DATE: January 15, 2009
REPORT: DS 09-04

TITLE: Appeal to the Ontario Municipal Board
Doug Owen Construction
Zoning By-law Amendment Z-05-02
and Draft Plan of Subdivision
30T-04403 – Wideman Road

WARD: Northwest

PREPARED BY: Rob Trotter

FILE: Z-05-02 and 30T-04403
OMB Case No. PL070004
OMB File Nos. S070026, Z070001

DEPARTMENT: Development Services

ATTACHMENTS:
Report: 25 pages
Appendices: A, B, C.
Maps: 1 – 8, District Concept Plan

CLEARANCE:
Review Team: January 15, 2009
Council: February 23, 2009

RECOMMENDATIONS

That DS 09-04 be approved, and:

1. That Council support the Doug Owen Construction appeal before the Ontario Municipal Board
and instructs the City Solicitor and staff to appear in support of the Appeal;

2. That the Mayor and Clerk be authorized to execute Minutes of Settlement or other
documentation necessary to confirm and support Council’s position in respect to the Appeal;

3. That the City of Waterloo support Draft Plan of Subdivision 30T-04403 and support Zone
Change Application Z-05-02 for the applications submitted by Doug Owen Construction as per
the Maps and Plans attached to Report DS-09-04 and the Recommendations contained in
Section XIV of Report DS-09-04.

EXECUTIVE SUMMARY

Applications submitted by Doug Owen Construction for a Zoning By-law Amendment and Draft Plan of
Subdivision are currently before the Ontario Municipal Board and a pre-hearing is scheduled for March
6, 2009. As a matter of practice, the Ontario Municipal Board requires a report on the position taken by
Council in response to the appeal. In advance of the pre-hearing, staff and the City Solicitor is
recommending that Council support the proposed Draft Plan and Zoning By-law Amendments in order
that staff may represent Council before the Ontario Municipal Board.

APPROVALS

[Signatures and dates]
The proposed Draft Plan of Subdivision requires zoning changes from Agricultural "A", to Flexible Residential Fifty Five/Ten "FR 55/10", Green one "G1" and Green Two "G2". The proposed subdivision and corresponding land conveyances will provide for approximately 75% of the Owners land holdings being either conveyed or dedicated to the City of Waterloo to provide for ongoing environmental stewardship by the Municipality.

The proposed plan represents a reasonable balance between protection of those elements of the natural environment that should be protected, and those areas that are designated for development and are appropriate areas for development to occur. In examining the entire package that is before Council, including the lands to be acquired/conveyed under the land disposition report (DS 09-07), the proposed subdivision represents good planning, and strikes a good balance between Government and Agency requirements, the City's goals with respect to the protection of environmental features and community building, and the Owner's desire to develop their lands in accordance with existing Official Plan designations.

The Regional Municipality of Waterloo and the Grand River Conservation Authority are supportive of the proposed Draft Plan of Subdivision.

The land acquisitions further detailed in Staff Report DS 09-07 provide opportunity for ongoing environmental stewardship by the municipality in keeping with the City's Strategic Plan. Staff is of the opinion that the plan represents good planning, and recommends approval subject to a number of conditions as outlined in Section XIV of this report. The proposal is in keeping with the Official Plan, is compatible with the other adjacent plans of subdivision within the area, and the proposed zoning is appropriate for the proposed development.
Development Services Report

File: Z-05-02
30T-04403

Doug Owen Construction
Zoning By-law Amendment Z-05-02 and
Draft Plan of Subdivision
30T-04403 – Wideman Road

I. SUBJECT LANDS

OWNER: Doug Owen Construction

Location: Wideman Road
(see inset map)

Site Area: Total land holdings are 18 ha.
(44.4 ac.) of which 9.6 ha (23.7 acres) are the subject of the Draft
Plan of Subdivision and Zoning
By-law Amendments.

Request: To rezone the subject lands from
Agricultural ‘A’ to Flexible
Residential Fifty Five/Ten
“FR55/10”, Green One “G1” and
Green Two “G2” to permit a
proposed Draft Plan of
Subdivision ultimately containing
43 lots.

LOCATION MAP
II. AMENDMENT PROCESS - INPUT

The mechanisms utilized for gathering input in regards to application Z-05-02 and Draft Plan of Subdivision 30T-04403 are as follows:

<table>
<thead>
<tr>
<th>Mechanism</th>
<th>Date</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency Circulation</td>
<td>January 21, 2005</td>
<td>Agency comments attached as Appendix A</td>
</tr>
<tr>
<td>Informal Public Meeting</td>
<td>Monday March 5, 2005</td>
<td>Minutes of meeting attached as Appendix B</td>
</tr>
<tr>
<td>Appeal to Ontario Municipal Board by Owners</td>
<td>January 2007</td>
<td>1st Pre-hearing held on January 12, 2007</td>
</tr>
<tr>
<td>Advertise Public Meeting</td>
<td>February 4, 2009</td>
<td>Advertised in Waterloo Chronicle and notice sent to property Owners within 165 metres of the subject property, and those who requested notice at the informal meeting</td>
</tr>
<tr>
<td>Public Meeting</td>
<td>February 23, 2009</td>
<td>Council takes position on applications</td>
</tr>
<tr>
<td>Ontario Municipal Board 2nd pre-hearing</td>
<td>March 6, 2009</td>
<td>To be determined.</td>
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</table>

III. POLICIES AND REGULATIONS

<table>
<thead>
<tr>
<th>Policy/Regulation</th>
<th>Present</th>
<th>Requested/Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Official Plan</td>
<td>Designated “Low Density Residential”</td>
<td>Conforms – no action required</td>
</tr>
<tr>
<td>District Plan</td>
<td>Designated Special Policy Area in Columbia Hills District Plan</td>
<td>Lands to be brought into the Columbia Hills District Plan.</td>
</tr>
<tr>
<td>Zoning By-law 878-A</td>
<td>Agricultural ‘A’</td>
<td>To rezone the subject lands from Agricultural ‘A’ to Flexible Residential Fifty Five/10 “FR 55/10”, Green one “G1” and Green Two “G2”</td>
</tr>
</tbody>
</table>

IV. APPLICATION

On December 21, 2004 an application for Draft Plan of Subdivision was accepted by the Region of Waterloo as File No. 30T-04403. On January 7, 2005 an application to amend the Zoning By-law was accepted by the City of Waterloo as File No. Z-05-02.

Regional Official Plan Amendment No. 23 Environmentally Sensitive Landscape (ESL) is under appeal to the Ontario Municipal Board by Mr. D Wellhauser on the grounds that the ESL should include the entire Owen property, despite a portion of the property having a residential designation. When this appeal was filed, the Owner of the subject lands (Doug Owen Construction) immediately appealed both their Zoning By-law Amendment application and their proposed Draft Plan of Subdivision to the Ontario Municipal Board on the basis that Council had not made a decision within the timeframe allotted under
the Planning Act. The appeals have been consolidated and will be dealt with collectively by the Ontario Municipal Board.

**Subject lands**
The applications pertain to parcels of land totalling 9.6 ha. (23.7 acres) in lot area on Wideman Road in the Northwest Ward of the City of Waterloo as illustrated on the inset/location Map. The Owners total land holdings within the area are approximately 18 ha. (44 acres), but the subdivision plan does not include all of the Owners land holdings. The subject property is located on the south side of Wideman Road, immediately west of the Laurel Creek Village subdivision.

The subject property is currently vacant, and has 3 distinct areas.

- The south portion of the property is a hardwood forest within Environmentally Sensitive Policy Area (ESPA) 19.
- The central portion of the property is a former Christmas tree plantation area containing predominantly coniferous trees.
- The northern portion is an area which contains a portion of a Provincially Significant Wetland (PSW) and has a high water table with groundwater discharge areas at surface in some locations. The surface discharge area feeds a tributary of Monastery Creek which is on the westerly side of the northern portion of the property.

