in the efficient extension of existing services including sewers, water and roads and were not subject to the evaluation criteria noted above. The
The proposed DGA in Breslau represents an appropriate medium to longer term settlement boundary expansion adjacent to an existing Settlement Area, which results in the efficient use of land, infrastructure and public service facilities and that contributes to the range and mix of housing choice available in the Region and avoid environmental features. For these reasons, the expansion area in Breslau is consistent with the PPS 2014 and conforms with the Growth Plan 2006 and 2017 and represents good land use planning.

For the 115 hectares of land available in north Cambridge, WSP concluded that the priority area as identified in the ROP which is located northwest of Middleblock Road and Fountain Street North was the largest and most contiguous parcel of land that represented the most logical starting point and focus for the community. We agree with this conclusion.

With these lands being the focus of the future urban expansion, the outlying areas were evaluated against the criteria set out from the ROP and WSP. The fundamental issues with many of the outlying parcels include:

- Limited access resulting from existing major roads
- Does not represent a logical expansion of the urban boundary due to existing major roads and environmental features
- Expensive to service given proximity to priority area and proposed trunk sewer
- Existing constraints with respect to existing context including low-density residential and protection of cultural heritage resources.

Given these constraints, priority was placed on lands which were less constrained and represented a logical extension of the Urban Area. The Region has focused on the establishment of a mixed-use node at Middle Block Road and Fountain Street North. The planning rationale for this option is to create a node for future residents from the Stage 2 land and future employees from businesses within the Stage 1 lands in a compact and transit supportive built form. We believe this land use option will best achieve ROP conformity in formulating the beginning of a truly complete community as contemplated by the Growth Plan and Provincial Policy Statement.

The preferred land use scenario forms the basis for the ROPA currently proposed and which was considered at a Statutory Public Meeting on May 1, 2018. The majority of stakeholder comments from those in attendance at the Statutory Public Meeting related to the impact of development to existing low-density residential dwellings along Riverbank Drive including the potential cultural significance of Riverbank Drive as the last remaining Scenic Route as defined in the City of Cambridge 2008 Heritage Master Plan.

The preferred land use option in my opinion appropriately balances the ROP policies respecting new community areas within the context of the concerns raised by the public and the constraints for the lands that were identified in the various land use scenarios with the Stage 2 – East Side Lands.
We have contributed to the development of land use scenarios through submissions to Staff and Council, to assist in the establishment of limits for the proposed Urban DGA to be finalized via the municipally initiated ROPA. This letter will also provide an overview of the land use planning merits supportive of the ROPA, which will propose to amend the in-force ROPA Schedules to reflect the textually designated 170 hectares of DGA in both Cambridge and Woolwich (Breslau) (the East Side Lands – Stage 2).

We are pleased with the preferred land use scenario, and support Staff’s decision to move forward with the ROPA as a next step in arriving at an appropriate Master Environmental Servicing Plan (“MESP”) and Secondary Plan for the East Side Lands.

**Planning Merits of the ROPA**

The ROPA proposes to designate 170 hectares of land as “Urban Designated Greenfield Area” in the northern portion of the City of Cambridge and the southern portion of the Township of Woolwich within the Stage 2 - East Side Lands. This was justified in the last MCR process which culminated with the approval of the ROP by the OMB in 2015. This is evidenced in existing ROP policies and referenced in the Draft ROPA with the policies acknowledging that the “municipal comprehensive review process associated with the final approval of this Plan and to further implement the Ontario Municipal Board decision relating to the final approval of this Plan.”

The approval of the existing policies in the ROP, which determined the amount of land and general location of the lands to be included within the Urban Area was part of an already completed MCR process by the Region. The existing policies have confirmed that the justification existed under the 2006 Growth Plan for an additional 170 hectares of Urban DGA and that the location of these specific boundaries would be subject to a future ROPA process which would be supported by the completion of a watershed study and land use planning process to determine the development densities and the general mix and location of land uses. A future ROPA does not constitute an MCR in accordance with the PPS and Growth Plan.

