



**STAFF REPORT**  
**Planning**

Title: Zoning By-law Amendment Z-20-06 to Remove the Holding Symbol from 364 Woolwich Street, Sunvest Homes Corp.

Report Number: IPPW2021-018.1

Author: John Vos

Meeting Type: Council Meeting

Council/Committee Date: May 31, 2021

File: Z-20-06

Attachments: Map 1 – Schedule “A” to Zoning By-law Amendment Z-20-06  
Appendix ‘A’ – Criteria to Remove the Holding Symbol  
Appendix ‘B’ – Proposed Lotting Plan  
Appendix ‘C’ – Alternative Recommendations  
Appendix ‘D’ – Alternative Holding Removal Schedule

Ward No.: Southeast, Ward 5

**Recommendations:**

1. That IPPW2021-018.1 be approved.
2. That Council approve Zoning By-law Amendment Z-20-06 to remove the holding (H) symbol from the lands municipally known as 364 Woolwich Street in accordance with Section 6 of IPPW2021-018 and Section A of IPPW2021-018.1.
3. That Council adopt the Block Plan attached as Appendix ‘C’ to IPPW2021-018 to guide the future division of land on the north side of Woolwich Street between Maverick Street and Cedarcliffe Drive.

**A. Report**

Sunvest Homes Corp. (“the Applicant”) is requesting to remove the holding (H) symbol from the lands known municipally as 364 Woolwich Street (the “Lands”) to permit the redevelopment of the parcel, which includes the demolition of the existing residence and the creation of three (3) serviced lots for single detached dwellings fronting onto Woolwich Street.

A Formal Public Meeting occurred on April 19, 2021 which included a presentation from City staff, and delegations from: (i.) the Applicant’s planning consultant (IBI Group) in support of the removal of the holding symbol; and (ii.) the neighbouring landowner to the north in opposition to the removal of the holding symbol and proposed redevelopment. The meeting was concluded, and opened to Council for a motion and debate. Council

## 2 Integrated Planning & Public Works

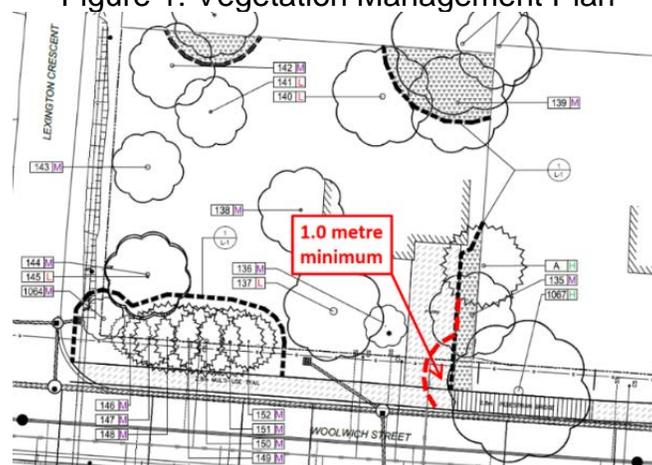
voted unanimously to defer its decision, seeking further assurances that the elm tree on Woolwich Street will be protected, and directed staff to consult the City's Manager of Parks Operations, Forestry and Horticulture. As indicated in Appendix 'A', one of the requirements to lift the holding symbol is: "Verification through a detailed vegetation management plan that street trees and their root zones will not be impacted, including the large elm tree on Woolwich Street, to the satisfaction of the City of Waterloo."

The City's Manager of Parks Operations, Forestry & Horticulture reviewed the Arborist Report (<https://www.waterloo.ca/en/government/resources/Documents/Zone-Change-Applications/364-Woolwich-St/Arborist-Report.pdf>) and accepts the conclusions in-principle, including that the elm tree is structurally sound and continues to be in good health and condition and should be protected. Protection measures to include the following:

- Tree Protection Fencing should be installed around the perimeter of the root structure prior to site works and house demolition;
- No disturbance including excavation or grading should occur beyond the eastern edge [along the full length] of the existing driveway;
- The existing driveway on the subject property should be maintained in place and utilized for the new residence if development is to proceed on Lot C;
- If driveway improvements are proposed, it is recommended that a watering program be implemented for the duration of the growing season to promote long term tree health;
- Resurfacing or minor regrading of the driveway is not expected to have a significant impact on the elm tree if the eastern edge is maintained in the existing condition. Any excavation required for resurfacing should not exceed 100mm (3.9 inches) in depth.