**V. BACKGROUND, POLICIES AND REGULATIONS**

1. **History**
The central and northern portions of the property have historically been for the cultivation of crops, and more recently as a Christmas tree farm. The southern portion of the property is a deciduous forest. There are no buildings or structures on the portions of the property that are proposed for development. A public alley exists along the easterly edge of the property and a former private driveway, now owned by the City of Waterloo, divides the northern and central segments of the property.

2. **City owned lands**
The City of Waterloo owns the narrow portions of land identified on Map No. 5. The Owner has requested that the City convey 2 portions of these narrow strips of land to them for the purposes of development. The lands to be conveyed are identified separately on Map No. 3. The lands requested to be conveyed are the former driveway leading to the former McNally dwelling. The former driveway is currently designated residential, and is zoned ‘A’ Agricultural. If Council agrees to convey the lands, a Zoning By-law Amendment is required in order for the lands to be used for residential purposes. The Zoning By-law Amendment is discussed in Staff Report DS 09-06.

3. **Comprehensive planning**
Land use and environmental planning on the subject property has been comprehensive. The lands were included in the land needs analysis completed by the Region in 1985, and in 1988 the City of Waterloo completed the West Side Designation Study to accommodate future urban growth in the western portion of Waterloo. In 1992 the Ontario Municipal Board designated the lands as part of the Waterloo Urban Area in order to provide for future urban growth. The lands were included in the Laurel Creek Watershed Study approved through OPA #16 in October of 1993, and were further reviewed through a scoped subwatershed study specifically for this proposed development conducted in 1999. Infrastructure (storm and sanitary sewers and water main) has been made available for the property.
through previous subdivision developments and through capital expenditures made by the City. The subject lands are suitable for urban development.

4. **Provincial Policy Statement**
The applications are being considered under the policies outlined in the Provincial Policy Statement issued May 22, 1996 and amended February 1, 1997. The Provincial policy Statement was issued under Section 3 of the Planning Act and required that in exercising any authority that affects planning matters, planning authorities "shall have regard to" policy statements issued under the Act. The Provincial Policy Statement 2005 does not apply as it did not come into force until March 1, 2005.

5. **Places to Grow**
The Places to Grow Plan and its accompanying policies apply to all planning applications, matters and proceedings commenced on or after June 16, 2006. As this matter was commenced in 2004/5, the Places to Grow Act does not apply and the matter will be reviewed under the Provincial Policy Statement 1997, and other policies in effect at that time.

6. **Regional Official Policies Plan**
- Map 6 of the ROPP (settlement patterns) designates the subject lands "City Urban Area" where urban land uses, growth and development are contemplated.
- ROPPA No. 23 - Environmentally Sensitive Landscape – (ESL) was adopted by the Region, but did not include the residentially designated portion of the Owen lands. ROPPA No. 23 was appealed by D. Wellhauser on the basis that the ESL should include all of the Owen lands.
- Map No. 1 of the ROPP also identifies portions of the subject lands as Environmentally Sensitive Policy Area No. 19 where urban development is not permitted.
- Map No. 2 of the ROPP identifies portions of the property as provincially significant wetland.
- Map No. 4 of the ROPP identifies water resource protection areas. The lands are identified as "sensitivity 4" (lowest level of sensitivity).

7. **Tree Removals By-law**
The Region of Waterloo has adopted a By-law for regulating trees within woodlots. The By-law Respecting the Conservation of Trees in Woodlands (By-law 08-026) does not apply to a plantation established for the purpose of producing Christmas trees. Therefore, the tree removals by-law does not pertain to these lands.

8. **City of Waterloo Official Plan**
The City of Waterloo Official Plan designates the subject lands:
- "Low density residential";
- "Open Space" – all lands designated ESPA 19 and the Monastery Creek Provincially Significant Wetland;
- Special Policy Area 35 (SPA 35) Laurel Creek Watershed Policies; and
- Special Area 37 (SPA 37) West Side policies

9. **Special Policy Area Policies**
SPA 35 implements policies related to the Laurel Creek Watershed Plan. These policies speak to the protection, enhancement and rehabilitation of the natural environment through land use decisions. SPA 35 requires the completion of subwatershed planning as part of new district plans.
SPA 37 implements policies related to the West Side Vision (see Appendix 'C') and includes policies related to:
- Sustainable development;
- Sense of place;
- Preservation of natural features and functions;
- Community connectivity among others.

ESPA 19 is illustrated on Map No. 4. This environmental area does not permit urban development and will be retained in its natural state and all portions of ESPA 19 currently owned by the applicant will be conveyed to the City of Waterloo and placed in public Ownership.

It was acknowledged at the time the west side lands were brought into the urban envelope that there would be impacts to the ESPA as urban development is brought closer to the ESPA. To mitigate impacts to the ESPA, the Owner has agreed to also convey a buffer along the edge of the ESPA – the buffer ranges in size from 10 to 18m which is similar to the buffer widths in other subdivisions on the west side of Waterloo abutting ESPA 19.

11. Scoped Subwatershed Study
A scoped subwatershed study was conducted for this property in 1999. In support of this application, additional scientific reports were provided including:

- Final Subwatershed Management Plan, Subwatershed Plans #313/309 (PEIL and Associates, April 1996)
- Hydrogeologic and Geotechnical Investigation Final Report, (CH2M Hill Canada Limited, October 2008)

12. Columbia Hills District Plan
The subject property is identified as Special Policy No. 4 in the Columbia Hills District Plan and was identified as lands that were undergoing a Scoped Subwatershed study. Upon completion of the study the lands are to be incorporated into the Columbia Hills District. With the completion of revised environmental studies, staff is recommending that the lands now be incorporated onto the Columbia Hills District and the policies therein be extended to these lands.

13. Zoning By-law
The subject property is currently zoned 'A' Agricultural in By-law 878-A. The proposed Draft Plan of Subdivision will result in the lands being rezoned to from Agricultural 'A' to Flexible Residential Fifty Five/Ten “FR 55/10”, Green one “G1” and Green Two “G2” to permit a proposed Draft Plan of Subdivision. The proposed Zoning is illustrated on Map No. 2.

14. Former McNally lands
In 1995, The City of Waterloo purchased the 24.1 ha. (59.5 ac) property formerly owned by Douglas McNally using the Environmental Lands Acquisition Fund for $227,000.00. The lands are illustrated on Map No. 5. Through the agreement of purchase and sale, the City is required to maintain the lands in
their natural state for the purpose of preserving the natural environment. The City of Waterloo recently re-zoned the former McNally property (excluding the laneway) to Green One "G-1" to reflect Council's desire to preserve the natural characteristics of the property. The former driveway is currently Zoned Agricultural 'A' zone, but is being considered for re-zoning under Staff Report DS-09-06.

VI. PLANNING AND DESIGN

1. Need
While the proposal is administered under the 1997 Provincial Policy Statement, the 2005 Provincial Policy Statement 2005 requires municipalities to maintain at least a 3 year supply of residential units in new development areas which are draft approved or registered and through intensification. To accommodate this growth, the 2005 PPS anticipates that greenfield subdivision development will account for 40% of all growth. As of January 2006, the City's supply was 1.76 years for singles/semi's and 2.91 years for townhouses. The City's supply is expected to increase with the approval of the "West Side Subdivisions" (i.e. Vista Hills, Clar Creek Meadows and Greyerbiehl) but the timing of these plans is related to an EA for the Wilmot Line/Erb Street intersection improvements which may further delay the availability of new building lots within the City. Within Waterloo, greenfield development will continue to provide development land to meet Provincial obligations based on the recently adopted Places to Grow legislation.

2. Smart growth
Smart growth includes efficient and effective development of greenfield lands within designated urban areas as legislated by the Province. Smart growth should not be construed to mean that urban greenfield growth is inappropriate – it is appropriate if it is comprehensively planned and managed.

In staff's opinion the proposed subdivision is in keeping with smart growth objectives. The subdivisions:
- Represent contiguous growth (the proposed plan is adjacent to an existing built up area);
- Represents a logical extension of services and infrastructure;
- Protects significant environmental features representing approximately 75% of the Owner's land holdings.