The draft ROPA which was released within the Regional Planning Staff Report to the Statutory Public Hearing on May 1, 2018 takes action to designate and redesignate lands in accordance with the ROP policies respecting the priority areas for future Urban DGA’s as described in Part 1 – Purpose and Effect of the ROPA as follows:

*The ROP provides for the designation of a maximum of 170 hectares of Urban Designated Greenfield Areas. The location and extent of lands to be designated as Urban Designated Greenfield Areas are shown on Map 1.*

The purpose of this amendment is to:

1. designate approximately 55 hectares of Urban Designated Greenfield Areas in the southern portion of the Township of Woolwich;
2. designate approximately 100 hectares of Urban Designated Greenfield Areas in the northern part of the City of Cambridge;

3. designate approximately 6 hectares of land as Prime Industrial/Strategic Reserve (Serviced) in the northern part of the City of Cambridge;

4. redesignate approximately 11 hectares from Prime Industrial/Strategic Reserve (Serviced) to Urban Designated Greenfield Areas in the northern part of the City of Cambridge;

5. redesignate approximately 4 hectares of land from Urban Designated Greenfield Areas to Prime Industrial/Strategic Reserve (Serviced) in the northern part of the City of Cambridge.

The proposed amendment is being undertaken in accordance with ROP Policies 2.B.3 (i) and 2.B.3 (j). ROP Map 3a and Map 7 would be modified accordingly to reflect the Urban Designated Greenfield Areas and Prime Industrial/Strategic Reserve (Serviced) designated through this amendment, and to amend the Urban Area Boundary accordingly.

The ROPA is Consistent with the PPS, 2014

The PPS, 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS supports the building of strong communities as “Ontario’s long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns”. The policies which are relevant to the proposed ROPA that provide guidance on the development of strong communities include the following:

Section 1.1.1 – promoting efficient development and land use patterns which sustain the well-being of the province; accommodating an appropriate range and mix of uses; avoiding development that may cause environmental or health concerns; encouraging the efficient expansion of settlement areas in areas which are close or adjacent to settlement areas; and ensuring that necessary infrastructure are provided.

Section 1.1.3 – Settlement areas shall be the focus of growth and development; land use patterns shall be based on densities and a mix of land uses which efficiently use land, infrastructure and public service facilities, are transit-supportive and support active transportation.

Section 1.1.3.6 – New development in designated growth areas should occur adjacent the existing built up area and shall have a compact form, mix of uses and densities
that allow for the efficient use of land, infrastructure and public service facilities.

Section 1.1.3.8 – The expansion of a Settlement Area may only occur at the time of a municipal comprehensive review.

Section 1.4.1 – maintain at all times the ability to accommodate residential growth

Section 1.4.3 – provide for a range and mix of housing types and densities; directing development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available.

Section 1.6.6.1 – Direct and accommodate growth that promotes the efficient use and optimization of servicing.

Section 2.1 – Natural heritage features shall be protected for the long term.

The ROPA Conforms to the Growth Plan, 2006

The Growth Plan for the Greater Golden Horseshoe (the Growth Plan) was prepared under the Places to Grow Act, 2005 and provided the framework regarding a Provincial vision for the establishment of strong, prosperous communities to the year 2031. The Greater Golden Horseshoe has been identified as one of North America’s fastest growing regions and it is important that growth be managed and directed in an appropriate manner.

The Growth Plan seeks to guide decisions on a number of matters including: transportation, infrastructure, planning, land-use planning, urban form, housing, natural heritage and resource protection. Included in the document are population and employment projections for the entire Golden Horseshoe area that are to be implemented by regional and local municipalities.

The proposed ROPA continues and disposes of the Growth Plan 2006 to implement the in-effect ROP, by ensuring the appropriate management of growth and to ensure the development of healthy, safe and balanced communities:

Section 2.2.2 – Managing growth through the development of compact, transit-supportive communities in designated greenfield areas, and providing for a balance of jobs and housing in communities and the establishment of complete communities.

Section 2.2.7 – That new development within designated greenfield areas will be developed as complete communities that support active transportation, a diverse mix of land uses in support of vibrant neighbourhoods and the creation of high quality public open spaces.
Section 2.2.8 – A settlement area expansion may only occur as part of a municipal comprehensive review where it has been demonstrated that the lands are needed, and the expansion will not have an impact on prime agricultural lands.

Section 3.2.5 – Municipalities should generate sufficient revenue to recover the full cost of providing water and wastewater systems.

Section 3.2.6 – Planning for growth to take into account existing and planned community infrastructure to ensure it is efficiently and effectively utilized.