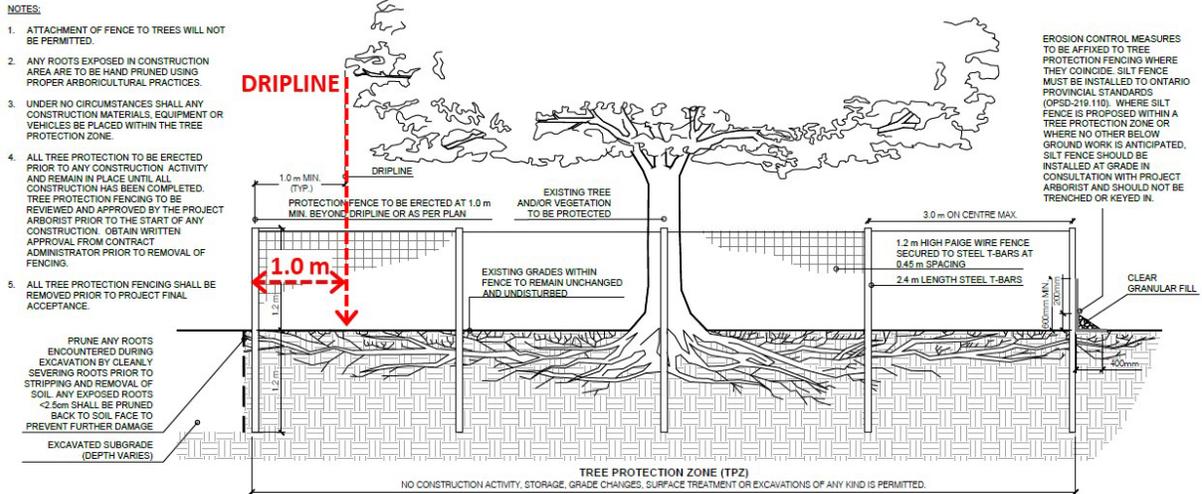
Staff also recommend that the Tree Protection Zone around the elm tree be enlarged a minimum of 1 metre beyond the dripline to ensure the full root structure is protected as shown on the images below. This is consistent with the recommendation in the Arborists Report for other trees proposed to be retained on/near the property boundary.

Figure 1: Vegetation Management Plan



### 3 Integrated Planning & Public Works

Figure 2: Tree Protection Zone



Planning Division staff recognize the significance of the elm tree given its healthy condition, size, age, and resilience despite dutch elm disease within the surrounding area. Staff also recognize that any damage that occurs to the tree (including its roots) would likely be irreversible. The recommendations outlined above are advanced in an effort to mitigate damage to the elm tree as a result of the new development. Further to the above recommendations, Planning Division staff recommend the following additional conditions be applied:

- a) that servicing and site works for the existing dwelling and the proposed new dwellings on the lands occur outside of the Tree Protection Zone (TPZ) of the elm tree, unless otherwise authorized in writing by the City's Manager of Parks Operations, Forestry & Horticulture with conditions;
- b) that during any work within or near the Tree Protection Zone of the elm tree, that staff from Parks Operations, Forestry & Horticulture be on site to observe and monitor the works, at the expense of the owner;
- c) that financial securities be posted by the owner to ensure that the tree protection measures are implemented and the elm tree remains in good health and condition post-development, in an amount not less than \$100,000, to the satisfaction of the City;
- d) that salt / chloride and like substances for winter maintenance that are harmful to trees be prohibited on the driveways to Woolwich Street, to the satisfaction of the City's Manager of Parks Operations, Forestry & Horticulture.

The recommendations of the Arborist Report and conditions of the City would be implemented through a development agreement registered on title to the property, secured through the consent (severance) application process. The agreement would also

## 4 Integrated Planning & Public Works

---

include the recommendations from the Multi-Use Trail Assessment and the Block Plan Report.