3. Lotting and Lot depths
The 42 proposed lots are between 35m and 60m deep with the majority being 45m deep. These are all deeper than the minimum 30m required under the FR Zone. The lots vary in width from 14.8m to 20m, with the majority of the proposed lots being between 16.76 and 19.8m in width. The increased lot depth will provide for dwellings to be set back 8.0m which will provide for two vehicles to be parked in the driveway in addition to a vehicle being parked in the garage. The lot widths will provide for double car driveways. These two elements are expected to reduce or eliminate any problems associated with on street parking.

4. Tree saving
The proposed plan includes between 10 and 15m buffers along both the east and west limits of the proposed lots. The proposed grading plans will be required to match grades at the limit of the buffer areas, and this will provide opportunity for substantial tree saving within the buffer areas. In addition to tree saving within the buffers, staff is requesting, as a condition of approval, that the applicant provide a tree saving plan complete with obligations to replace any trees damaged due to grading near the driplines, or the placement of retaining walls within the driplines of existing trees.
5. Impervious coverage limits
The Zoning By-law is being recommended with an impervious cover limit in order to maintain sufficient groundwater infiltration. The By-law is designed with separate impervious limits for the main dwelling, and for accessory structures and pools that are likely to be requested on the lots. Since the establishment of impervious limits on residential lots in other areas of the City, staff has observed dwellings being built to the maximum impervious limit, leaving no room for accessory structures and/or pools. This results in problems for residents who want to construct sheds and pools, but can’t when these enhancements exceed the allowable impervious cover limit. It is reasonable to expect that residents will expect to be able to construct accessory structures, and staff is recommending that flexibility be built into the by-law for this development to provide ‘room’ for these facilities on the lots. The combination of dwellings and accessory structures will not be permitted to exceed the maximum amount of impervious cover limit in order to maintain groundwater infiltration.

6. Phasing
The Owner anticipates that the plan will be completed in single phase. The portion of the lands to be developed with residential lots encompasses only 3.678 ha or 18% of the Owners total land holdings. The proposed plan includes an ultimate total of 43 lots and approximately 500m of road.

7. Land conveyances
The proposed plan provides for conveyances of land between the Owner and the City of Waterloo as illustrated on Map No. 6. The City would convey two parcels of land having an area of approximately .08 ha (.19 ac). These parcels are portions of the existing driveway leading to the former McNally property.

The Owner would convey to the City, three parcels of land having an area of approximately 8.32 ha (20.5 ac). The lands being acquired are outside of the areas being considered for development. The Owner has agreed to convey these lands to the City as a condition of the land sale for the existing laneway further discussed in Staff Report DS 09-07. The majority of the land to be acquired by the City is within ESPA 19, and the Monastery Creek Provincially Significant Wetland.

VII. ENVIRONMENTAL

1. Scoped Subwatershed Study
In accordance with the City of Waterloo Official Plan policies, a scoped subwatershed study was completed for the Owners property in 1999. This report was further refined through additional updates in 2004 and supporting documents submitted for this application in 2008.

2. Impacts on Monastery Creek
The Grand River Conservation Authority, acting as the delegated authority on fisheries matters is supportive of the proposed plan. The applicant’s consultants have demonstrated that there is no anticipated impact in temperature in Monastery Creek as a result of stormwater management approach. A variety of techniques, will be used to cool runoff prior to discharge from the site including (but not limited to) infiltration of first flush heated runoff, contact cooling with stone spreader swales, and shading in buffer areas where seepage occurs.
3. **Status of plantation and Plantation management**

The former Christmas tree use is considered a "plantation" in the opinion of the Region of Waterloo. By-law 08-026, being a By-law respecting the conservation of trees in woodlands states that

> A woodland is "does not include a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees."

The Owner has applied for, and received approval for the removal of trees within the plantation area and can continue to do so within the existing framework of the Regional By-law. None of the Owner's developable lands are identified as a 'woodlot' on Schedule 'B' of the City of Waterloo Official Plan. Further, the City of Waterloo does not have a tree removal by-law, but none of the trees within the ESPA can be removed.

4. **Environmental Significance**

**Constraint Level One (CL1) areas**

Constraint Level One areas are 'preservation areas' intended to preserve, enhance and protect important environmental features from land use impacts that would detrimentally alter or impair their size, physical form, ecological functions and/or quality. Traditional urban development is not permitted within CL1 areas or their associated buffers, with the exception of public services. The subject property contains the following CL1 areas which will remain undeveloped:

- ESPA 19 and its associated buffers
- Monastery Creek Provincially Significant Wetland

**Constraint Level Two (CL2) areas**

Constraint Level Two (CL2) areas are "conservation areas" that may be altered with respect to size and physical form, provided the ecological function is protected and maintained. The subject property contains CL2 areas in the northern third of the property (which will be altered to accommodate a proposed stormwater management pond), and the central third of the property (to be developed with lots).

**Constraint Level Three (CL3) areas**

Constraint Level Three (CL3) areas are "management areas" which do not serve specialized ecological functions. Land use development is permitted within CL3 areas, subject to the use of environmental best management practices. The lands contain no CL3 areas.

5. **Buffer widths**

To mitigate the extent of development on the ESPA, the Owner has agreed to convey buffer areas to the City of Waterloo. The buffer areas are illustrated on Map No. 7. The buffers range in size from 10 to 18m which is similar to the buffer widths in other subdivisions on the west side of Waterloo abutting ESPA 19. In addition to buffers abutting ESPA 19 (the south buffer), the applicant is proposing buffers on both the westerly and easterly limit of their property. These buffers provide opportunity to retain existing trees that currently exist on the Owner's property. The buffers will provide linkage to/from ESPA 19 which 'brackets' the property on both the north and south sides. The buffer on the easterly edge of the property is 15.0m wide, and will provide separation from an existing woodlot acquired by the City of Waterloo through the development of an abutting subdivision to the east. The buffer on the westerly edge will provide for a 10m wide area for tree retention and linkage.
6. Birds
In 1997 a Landbird Monitoring and Research study was initiated in EPSA No. 19 under the sponsorship of the City of Waterloo and the Canadian Wildlife Service. The purpose of the study was to monitor the response of breeding birds in a protected forest as adjacent lands develop. With over 10 years of data, the study has illustrated that the breeding of long distance migrant birds has declined adjacent to areas of new housing. This was not unexpected and many of the urban sensitive birds have opportunity to relocate to other settings within the ESL.

During the 2005 breeding season 13 species considered Significant within the Region of Waterloo were found breeding on the Owen lands. In 2006 this number had been reduced to 10, primarily due to tree removals and plantation management activity on the Owners lands and other factors including urban development in the abutting Laurel Creek Village subdivision. The number of breeding birds is anticipated to decline further as tree removals occur on the lands. Again, this was expected, as the lands are designated for development, and the current policies related to plantations provide for tree removals. It is anticipated that through the dedication and maintenance of buffer areas adjacent to ESPA 19 and buffers along both the east and westerly limits of the property that habitat for a number of the existing identified species can be retained and the species will continue to thrive. It is recognized however, that many species will move into other locations within the ESL which offer an undeveloped environment. As a condition of approval, staff has included a condition prohibiting grading and tree removals in the vicinity of breeding bird nests during the breeding season from April to July.

7. Jefferson Salamander
The applicant completed nocturnal and visual amphibian surveys over a three year period from 2004 to 2006 and encountered no evidence of Jefferson salamanders on the property. According to the developer’s consultant, the portion of the lands to be developed contains habitat not typically suited to Jefferson Salamanders, and any areas that may be suitable are being conveyed to the City and will be remain undeveloped.

8. Other amphibians
Surveys conducted by the Owner’s consultants found evidence of other amphibians (e.g. toads and frogs) on the property in both 2005 and 2006. The amphibians were located in areas that are to be dedicated to the City as Open Space lands, and therefore these environments will be protected.

9. Rare or sensitive plants
A cluster of regionally rare Interrupted Fern was located within the northern 1/3 of the lands. This plant cluster is located adjacent to the proposed storm water management pond and the Owner has agreed to relocate the plants to other suitable locations prior to development occurring. Staff has added a condition requiring the plants to be relocated.