Section 4.2.1 – Planning authorities are encouraged to identify natural heritage features, and areas that compliment, link or enhance these systems.

Opinion on Consistency and Conformity Test

In order to identify the specific boundaries of the 170 hectares of Urban DGA, the completion of applicable watershed studies and the completion of a planning process in accordance with ROP Policies 2.B.3 (g) was required. The Randall and Breslau Drains Subwatershed Studies were completed, which resulted in a preferred land use scenario supporting the currently proposed boundaries of the Urban Area expansion.

ROP Policies related to the designation of a maximum of 55 hectares of Urban DGA in the southern portion of the Township of Woolwich established a defined area for future urban uses. This location was identified in the OMB approved ROP and has been reaffirmed through the completion of the subwatershed study and land use planning process. The proposed DGA in Breslau results in the efficient use of land, infrastructure and public service facilities and that contributes to the range and mix of housing choice available in the Region and avoid environmental features. The proposed ROPA in relation to the lands in Breslau is consistent with the PPS 2014 and conforms with the Growth Plan 2006 and 2017 and represents good land use planning.

ROP Policies pertaining to the designation of a maximum of 115 of Urban DGA’s in the northern part of the City of Cambridge give priority consideration to the area located between Speedsville Road and the Grand River. The policies in the ROP also allow for the ability reconfigure existing Prime Industrial/Strategic Reserve (Serviced) (“PISR”) lands in the Stage 1 Area in order to redesignate existing PISR Lands (i.e. within the existing urban area) as Urban DGA Area provided there is no reduction to the overall quantity of PISR. Finally, the ROP policies also give priority consideration to enhancing the size of the rural residential area with the objective of creating a residential cluster of sufficient size so as to permit its integration with the surrounding employment uses to form the beginning of a complete community that will provide future residents the opportunity to live close to where they work and provide convenient access to transit, services and community infrastructure. The policy framework was supported by the aforementioned subwatershed study and land use planning process which resulted in the
proposed Urban DGA. This includes the proposed designation of approximately 100 hectares of Urban Designated Greenfield Areas in the vicinity of Middle Block Road and Fountain Street, the redesignation of approximately 11 hectares of PISR to Designated Greenfield Urban Area and the addition of approximately 11 hectares of PISR to locations on the periphery of the existing PISR.

In our opinion, the proposed ROPA is consistent with the Provincial Policy Statement 2014 ("PPS") and conforms with the 2006 Growth Plan and the existing policies in the ROP.

The Growth Plan Criteria

The approved ROP, which adds 170ha to the Urban Designated Greenfield Area, was commenced on June 16, 2009 and was undertaken to be brought into conformity with the 2006 Growth Plan. The municipal comprehensive review that culminated in the inclusion of 170ha in the Urban Designated Greenfield Area applied the 2006 Growth Plan density and intensification targets and the 2031B population forecast.

The ROPA continues and disposes of the ROP policies that added 170 ha of land to the settlement area under the 2006 Growth Plan. This further step of revising the boundary in accordance with the textual designation was specifically contemplated to be undertaken through a future amendment to the ROP (i.e. not a settlement area expansion), which is currently proposed. This further step does not “add any amount of land to an area of settlement” since the ROP already designates 170 ha of land as a new settlement area. The ROP further requires the specific delineation of the location of the Urban DGA. As such, the ROPA should be continued and disposed of under the Growth Plan 2006.

In any event, we have undertaken an analysis of the Growth Plan, 2017 policies and it is our opinion that the ROPA is also in conformity with the policies of the Growth Plan, 2017. In a review of the Growth Plan, 2017 policies, the need for a settlement area boundary expansion must be justified in accordance with policy 2.2.8.3. The need for the settlement area boundary expansion was justified through the approval of the ROP by the OMB in 2015, which is clearly set out in the wording in Policy 2.B.3 (d)(j) and (i) as follows:

2.B.3 (d) In conformity with the provisions of subsection 2.B.3 (a) and the Schedule 3 2031B forecast of the Places to Grow: Growth Plan for the Greater Golden Horseshoe, and to further implement the Ontario Municipal Board decision relating to the final approval of this Plan, justification exists for the designation of a maximum of 170 ha of Urban Designated Greenfield Area for residential purposes over and above that included in the Urban Area as of the time of the final approval of this Plan. This additional land will be designated in accordance with the provisions of subsections 2.B.3 (i) and (j);
2.8.3 (i): As provided for through the municipal comprehensive review process associated with the final approval of this Plan and to further implement the Ontario Municipal Board decision noted above, priority consideration will be given to a future amendment to this Plan to designate a maximum of 55 ha of Urban Designated Greenfield Area for residential purposes located west of Fountain Street and north of the future Ottawa Street extension in the southern portion of the Township of Woolwich to establish, through the development of these lands for residential purposes, what is expected to be an appropriate medium to longer term settlement boundary.