Notwithstanding the above, certainty cannot be provided that the elm tree will not be impacted. Development impacts can be mitigated, but not entirely eliminated. If Council remains concerned, to further mitigate impacts, an alternative recommendation is provided in Appendix 'C' for consideration.

Based on Integrated Planning & Public Works' review of the application, the Applicant has met the basic requirements to allow Council to consider the holding removal application.

### B. Financial Implications

Staff is not aware of any financial implications to the City with respect to the requested application. Only the Applicant has the right to appeal. Should the application be appealed, potential costs related to a Local Planning Appeal Tribunal (LPAT) hearing may be incurred.

### C. Technology Implications

None.

### D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

The recommendations in this report support the 'Healthy Community & Resilient Neighbourhoods' Strategic Objective by allowing for context appropriate infill development on fully serviced lands.

### E. Previous Reports on this Topic

IPPW2021-018

### F. Approvals

Name	Signature	Date
<b>Author:</b> John Vos		
<b>Director:</b> Joel Cotter		
<b>Commissioner:</b> Cameron Rapp		
<b>Finance:</b> N/A		

CAO

Map 1 – Schedule “A” to Zoning By-law Amendment Z-20-06



### APPENDIX 'A'

#### Criteria to Remove the Holding Symbol 364 Woolwich Street

Notwithstanding anything to the contrary, the holding symbol shall not be removed until the following criteria are satisfied:

- A. Verification through a detailed vegetation management plan that street trees and their root zones will not be impacted, including the large Elm tree on Woolwich Street, to the satisfaction of the City of Waterloo.
- B. Verification through a scoped hydrogeological assessment and scoped engineering study that private services on nearby lands will not be permanently disrupted or degraded as a result of development or home construction on the lands, to the satisfaction of the City of Waterloo.
- C. Verification through a scoped hydrogeological assessment that building footings will be located at least 0.5 metres above the maximum elevation of the seasonally high groundwater table and or maximum elevation of any groundwater mounding, unless other directed by the City of Waterloo.
- D. Verification through a scoped multi-use trail assessment that development on the lands will not impact the Walter Bean Grand River Trail within the abutting Woolwich Street road allowance, to the satisfaction of the City of Waterloo.
- E. Verification through a Block Plan that development on the lands will be compatible with nearby residential properties and that the planned residential character on the north side of Woolwich Street will not be adversely impacted, to the satisfaction of the City of Waterloo.



## 8 Integrated Planning & Public Works

---

### APPENDIX 'C'

#### Alternative Recommendation

##### Alternative Recommendation:

1. That IPPW2021-018.1 be approved.
2. That Council approve Zoning By-law Amendment Z-20-06 in part, removing the holding (H) symbol applied to that portion of the lands municipally known as 364 Woolwich Street and shown on Appendix 'D' to IPPW2021-018.1 as "Remove Holding".
3. That Council adopt a modified Block Plan attached as Appendix 'C' to IPPW2021-018 to guide the future division of land on the north side of Woolwich Street between Maverick Street and Cedarcliffe Drive, modifying 364 Woolwich Street to allow for a maximum of two (2) single detached dwellings on the lands where the holding (H) symbol has been removed.

##### Comments

The above recommendation removes the holding symbol from the portion of the lot furthest from the elm tree, while retaining the holding symbol nearest the elm tree to minimize potential development impacts. The recommendation allows for the following scenarios to occur:

1. Retention of the existing house, and a new single detached dwelling constructed to the west of the existing house.
2. Demolition of the existing house, and the lands divided into two larger lots for new single detached dwellings, with the easterly lot sized to accommodate various protection measures for the elm tree.
3. Demolition of the existing house, and the lands divided into three lots for new single detached dwellings in general accordance with Appendix 'B', with the permitted single detached dwellings limited to Lots A and B. Lot C would be held (no development) until the Elm tree dies of natural causes in the future, and the holding symbol is removed through a subsequent application.

APPENDIX 'D'

Alternative Holding Removal Schedule