10. Regional EEAC comments
Regional EEAC comments were provided on the initial circulation of the applications. Staff from the Region of Waterloo is satisfied that the proposed plan illustrated on Map No. 1 adequately addresses the concerns of EEAC.

11. WCEAC comments.
The Waterloo Citizens Environmental Advisory Committee provided comments on the initial circulation of the applications. In staff’s opinion, the plan illustrated on Map No. 1 and the supporting documentation addresses the main concerns of WCEAC.
12. Pesticides

The Cosmetic Pesticides Ban Act was passed in June 2008. It amended the Pesticides Act to ban the use and sale of pesticides for cosmetic purposes. The provincial ban supersedes municipal by-laws to create one set of rules across the province. The Act has not yet been proclaimed into force; however once the Act is proclaimed by the Lieutenant Governor it will provide the following:

- Prohibit the use and sale of pesticides for cosmetic (non-essential) purposes
- Make exceptions for agriculture, forestry, golf courses and the promotion of public health or safety
- Supersede municipal pesticide by-laws for cosmetic purposes
- Give the province the authority to make regulations that would identify the pesticides which would be prohibited, define the exceptions to the use ban, and identify any conditions attached to the exceptions.

VIII. WATER

Hydrogeological Assessment and Geotechnical investigations

Detailed Hydrogeological and geotechnical investigations were undertaken by CH2M Hill on behalf of the Owner. Previous Hydrogeological and geotechnical information obtained through other studies was also reviewed. Twelve boreholes and one multi level monitoring well were installed on the property.

The Region of Waterloo has the responsibility for source water protection under the Ontario Clean Water Act (2006) and is the government agency responsible for the supply of local drinking water. The Region has reviewed the proposed subdivision and has no objections from a groundwater perspective. The hydrogeological study confirms that the lands are covered by low permeable clay till, with the developable portion having a sand/clay till approximately 25m in depth. Map No. 4 of the ROPP identifies water resource protection areas. The lands are identified as “sensitivity 4” (lowest level of sensitivity) and are outside of the Regional Recharge area based on the Region of Waterloo Biannual Groundwater Monitoring Report 1999. There are no development restrictions for sensitivity level 4 lands. The lands are not considered a key groundwater recharge area.

1. Water budget:

The lands do not provide significant deep groundwater recharge due to the clay till cap, but shallow groundwater flows contribute to baseflow for the tributary of Monastery Creek to the northwest. Hydrogeological studies have demonstrated that shallow groundwater flows in a southeast to northwest direction, continuing toward the tributary of Monastery Creek. Some groundwater emerges from the ground in the form of seep discharge in the northern portion of the plan. The Owner’s consultant has stated that it would take between 10 and 50 years for groundwater to travel the distance from the stormwater management pond to the ESPA area 75m to the west.

The proposed stormwater management pond has been designed to use this existing seepage area as the method of discharging the storm water from the proposed development. The existing vegetation within the seepage area will act as a ‘polishing’ and cooling zone for storm water. Staff had flagged a concern with the influx potential of additional water in an area already receiving surface water discharge, and the potential for that influx to damage existing vegetation in the area. To mitigate this,
the Owner has agreed to a Woodland Management Plan for the portion of Open space Block No. 53 immediately west of the stormwater management pond. The purpose of this plan is to identify existing trees that should be thinned and replaced with native wetland species to improve the tree canopy and groundcover conditions.

2. **Waterloo moraine**
The Waterloo Moraine is a geological land formation characterized by hummocky, ridged topography. Beneath the moraine is a hydrogeological system made up of aquifers and aquitards. The moraine covers an area of 35,000ha (350km²) and is illustrated on Map No. 8. The developable portion of the subject property is approximately 4.5ha in size and represents approximately .012% of the moraine.

3. **Regional wellhead protection zones**
The closest Regional well is W 10. The current chloride concentration at W 10 is 99mg/L. Based on projected salt loading from W 10's capture zone, the chloride concentration is anticipated to increase to 126mg/L sometime well after 2046. This remains below the Ministry of Environment Reasonable Use Criterion of 130mg/L, and below the Ontario Drinking Water Objective of 250 mg/L. The Ontario Drinking Water Objective is identified as an aesthetic parameter, as opposed to a health related target. Staff from the Region of Waterloo have reviewed the consultant reports and confirmed these figures.

4. **Groundwater infiltration**
The water budget within the developable portion of the property estimates the following:

- Precipitation – 900mm/year
- Evapotranspiration – 550 mm/yr
- Runoff – 22mm/yr
- Shallow infiltration – 228mm/yr
- Deep infiltration (to Regional aquifer) – 100mm/yr

The plan proposes lot level infiltration galleries with overflow outlets to the storm water management pond in order to get roof runoff into the ground as soon as possible in order to maintain water balance calculations.

5. **Private water wells**
There are 5 private wells within 500m of the subject property. The proposed subdivision will be on municipal services and therefore the private wells will not be impacted due to groundwater extraction. Features such as stormwater management ponds and infiltration galleries, will maintain shallow groundwater flow. The closest private well is located on the north side of Wideman Road and is screened in a sand formation beneath approximately 18m of a silt/clay. This well was not impacted when sewers and watermains were installed along Wideman Road in 2006 and therefore potential for impact to this well from the proposed development is considered to be very low.

6. **Road salt**
Road salt represents one source of potential groundwater contamination. Road salt is generally applied to collector and arterial roads, transit routes, within 25 metres of intersections, and where road grades exceed two percent (2%). Municipalities apply road salt to improve winter road safety, in accordance with their obligations under Ontario Regulation 239/02 (Minimum maintenance of municipal highways). A 100m section of Meadowsweet Place will be constructed with a 3.0% slope and a 70m section of White Cedar Avenue will be constructed with a 6.0% slope. Both these sections would require road salt occasionally in accordance with City obligations under O'Reg 239/02. The Owner's consultant has calculated that if the entire road area was salted at current application rates used by the City, that the maximum chloride concentration is expected to be 111mg/L. This value is less than the
Reasonable Use criterion of 130mg/L set by the Ministry of Environment but this is a worst case scenario as it assumes that the entire road is salted throughout the winter season. This is not likely to occur based on the local nature of the street, and the generally flat nature of the road. A further factor of safety is achieved as 50% of the storm run-off from White Cedar Avenue (including ½ of the intersection) is directed to the stormwater management pond within the abutting Laurel Creek Village Subdivision to the east.

7. Clean Water Act

The Clean Water Act (2006) requires Municipalities to carry out a plan to protect their municipal drinking water supplies. The Region of Waterloo has the responsibility for source water protection under the Ontario Clean Water Act (2006) and is the government agency responsible for the supply of local drinking water. The Region has reviewed the proposed subdivision and has no objections from a groundwater perspective.

IX. TRANSPORTATION

1. Road design

The plan has a proposed road allowance of 18.0m. This will provide for an asphalt carriageway of 8.4m (27.5 ft.) between curbs with adequate space within the boulevards for sidewalks on both sides of the road, streetlights, and utilities (gas, communications etc.) The proposed road will be designed to the satisfaction of the General Manager of Development Services in keeping with municipal guidelines as set out in the City of Waterloo Development Manual, as amended.

2. On-street parking

The applicant is proposing to develop lots having frontages of between 15m (50 ft.) and 19.81m (65 ft.). At these widths, lots can be developed with two car garages and it is unlikely that on-street parking problems will result. In addition, staff is recommending a minimum garage setback of 10.0m which will provide opportunity for two vehicles to be parked back to back in the driveway without overhanging the sidewalk. When combined with double car garages, this would allow up to 6 automobiles to park on each lot without overhanging the sidewalk. Staff is also requesting an on street parking plan as a condition of approval to mitigate any on-street parking issues.

3. Access from Wideman Road

The subject property is currently accessed from Wideman Road by way of a gravel driveway leading to the former McNally property. The proposed plan would relocate the access to the former McNally property as discussed in Section VI (8), and would create two new access points to the property through the extension of White Cedar Avenue, and Meadowsweet Place. The existing gravel driveway is intended to be used as a construction access during construction (with appropriate environmental mitigation measures) and then converted to a multi-use trail as anticipated in the Waterloo West Side Trail System Master Plan Study.