2.8.3 (j): As provided for through the municipal comprehensive review process associated with the final approval of this Plan and to further implement the Ontario Municipal Board decision noted above, priority consideration will be given to a future amendment to this Plan to designate maximum of 115 ha of Urban Designated Greenfield Area for residential purposes to be located between Speedsville Road and the Grand River in the northern part of the City of Cambridge.

Policy 2.2.8.3 in the 2017 Growth Plan provides the criteria for determining the feasibility of the proposed Urban Designated Greenfield expansion and the most appropriate location for the proposed expansion. Each of the criteria and our response are identified as follows:

a) there are existing or planned infrastructure and public service facilities to support the achievement of complete communities;

The required infrastructure necessary to support development within the East Side Lands are either currently in place or are currently being coordinated between the Region of Waterloo, the Township of Woolwich/City of Kitchener and the City of Cambridge and will be secured through their future capital works projects, an updated development charge by-law and the collection of development charges from new development.

Sanitary servicing of the DGA within the City of Cambridge will be by way of a gravity sewer within approved North-South Collector Road, east on Middle Block Road and north on Fountain Street North. Similarly, the preferred land use option will capitalize upon watermains which are planned along Middle Block Road, Fountain Street North and the existing Fairway Road North Watermain.

In Breslaw, sanitary servicing will also be way of a gravity sewer tied into the existing community. The sanitary services are anticipated to follow Menno Street westerly to Woolwich Street north and then west through an existing residential subdivision where it will ultimate go to the Victoria Street Pumping Station in Kitchener. IBI Group
has been retained to lead the evaluation of the detailed servicing design in Breslau and Kitchener including potential upgrades to the Victoria Street Pumping Station. Establishing a community focus at Middle Block Road and Fountain Street will utilize improvements to the existing transportation network including the planned North-South Collector Road and the potential for more compact mixed-use development that will support public transit service in the area.

The preferred land use option can be efficiently and logically serviced, providing for the cost-effective implementation and operation of the infrastructure. The contiguous nature of the preferred land use option provides an opportunity for efficient servicing given the contiguous nature of the lands and ultimately the services to support them without the need for unnecessary and expensive infrastructure including pumping stations which may be required to service low-lying areas or which are further from the proposed trunk sewer.

The ongoing MESP and Secondary Plan will identify in more detail the required infrastructure (water, transportation, wastewater, stormwater) to support the framework for future development of 170 ha of lands to support the complete communities in Breslau and North Cambridge.

b) the infrastructure and public service facilities needed would be financially viable over the full life cycle of these assets, based on mechanisms such as asset management planning and revenue generation analyses;

The financial viability of the infrastructure and public service facilities required including the full life cycle of these assets, are being demonstrated through the ongoing MESP for the East Side Lands and within the current Development Charge review and capital project update for the Region and local municipalities. The infrastructure proposed is readily adaptable to support efficient expansion of the Urban Area. It is anticipated that the preferred land use option can be serviced by gravity sanitary sewers based on technical work conducted to date in relation to the Stage 2 Lands MESP.

c) the proposed expansion would align with a water and wastewater master plan or equivalent that has been completed in accordance with the policies in subsection 3.2.6;

The Region has undertaken two major studies within the East Side Lands, being the East Side Lands Sanitary Servicing ("ESLSS") Environmental Assessment ("EA") and the North Cambridge Business Park ("NCBP") EA which will implement the development of the East Side Lands. The ESLSS EA has identified the preferred ultimate solution for the servicing of the East Side Lands, which consists of a new Regional trunk gravity sewer that will extend these lands to the Kitchener Waste Water Treatment Plant ("WWTP"). The ultimate solution is estimated to be approximately 10 – 20 years away.
An interim solution was identified in the NCBP EA that will convey wastewater for both the Stage 1 and Stage 2 Lands to the Preston WWTP through the existing sanitary system until the ultimate solution is realized.

