

## Explanatory Note

Council for the Regional Municipality of Waterloo approved the new City of Waterloo Official Plan, in part, with modifications, on November 21, 2012. The Region’s decision was released in a Notice of Decision dated November 30, 2012 and revised through further correspondence dated December 13, 2012 (Correction to Schedule “E” Road Classification System). The Region’s decision was subject to a 20-day appeal period under the *Planning Act* and a total of three appeals were filed to the Ontario Municipal Board (OMB). A summary list of appellants and the nature of their appeals is included below. **The parts of Regional Council’s decision that are not the subject of an appeal are final, and as a result, the parts of the City’s Official Plan that were approved, and not the subject of an appeal, came into effect on December 21, 2012.**

**Items Deferred for Further Consideration** – The Region’s decision included a number of areas where no decision was made with respect to part of the Plan in order to allow for further consideration. Where a decision has been deferred in relation to a part of this Plan, that part of the Plan is not in effect. Any text that has been deferred is shown through use of a bracket in the margin of the document. The numbers shown in the box beside each deferral correspond to the numbers used in the Region’s Notice of Decision. Any part of a Schedule that has been deferred is shown with a broken line and/or hatched tone and the word ‘Deferred’.

**Appeals Submitted to the Ontario Municipal Board** – As a result of two appeals that have been filed with respect to parts of Regional Council’s decision to approve the City’s Official Plan, certain parts of this Plan are under appeal and are not in effect. Any text that has been appealed is enclosed with a black box and includes a corresponding box in the margin indicating that the text has been appealed. Where a part of a Schedule has been appealed, a notation is included on the Schedule indicating that a portion of the Schedule is under appeal. All parts of this Plan that have been appealed will be addressed at the Ontario Municipal Board. A summary of appeals is included on the following pages of this Explanatory Note.

This Explanatory Note, in conjunction with the attached City of Waterloo Official Plan, is intended to provide the reader with a “consolidated” version of the Plan that shows Regional modifications as well as portions of the Plan that are not in effect as a result of a deferral of the Regional decision and/or an appeal to the Ontario Municipal Board. For details regarding modifications, deferrals and/or appeals, the reader is advised to refer to the Regional Notice of Decision and the appellant’s Notice of Appeals posted on the City’s website at [www.waterloo.ca/officialplan](http://www.waterloo.ca/officialplan)

The following is a summary of the parts of the Plan (text and Schedules) that are the subject of an appeal. The substance of the appeals includes the matters described in the appellants' Notice of Appeals, provided further that portions of the original appeals have been withdrawn and subsequently resolved by way of a decision of the Local Planning Appeal Tribunal (Case No. PL130028, Issued September 27, 2019).

- i. An appeal, filed by Goodmans LLP, on behalf of Activa Holdings Inc., on December 19, 2012 regarding:
  - 1) All of Section 3.2 (as modified by Regional Modification No.5) except for those policies which were deferred by the Region and for which a decision has not yet been made;
  - 2) Policies 12.5(5) and (6) (as modified by Regional Modification No. 59);
  
- ii. An appeal, filed from Goodmans LLP, on behalf of Northgate Land Corporation, on December 20, 2012 regarding:
  - 1) All of Section 3.2 (as modified by Regional Modification No.5) except for those policies which were deferred by the Region and for which a decision has not yet been made;
  - 2) All of Section 5.4.4;
  - 3) The reference to "Restoration Area" in Policy 8.2, second paragraph;
  - 4) Policies 8.2.2(1) and (2);
  - 5) Policy 8.2.4(3)(c), (13) and (14);
  - 6) All of Section 8.2.6;
  - 7) All of Section 8.2.7;
  - 8) Policies 8.3.2(6) and (7);
  - 9) All of Section 8.3.3;
  - 10) Policies 12.5(5) and (6) (as modified by Regional Modification No. 59);
  - 11) The following definitions in Chapter 13:
    - (i) "Infrastructure";
  - 12) Schedule "A" with respect to the Low Density Residential and Open Space designations as they relate to the Northgate Lands;
  - 13) Schedule "A3" with respect to the Natural System designation as it relates to the Northgate Lands;
  - 14) Schedule "A4" with respect to the Core Natural Features and Restoration Areas and Linkages designations as they relate to the Northgate Lands;