4. Trails

The Waterloo West Side Trail System Master Plan Study was adopted by Council in June, 1997. The purpose of the Study was to establish a well planned, continuous, environmentally sound and educational trail system that connects to existing and planned community trails on adjacent residential neighbourhoods on the West Side of the City of Waterloo.
During the completion of the study, several landowners indicated a desire not to participate in the planning, design or implementation of the West Side Trail System on their lands. The applicant was one of those landowners.

The submission of their proposed Plan of Subdivision gave the City the opportunity to review the Owners lands in light of the ongoing trail construction in the area. The proposed plan will provide for the following new or improved trail elements being added to the existing trail system as illustrated on Map No. 7:

- a north/south trail on the current driveway leading to the former McNally property;
- a maintenance access road around the top of the proposed stormwater management facility;
- a trail connection to the former McNally lands linking the proposed SWM pond access road and the former McNally property driveways;
- The completion of the trail along the westerly limit of the Laurel Creek Village property;
- northbound, connecting to the existing trail on the westerly limit of the ‘Activa Woodlot’; and,
- Pedestrian ‘choker crossings’ at locations where the north/south trail crosses both White Cedar Avenue and Meadowsweet Place.

5. Trailhead parking
The Owners have agreed to the conveyance of a substantial amount of environmentally sensitive lands, and a passive park block area adjacent to the Monastery Creek tributary Provincially Significant Wetland. As these lands were considered unsuitable for development by the agencies, the Owner is of the opinion that the establishment of a trailhead in the vicinity of Wideman Road is also unsuitable, and has requested that if Council wishes to construct a trailhead parking facility, that the more appropriate location is on the former McNally lands at the westerly terminus of White Cedar Avenue. There is no prohibition on trail users parking in a parallel fashion along Wideman Road, but should a formal facility be constructed with appropriate storm water management facilities, a location further from the Monastery Creek tributary is a more suitable location.

6. Traffic volumes
The subject property was included in the Waterloo West Side Traffic Design Analysis commissioned by the City of Waterloo for the West Side District Plans Review. The Analysis assigned a value of 106 units to the Owners property, with an anticipated population of 302 persons (2.84 persons/unit). The subdivision proposal has been substantially revised from earlier concepts and now involves the creation of 43 units. This is anticipated to generate a population of approximately 122 persons. This represents a 60% reduction in expected population from the original application, and can be accounted for due to the reduction in developable area, and the proposed subdivision having large lots. With the Laurel Creek Village subdivision now fully registered, the additional 43 dwelling units represent an increase of 3.9% on the number of existing dwelling units within the entire Laurel Creek Village neighbourhood. This increase is expected to have a negligible impact on existing traffic volumes in the neighbourhood.

7. Access to former McNally property
The existing laneway leading to the former McNally property is best described as a rural gravel driveway. The driveway is not constructed to any municipal standard, and is located in close proximity to the headwaters of a tributary of Monastery Creek. The proposed plan includes the conversion of the existing driveway into two parts. The first (north/south) portion is a City owned Right of Way and is to become a multi-use trail, while the second (east/west) portion will be abandoned as a public access and is intended to be replaced with a number of uses, including: access to a proposed storm water management pond, portions of proposed residential lots, and open space lands.
Vehicular access to the former McNally lands will be replaced with a new public road stub constructed to full municipal standards. This road stub will provide Council with the opportunity to extend an access onto the former McNally property, but in a location that is further away from the tributary of Monastery Creek. Any decision to extend an access driveway into the former McNally lands would be made at some point in the future, but only if Council chooses to do so.

8. Noise
Noise from typical sources (e.g. traffic), is not anticipated to be an issue with the proposed development due to the small number of units proposed and the ‘local’ nature of the proposed street. However, noise generated during the construction period is a concern as it relates to bird breeding. In keeping with other plans submitted for lands abutting ESPA 19, staff is recommending that area grading (typically done with heavy equipment) only be completed in time periods outside of the breeding bird season (typically April – July).

9. Sidewalks
Sidewalks will be provided on both sides of both Meadowsweet Place and the extension of White Cedar Avenue. The proposed sidewalks will tie into existing sidewalks within the Laurel Creek Village subdivision that abuts the Owners property to the east. While the proposed extension of Meadowsweet is not anticipated to have traffic volumes greater than 500 AADT, the proposed road does connect to trail systems on both the ‘inside’ and ‘outside’ of the new street. With the significant number of trails both existing and anticipated on the former McNally lands, this development should be viewed as a unique circumstance where having sidewalks on both sides of the street is reasonable.

10. Grand River transit
Grand River Transit Route 13 is the closest transit route to the subject property at this time. Route 13 stops at Sir John A MacDonald High School at the intersection of Laurelwood Drive and Erbsville Road. This intersection is approximately 850m from the subject property. It is possible that GRT could extend transit service closer to the subject property, but they would not likely do so until it becomes economically feasible.

X. PARKS AND OPEN SPACE

1. Parkland
The Owner proposes to dedicate Block No. 48 on Map No. 1 to the City of Waterloo for parkland purposes. The lands represent 5.8% of the developable area but are not intended to be developed with an active park. Rather, the lands will remain a passive parkland area in keeping with the abutting lands to the west that are within the Monastery Creek Provincially Significant Wetland. Active Park opportunities exist within the abutting Laurel Creek Village subdivision to the east, and more passive park space, including numerous trail facilities surround the subject property and extend onto the City owned former McNally lands to the west.

2. Other lands to be acquired
As a condition of conveying the gravel laneway leading to the former McNally lands (identified on Map No. 3) the applicant has agreed to convey to the City of Waterloo those portions of their land holdings that are within ESPA 19. The lands are to be conveyed to the City at the rate of $2,650/acre, funded from the Environmental lands acquisition fund. The total anticipated expenditure is approximately $54,000.00 and the funds are available in the Council Approved Capital Budget. The acquisition of
these lands is in keeping with the City of Waterloo Strategic Plan and will result in approximately 75% of the Owner's current land holdings being under the Ownership and control of the City of Waterloo. The details of the land conveyances are discussed further in Staff Report DS 09-07.

XI. ENGINEERING AND SERVICING

1. Sanitary & water
The proposed subdivision will connect to existing sanitary sewers and watermains within the adjoining Laurel Creek Village subdivision thereby alleviating any need to use the Wideman Road connections. The developer has demonstrated that there is adequate capacity for water and sanitary services. Water is supplied by a 150mm (6 inch) watermain and fire hydrants will be placed at appropriate locations to provide fire protection.

2. Stormwater management and erosion control
The preliminary stormwater management report and design indicates that a pond should be sized to accommodate approximately 10,000m³ of stormwater each year. The pond will be a ‘dry pond’ with an unlined bottom in order that stormwater can infiltrate and/or discharge through an exfiltration gallery along the west side of the proposed pond. In order to have a reasonable depth of native soil, Staff required that the bottom of the pond be positioned an elevation that is above the groundwater table, and as far from ESPA 19 as possible.

3. Clean water collector vs. infiltration galleries
Unlike the West Side subdivisions where there is a clay till cap at surface, the developable portion of the subject property contains a sufficient depth of sands/silts that lot level infiltration galleries are feasible. The proposed lot level infiltration galleries are a common practice on the West Side and are designed to get roof runoff into the ground as soon as possible in order to maintain water balance calculations and to help cool runoff water to groundwater temperature. However, due to the silt content in the soil, the galleries are to be designed with overflow outlets in order to convey large rainfall events to the stormwater management pond.