d) the proposed expansion would align with a stormwater master plan or equivalent that has been completed in accordance with the policies in subsection 3.2.7;

As part of the Stage 2 - East Side Lands Study including the ongoing MESP, the Stormwater Management Plan is expected to be completed soon.

e) watershed planning or equivalent has demonstrated that the proposed expansion, including the associated servicing, would not negatively impact the water resource system, including the quality and quantity of water;

As part of the East Side Lands, the Randall and Breslau Subwatershed Studies have been completed. The preferred land use option builds upon the objectives of avoiding and minimizing the impacts to sensitive environmental features including limiting watercourse crossings and supporting identified linkages. The preferred land use option is based on the expansion on parcels of land that are the most contiguous with each other and not isolated or disconnected by environmental features. Watercourse crossings are minimized to the extent possible or where necessary will ensure no adverse impact on the features or functions where appropriate.

f) key hydrologic areas and the Natural Heritage System should be avoided where possible;

The ongoing MESP and Secondary Plan process for the East Side Lands has evaluated the location of existing key hydrologic areas and the natural heritage system. The finalization of the MESP and Secondary Plan will ensure these features and their associated buffers will be protected. Appropriate policies will be incorporated in the Secondary Plan to ensure future development is consistent with the Provincial Policy Statement and conforms with the Growth Plan in relation to the protection of environmental systems.

g) for settlement areas that receive their water from or discharge their sewage to inland lakes, rivers, or groundwater, a completed environmental assessment for new or expanded services has identified how expanded water and wastewater treatment capacity would be addressed in a manner that is fiscally and environmentally sustainable;

There is adequate sanitary sewage and water servicing capacity both on an interim and long-term basis to service the entirety of the East Side Lands as noted above. The preferred ultimate solution for the servicing of the East Side Lands consists of a new
Regional trunk gravity sewer that will extend these lands to the Kitchener Waste Water Treatment Plant ("WWTP"). The ultimate solution is estimated to be approximately 10 – 20 years away. However, until this infrastructure can be completed, an interim solution was identified that will convey wastewater for both the Stage 1 and Stage 2 Lands to the Preston WWTP through the existing sanitary system until the ultimate solution is realized.

h) prime agricultural areas should be avoided where possible. An agricultural impact assessment will be used to determine the location of the expansion based on avoiding, minimizing and mitigating the impact on the Agricultural System and evaluating and prioritizing alternative locations across the upper- or single-tier municipality in accordance with the following:
   i. expansion into specialty crop areas is prohibited;
   ii. reasonable alternatives that avoid prime agricultural areas are evaluated; and
   iii. where prime agricultural areas cannot be avoided, lower priority agricultural lands are used;

The consideration of the lands proposed to be included within the Urban Designated Greenfield Area was evaluated when the ROP was approved in 2015. The proposed impact of the future DGA on prime agricultural lands was provided by the Region in 2003 when they completed the Regional Growth Management Strategy which resulted in the establishment of the Countryside Line. The Countryside Line is approved within the ROP and effectively identified those areas which could accommodate future growth and those areas part of the larger Protected Countryside area which were intended to be protected for rural, agricultural, and environmental purposes.

In an effort to ensure the precise location of the DGA proposed in the ROPA was the most appropriate in the context of overall policy direction of the Province respecting the protection of prime agricultural areas, Madison and Breslau Properties retained Planscape to prepare an Agricultural Analysis for their respective parcels of land.

The Agricultural Analysis has concluded that while the Madison Lands and Breslau Properties Lands are prime agricultural land, they are appropriate for inclusion within the proposed DGA for the following reasons:

- They are on the fringe of existing and future residential and employment areas reducing the agricultural capacity and viability of the parcels.
- They are separated from other larger agricultural areas and operations by major roads which services urban growth in the surrounding areas as well as the Region of Waterloo Airport.
- The areas which are suitable for farming use are relatively small and fragmented by existing urban uses, environmental areas and newly constructed roads.
- Each site abuts uses that could result in potential conflicts for expanded agricultural operations.
- Each site has relatively little investment farm infrastructure including buildings, fences and livestock facilities.
- The properties are situated outside of the larger Protected Countryside where the Region has protected for the longer-term viability of larger agricultural operations.

i) the settlement area to be expanded is in compliance with the minimum distance separation formulae;