XII. SUMMARY AND CONCLUSIONS

In summary, the proposed plan represents a reasonable balance between protection of those elements of the natural environment that should be protected, and those areas that are designated for development and are appropriate areas for development to occur. In examining the entire package that is before Council, including the lands to be acquired/conveyed under the land disposition report (DS 09-07), the proposed subdivision represents good planning, and strikes a good balance between Government and Agency requirements and the Owners desire to develop their lands in accordance with existing Official Plan designations. The Regional Municipality of Waterloo and the Grand River Conservation Authority are supportive of the proposed Draft Plan of Subdivision will result in approximately 75% of the Owners land holdings being placed into the Ownership and control of the City. The land acquisitions provide opportunity for ongoing environmental stewardship by the Municipality in keeping with the City’s Strategic Plan. Staff is of the opinion that the plan represents good planning, and recommends approval subject to a number of conditions as outlined in Section XIV of this report.
XIII. LEGAL AND FINANCIAL IMPLICATIONS

1. Legal

The proposed subdivision and Zoning By-law are currently before the Ontario Municipal Board. The City Solicitor requests that Council take a position regarding the proposed Subdivision in order that they can provide Council’s position to the OMB at upcoming hearings. The City Solicitor is supportive of Staff’s recommendations regarding the proposed Draft Plan of Subdivision and Zoning By-law Amendments.

2. Financial Implications

   i. Acquisition of Environmental Lands

   The City’s Environmental Lands Acquisition policy states that where possible, environmental lands should be acquired at a rate of $2,650/acre. The Owner will dedicate (at no cost) the buffers, parkland, stormwater management pond and wetland areas within the plan, but “other lands” owned by the Owner shall be purchased from the Environmental Lands Acquisition fund at the rate of $2,650/acre. These lands are outside of the Draft Plan of Subdivision and are to be considered by Council under report DS 09-07. The land area to be purchased is approximately 8.2 ha (20.2 acres) and therefore would have a purchase price of approximately $54,000.00.

   ii. Operational Impacts

   Should Council support the proposed Plan, operational impacts would include;

   • Additional storm water management facilities to maintain - $22,750.00/year est.
   • 520m of additional municipal roads and services at a per metre cost of $9.30 = $4,836.00 per year.

   The anticipated tax revenue on the proposed new lots is estimated at approximately $92,000.00 per year (City portion).

3. Policy Impacts

   This application is consistent with the currently applicable policies in the City of Waterloo Official Plan. No additional or earlier updates to the current Official Plan would be required.

4. Waterloo Strategic Plan

   With respect to this application, a number of the Strategic Plan objectives are being achieved. The proposed Draft Plan of Subdivision will provide housing for residents, while enabling the City to acquire and protect environmental features. In addition, the proposed design encourages walkability which enhances neighbourhood engagement, and has the potential to reduce carbon monoxide emissions.
XIV. RECOMMENDATIONS

1. General Recommendations

That the Columbia Hills District Plan be amended to designate the lands proposed to be zoned Flexible Residential as “Residential” and the balance of the lands being designated “Open Space”.

2. Zoning By-law Recommendations

It is recommended that Zone Change Application Z-05-02 for the subject property on Wideman Road and identified on Map No. 2 be approved as follows:

1. That the lands illustrated as subject lands on Map 2 be deleted from Appendix “A” in By-law No. 878A as amended and added to Appendix “A” in By-law No. 1418. By-law No. 878A as amended shall not apply to these lands and such lands shall be governed by the provisions of By-law 1418 as amended.

2. That By-law No. 1418 is hereby amended by changing the land use designation as shown on the Zoning Map attached to By-law 1418 for the lands shown on Map No. 2 attached hereto from Agricultural “A” to Flexible Residential Fifty Five-Ten “FR-55-10”, Green One “G1” and Green Two “G2” and further that:
   
i. Notwithstanding the provisions of Section 36B, 2.7 the impervious factor shall be calculated such that the total impervious coverage on a lot shall be no greater than 55% but an additional 10% (total 65%) shall be permitted exclusively for accessory buildings and swimming pools.

   ii. Notwithstanding the provisions of Section 36B, the minimum front yard or flankage setback for an attached or detached garage shall be 10.0m.

3. Subdivision Conditions

a) The Owner agrees to enter into a standard Subdivision Agreement with the City of Waterloo to satisfy all requirements of the Municipality, financial and otherwise, concerning the provision of roads, installation of services and drainage and staging of development, and any other conditions set out as part of the approval of the Draft Plan of Subdivision;

b) The Owner agrees to install concrete geodetic monuments under the direction of the City of Waterloo with co-ordinates and elevations thereon and that the plan submitted for registration show the location of monuments, their co-ordinate values, elevation and code numbers prescribed by the Surveyor General of Ontario;

c) The Owner agrees that such easements as may be required for utility and drainage purposes be granted to the appropriate authorities;
d) The Owner agrees to provide for the installation of telephone, cable television and hydro underground;

e) The Owner agrees to enter into a standard Subdivision Agreement with Waterloo North Hydro – confirm hydro service can extend from CF II – implications on laneway if otherwise – further discussion may be required if this is the case;

f) The Owner agrees that Bell Canada be granted the necessary easements;

g) The Owner agrees to convey to the City or the Region all easements and lands required to provide for the extension of municipal services;

h) The Owner agrees that the development will be completed in one stage, having regard to servicing, drainage areas, transportation needs and the provision of parks and school blocks;

i) The Owner agrees that prior to any stripping of top soil or area grading, that a Trees to be Saved Plan, Subdivision Grading and Planting Plan for all blocks and boulevards will be submitted together with an integrated a Stormwater Management Plan showing all piping, infrastructure and features such as infiltration trenches, soakaway pits, spreader swales, all of the said Plans to be prepared to the satisfaction of the City of Waterloo by a qualified professional(s) as approved by the City;

j) The Owner agrees prior to any stripping of topsoil, area grading or site alteration, that a detailed erosion control plan will be developed and implemented in accordance with the Ontario Conservation Authorities December 2006 Erosion and Sediment Control Guideline for Urban Construction and the City’s November 2003 Development Manual that will identify all proposed soil stockpiling and sediment and erosion control measures.

k) The Owner agrees that prior to issuance of a Building Permit, the Owner agrees to submit a Lot Development Plan for each lot, to be prepared by a qualified professional and illustrating compliance with the Plans referred to in condition j) above as well; the Owner further agrees to submit a $2000.00 deposit for each lot to ensure compliance with the approved Lot Development Plan;

l) The Owner agrees that a Lot Grading and Drainage Plan in accordance with the City of Waterloo Development Manual be prepared to the satisfaction of Development Services – Engineering and Construction Division, and the Grand River Conservation Authority;

m) The Owner agrees that prior to any grading or construction on the site and prior to registration of the plan, the Owners or their agents satisfy conditions of the Grand River Conservation Authority as provided to the Region of Waterloo;

n) The Owner agrees that the Subdivision Agreement between the Owner and the Municipality contain provisions for the completion and maintenance of the works in accordance with the approved plans and reports noted in condition m) above, and the maintenance of all stormwater management systems in accordance with the approved plans throughout all phases of grading and construction;
o) The Owner agrees to provide a Stormwater Management System long term maintenance plan to be documented in the form of an operations manual to the satisfaction of the City of Waterloo Director of Engineering and Construction.

p) The Owner agrees that temporary turning circles and associated easements be established at the termination of road allowances to the satisfaction of the City of Waterloo

q) The Owner agrees that any dead ends and open sides or road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves and be conveyed to the City of Waterloo and held in trust by the City of Waterloo until required for future road allowances or for road development of adjacent lands;

r) The Owner agrees that the street be dedicated as public highway and be named as shown on Map 1, consistent with the Native Trees and Plants to Waterloo Region Street Name Theme;

s) The Owner agrees to post the “Buy the home of your dreams” poster in model homes, and make the similarly titled brochures available in the model homes for prospective purchasers. The material will be provided at the Owners cost.

t) The Owner agrees to conform to the Columbia Hills Urban Design Guidelines as approved by Council;

u) The Owner agrees that Block 40 shall only be developed in conjunction with Block 41;

v) The Owner agrees that Block 42 shall only be developed in conjunction with Block 43;

w) The Owner agrees that Block 44 shall only be developed in conjunction with Block 45;

x) The Owner agrees that Block 46 shall only be developed in conjunction with Block 47;

y) The Owner agrees that Blocks 49 - 54 be dedicated to the City as buffer/open space to the satisfaction of the City and that any garbage, construction debris, abandoned cars, and similar unnatural materials be removed from those areas the Owners expense prior to their dedication to the City;

z) The Owner agrees that cross section and tree saving plans for the buffer areas shall be prepared and submitted to the satisfaction of the City of Waterloo, such plan to outline the requirements for buffer restoration (including tree replacement criteria) in areas where the driplines of existing trees within existing and proposed buffer areas are impacted due to this development.

aa) The Owner agrees that Blocks 55 and 56 shall be dedicated to the City for the purpose of Storm Water Management facilities;

bb) The Owner agrees that Block 48 shall be dedicated to the City as parkland;

c) The Owner agrees that best management practices such as infiltration galleries, will be utilized for storm runoff in order to achieve the objectives and targets of the Laurel Creek Watershed Study and further that;
i) an environmental monitoring plan related to the Final Subwatershed Management Plan (1996) and subcatchments 309 be implemented by the Owner, at the expense of the Owner, for each stage of the development to the satisfaction of the City of Waterloo, the Grand River Conservation Authority and the Regional Municipality of Waterloo;

ii) the environmental monitoring plan shall be completed to the satisfaction of the City for the pre-construction, during construction and post construction time periods as set out in the Final Subwatershed Management Plan;

iii) Environmental monitoring shall continue, at the expense of the Owner, until two (2) years have elapsed from the completion of ninety (90) percent of the plan. The purpose of the monitoring plan is to determine whether the during and post construction targets of the Laurel Creek Watershed Study (1993) for water quality and quantity and terrestrial objectives are met and the effectiveness of best management practices;

dd) The Owner agrees to design, construct and install signage that clearly notifies the public of the designated location and intended function and/or facilities of the, stormwater management facilities, buffers, and the community trails. Such signage design, construction and installation shall be undertaken by the Owner immediately after plan servicing and shall be completed to the satisfaction of the City of Waterloo;

ee) The Owner agrees to implement appropriate demarcation methods (living fence and posts), to the satisfaction of the City of Waterloo, that clearly identify municipal and private property lines along woodlands and their respective buffers;

ff) The Owner agree to implement the rear yard planting gift certificate policy;

gg) The Owner agrees that if any subdivision entrance feature(s) or identification feature(s) are proposed, that these be approved by the Director of Engineering and Construction and Team Leader of Parks (or their designates) in compliance with the Entrance Features Policy. Further that the Owner enter into the necessary agreements to address all matters related to such features including financial arrangements, liability and design;

hh) The Owner agrees to enter into supplementary agreements with the City of Waterloo, for the future development of residential blocks, said agreements to address such matters as lot numbering, lot layout, access, temporary turning circles, reserves, easements, solar orientation, grading and drainage or any other matters deemed appropriate prior to the passing of a By-law exemption under part lot control;

ii) The Owner agrees to construct all works in accordance with the City of Waterloo Development Manual;

jj) The Owner agrees to prepare and submit a construction traffic plan for grading and construction phases to the satisfaction of the General Manager of Development Services or his delegate and require its employees, contractors, suppliers and agents and any home builders employees,
contractors to use construction management routes. Management plans shall include silt fencing where appropriate to protect water courses and environmental areas;

kk) The Owner agrees that no grading, stripping of land or tree removals shall occur until all necessary plans have been approved by the General Manager of Development Services or his delegate;

ll) The Owner shall retain, at its sole expense, a qualified professional consulting engineer to prepare and co-ordinate all engineering reports, scheduling, drawings, approvals, specifications, estimates, contract administration, inspection, certification and completion of 'as constructed' drawings required to service the plan of subdivision. The Owner further agrees at its cost to provide for the supervision and inspection services of a consulting engineer acceptable to the City for the installation of any engineering, servicing, grading and geotechnical works related to the plan of subdivision.

mm) The Owner agrees to prepare tree retention plans to the satisfaction of the City Forester and implement those plans during the construction period. Any trees damaged during the grading and/or construction time period shall be replaced in accordance with the requirements of the tree retention plans.

nn) The Owner agrees to install, at its cost and to the satisfaction of the City, the necessary works and services on abutting streets to the plan of subdivision that are required to bring the streets and services up to the City's current subdivision standards. The City shall approve the said works and services prior to their installation.

oo) The Owner agrees that an on street parking plan shall be provided, and that the plan shall be designed to not conflict with above ground services such as hydrants and communication boxes;

pp) The Owner agrees that services including sanitary, water and stormwater shall be installed prior to the issuance of building permits;

qq) The Owner agrees to provide and install street signs to the satisfaction of the General Manager of Public Works Services;

rr) The Owner agrees to advise prospective purchasers that the lands to the west are owned by the City and may be used for recreation purposes in the future as determined by City of Waterloo Council;

ss) The Owner further agrees to:

i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
ii) install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes.

iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.

iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

tt) The Owner agrees that streetlight illumination will be directed away from ESPA 19 through appropriate light deflection devices on streetlights.

uu) The Owner agrees that prior to the construction of proposed retaining walls within Blocks 49 an Block 52 that a Ground cover survey shall be completed to the satisfaction of the City identifying all significant plants identified in the Environmental Impact Study within the buffer areas and to identify measures necessary to protect or relocate individual plants to suitable locations within proposed public Ownership.

vv) The Owner agrees that existing monitoring wells will be decommissioned at their expense when requested by the City at the cost of Owner;

ww) The Owner agrees that due to the environmentally sensitive nature of the lands that there shall be no fuel for construction activity stored on the property, and that all vehicle fuelling will be completed by tanker truck and that precautions be taken to prevent any spills occurring on the property;

xx) The Owner agrees that no grading or tree removals will occur on the lands from May 1-July 15 unless authorized by Environment Canada;

yy) The Owner agrees to install demarcation posts between public/private interfaces to the satisfaction of the General Manager of Development Services and to install signage at the rear of each lot which states - "no dumping Environmentally Sensitive Area";

zz) The Owner agrees to construct, at its cost, 1.5m wide concrete sidewalks along both sides of the streets in the plan of subdivision unless directed otherwise by the General Manager of Development Services or his designate.

aaa) The Owner agrees to construct a 1.5m wide concrete sidewalk from its terminus on Wideman Road, west to connect to the former gravel driveway to the McNally lands.

bbb) The Owner agrees that the stormwater management facility shall be constructed and fully operational to the satisfaction of the Grand River Conservation Authority prior to the issuance of the first building permit.
ccc) The Owner agrees to install traffic calming measures in the form of 'bumpouts' at two trail crossing locations being Meadowsweet Place and White Cedar Avenue to the satisfaction of the General Manager of Development Services;

ddd) The Owner agrees to prepare and submit a Woodland Management Plan for the portion of Open space Block No. 53 immediately west of the Stormwater management pond to identify existing trees that should be thinned and replaced with native wetland species to the satisfaction of the City forester.

eee) The Owner agrees to distribute the City's Alternatives to Pesticides Guide to purchasers.

Rob Trotter  MAES RPP MCIP
Development Planner
MAP 2
PROPOSED ZONING
WHITE TAIL CROSSING
CITY OF WATERLOO

LEGEND
GREEN 1
GREEN 2
FLEXIBLE RESIDENTIAL 55/10

IBI GROUP
379 QUEEN STREET SOUTH
KITCHENER, ONTARIO
N2G 1W6
(519) 745-6455
www.ibigroup.com
Figure 1: Site Location and Nearby Environmental Areas
MAP 5
CITY OWNED LANDS
WHITE TAIL CROSSING
CITY OF WATERLOO

SCALE 1:1000
DATE JANUARY 2006
PROJECT No. KP-1208 (19344)

LEGEND

FORMER McNALLY LANDS

CITY OWNED LANDS

NARROW PORTIONS OF CITY OWNED LAND

FORMER McNALLY LANDS

IBI GROUP
379 QUEEN STREET SOUTH
KITCHENER, ONTARIO
N2G 1W8
(519) 745-8455
www.ibigroup.com
CITY OWNED LANDS TO BE CONVEYED