The Agricultural Analysis prepared by Planscape has confirmed that there are no barns or other farm related structures on or near the Madison Lands and Breslau Properties Lands and that the MDS calculations should not impact the proposed DGA.

j) any adverse impacts on agricultural operations and on the agri-food network from expanding settlement areas on agricultural operations would be avoided or, if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment;

The Agricultural Analysis prepared by Planscape has confirmed the Madison Lands and Breslau Properties Lands are not located within the broader Protected Countryside (i.e. the lands outside the Countryside Line in the ROP that are protected for long-term agricultural viability). The Madison Lands and Breslau Properties Lands are situated next to existing and proposed urban areas and there are no livestock facilities that would be impacted as a result of an expanded DGA.

k) the proposed expansion would meet any applicable requirements of the Greenbelt, Oak Ridge Moraine Conservation, Niagara Escarpment, and Lake Simcoe Protection Plans and any applicable source protection plan; and

Not Applicable.

l) within the Protected Countryside in the Greenbelt Area:
   i. the settlement area to be expanded is identified in the Greenbelt Plan as a Town/Village;
   ii. the proposed expansion would be modest in size, representing no more than a 5 per cent increase in the geographic size of the settlement area based on the settlement area boundary delineated in the applicable official plan as of July 1, 2017, up to a maximum size of 10 hectares, and residential development would not be permitted on more than 50 per cent of the lands that would be added to the settlement area;
   iii. the proposed expansion would support the achievement of complete communities or the local agricultural economy;
iv. the proposed uses cannot be reasonably accommodated within the existing settlement area boundary;

v. the proposed expansion would be serviced by existing municipal water and wastewater systems without impacting future intensification opportunities in the existing settlement area; and

vi. expansion into the Natural Heritage System that has been identified in the Greenbelt Plan is prohibited.

Not applicable.

Comments on Forwell Letter to Regional Committee

In letters dated April 2, 2018 and April 30, 2018, legal counsel on behalf of the owners of the Forwell Lands contends that its client’s lands should be included in the Urban Area on the basis that the currently proposed ROPA is not in conformity with the 2.2.8.3 of the Growth Plan, 2017. As stated above, the ROPA is simply implementing the existing in-force ROP which was approved by the OMB in the context of the Growth Plan, 2006. In any event, the ROPA achieves the policy objectives of policy 2.2.8.3 of the Growth Plan, 2017 for the reasons set out above.

Most importantly, the Forwell Lands are not within the geographic area set out in the ROP which was approved by the OMB in 2015, which the Boards decision conformed with the 2006 Growth Plan as required. The Forwell Lands are south of the future Ottawa Street extension whereas the ROP policies provide that state that priority consideration will be given to lands located west of Fountain Street and north of the future Ottawa Street extension. As such, inclusion of the Forwell Lands in the Urban Area at this time is not in conformity with the in-effect ROP which specifically identified the general location of the 170 hectares and the MCR that was previously approved by the OMB.

The inclusion of the Forwell lands can only be included through a subsequent MCR which is not being considered at this time. The MCR was clearly completed and approved by the OMB in 2015. Accordingly, the proposed expansion (i.e. ROPA) should be continued and disposed of in accordance with the Growth Plan, 2006.

Conclusion

In summary, we are supportive of the proposed ROPA which proposes to designate 170 hectares of land as Urban Designated Greenfield Area. In our opinion, the proposed ROPA appropriately implements the existing ROP policies, which are the result of the prior MCR exercise, to redesignate the lands. Furthermore, although the Growth Plan, 2006 is the applicable policy regime, the criteria for the appropriate location of new growth within approved settlement area expansions set out in the Growth Plan, 2017 have been, or are in the process of being, met. For
the reasons set out above, the ROPA is consistent with the PPS, 2014 and conforms with the Growth Plan (both 2006 and 2017) and the ROP.

Our clients have been landowners in the area for over 50 years and were parties to the OMB hearing, which resulted in policies of the ROP which are today being implemented. We are excited to see years of planning and vision coming to fruition. It is our intention to further contribute to the overall growth and development within the East Side Lands, and in particular the Stage 2 lands, to establish vibrant and healthy communities.

Please feel free to contact the undersigned at any time for further discussion.

Yours very truly,

KLM PLANNING PARTNERS INC.

[Signature]

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