MAP 6
Figure 2: Site Location on the Waterloo Moraine
LAURELWOOD DISTRICT

COLUMBIA HILLS DISTRICT

CONCEPT PLAN

RESIDENTIAL
MIXED USE ACTIVITY NODE
OPEN SPACE
NEIGHBOURHOOD PARK
BUFFER AREA
PROPOSED COLUMBIA ST.
EXTENSIONS
HIGH SCHOOL SITE
PUBLIC SCHOOL SITE
SEPARATE SCHOOL SITE
STORM WATER MANAGEMENT
LANDS TO BE RESOLVED
WITH COLUMBIA ST. EXT. STUDY
POSSIBLE AMPHITHEATRE
THESE LANDS YET TO BE
ASSIGNED TO A DISTRICT PLAN
SEE 6.23 & 6.36 OF THE
OFFICIAL PLAN

CONVENIENCE COMMERCIAL
REGIONAL FLOODLINE
TRANSIT ROUTE

COLUMBIA HILLS DISTRICT /
CONCEPT PLAN

DISTRICT CONCEPT PLAN

SUBJECT LANDS

THE WILMOT LINE

WIDEMARK ROAD

LAURELWOOD DISTRICT

SUBJECT LANDS

TOWNSHIP OF VILMOT

POSSIBLE AMPHITHEATRE

THESE LANDS YET TO BE
ASSIGNED TO A DISTRICT PLAN
SEE 6.23 & 6.36 OF THE
OFFICIAL PLAN

CONVENIENCE COMMERCIAL
REGIONAL FLOODLINE
TRANSIT ROUTE

COLUMBIA HILLS DISTRICT /
CONCEPT PLAN

DISTRICT CONCEPT PLAN
Appendix A – Agency Comments

NO COMMENTS OR CONCERNS

- Waterloo Catholic District School Board
- Waterloo North Hydro Inc
- Waterloo Fire Department
- Engineering and Construction (Development Services)
- Recreation and Leisure Services
- Union Gas
- Waterloo Region District School Board

COMMENT SUMMARIES

1. City of Waterloo Community Policy
   - Will require design and construction of park block to City standards outlined in Landscape manual.
   - Street tree planting required
   - SWM pond planting plan to be designed, constructed and maintained by the developer. Approval also required by GRCA.
   - Demarcation posts and living fence required on Public lands where they abut private property.

2. Region of Waterloo
   - See attached.

3. Grand River Conservation Authority
   - See attached.
December 17, 2008

Mr. Shilling Yip
Planning, Housing and Community Services
Regional Municipality of Waterloo
150 Frederick Street, 8th Floor
Kitchener, ON N2G 4J3

RE: Application for Draft Plan Approval 30T-04403
Zone Change Application Z-05-02
Wideman Road, City of Waterloo
Doug Owen Construction Ltd.

Dear Mr. Yip:

The Grand River Conservation Authority has reviewed the following reports and plans in support of the above noted applications:


Please note that all our outstanding concerns have been addressed in the above noted reports and plans. On this basis we have no objection to the revised plan receiving draft approval subject to the following conditions:

1. Prior to any grading or construction on the site and prior to registration of the plan, the owners or their agents submit the following plans and reports to the satisfaction of the Grand River Conservation Authority.

b) A detailed Lot Grading, Servicing and Storm Drainage Plan.
c) An Erosion and Siltation Control Plan in accordance with the Grand River Conservation Authority's Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on-site throughout all phases of grading and construction.

d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the GRCA prior to grading in a regulated area and/or construction of the Stormwater Management outlet in a regulated area.

e) A monitoring plan to be implemented for each stage of the development as per the Laurel Creek Subwatershed Study. The monitoring plan shall be completed for the pre-construction, during construction and post construction time periods and shall monitor the flow and water quality for each of the time periods. Monitoring shall continue until all stages of the development of this plan have been constructed.

We trust the municipality will ensure the Subdivider's Agreement between the owners and the municipality will contain provisions for the completion and maintenance of the works in accordance with the approved plans and reports noted in Condition 1) above.

We wish to acknowledge receipt of our plan review fee of $3,200 (Plan Review Schedule 2004). If you should have any further questions, please do not hesitate to call.

Yours Truly,

Samantha Lawson
Supervisor of Resource Planning
Grand River Conservation Authority

C.C. Rob Trotter – City of Waterloo
Ron Ormson – City of Waterloo
Development Planning – Region of Waterloo
Chris Goslin – Region of Waterloo
Douglas Stewart, IBI Group
Doug Owen Construction Ltd. – 528 Forwell Court, Kitchener, ON N2S 3W1 (Fax #893-0630)
Mr. Rob Trotter, MAES, MCIP, RPP  
Development Services  
Waterloo City Centre  
City of Waterloo  
100 Regina Street S.  
Waterloo, ON N2J 4A8  

Dear Mr. Trotter:

Re: Proposed Plan of Subdivision 30T-04403 and ZCA 05/02  
Plan Last Revised December, 2008  
Owen Construction Limited  
Wideman Road  
City of Waterloo

Regional staff has reviewed the revised plan for the above-noted plan of subdivision and provide the following comments at this time.

Environmental Planning  
Environmental Planning staff has had the opportunity to review the following reports submitted in support of this application:

- White Tail Crossing Subdivision, City of Waterloo: Preliminary Stormwater Management Report (IBI Group, December 4, 2008)
- Hydrogeologic and Geotechnical Investigation (CH2M Hill, December, 2008)
- Response to City of Waterloo, Region, and GRCA Comments (Dougan & Associates, December 4, 2008).

Staff is generally satisfied that the above materials address the concerns raised at a meeting with the consultants with respect to:

1. Interference with natural groundwater flows beneath the proposed subdivision caused by buried services;
2. Stability of the stormwater management facility at its proposed location;
3. Prevention of erosion into the Forested Hills E.S.P.A.;
4. Mitigation of water quality impacts of discharge from the stormwater management facility to the wetlands within the E.S.P.A.; and
5. Moderation of the thermal impact of discharge from the stormwater management facility toward the tributary of Monastery Creek.
Staff is content to have the City address the first two in their standard conditions of approval. Staff would like to have 3, 4, and 5 addressed in Regional conditions as well as City conditions because they directly affect the integrity of the E.S.P.A. To this end, staff will be happy to collaborate with City staff to draft the conditions including those implementing recommendations i, ii, iv, and v in the Dougan report as joint conditions to the satisfaction of the City and Region.

**Water Servicing**

Water Services Engineering & Planning staff as indicated the subject property is to be serviced from Waterloo pressure zone 6. The HGL for pressure zone 6 is 427 MASL any centreline road elevation below 370.6 m will require the services to be connected to individual PRVs as specified in section B.2.4.7 of the Design Guidelines & Supplemental Specification for Municipal Services. Existing contours in the area range from 351 m to 372 m.

It is recommended the above requirement be included as a City condition of draft approval, and that the PRVs be included in the City's subdivision agreement. The agreement should also include a clause to advise homeowners/occupants that such PRVs should not be removed.

**Hydrogeology and Source Water Protection**

As Water Services Hydrogeology and Source Water Protection staff has already indicated to you, they do not have any substantive concerns outstanding. The consultant on the hydrogeologic and geotechnical report has been asked to correct a few minor points in the report, but these can be addressed through a condition of draft approval.

It is recommended the City include a condition in its subdivision agreement for appropriate monitoring and mitigation. As well, it is recommended the City secure easements for the multi-level monitoring installation on the southern portion of the plan (MW-06-7S and D) to protect it for the purposes of long-term monitoring. Staff assumes the other monitoring wells are more or less protected from encroachment on the northern portion of the property.

**Archaeological Assessment**

A preliminary assessment of the property indicates the potential for the recovery of archaeological resources. In accordance with Policy 6.2.10 of the Regional Official Policies Plan, an archaeological assessment will be required. The assessment must be completed and clearance provided by the Ministry of Culture for the same prior to any grading or construction on the site.

**Emergency Access**

Where more than 26 units will be developed on a single point of access due to phasing, an emergency access must be provided.

**Future Development Blocks**

The Developer will be required to enter into an agreement with the City of Waterloo that future development Blocks 40 to 47 shall not be developed except in conjunction with the adjacent lands.

**Municipal Sidewalks**

It is recommended municipal sidewalks be provided to this plan.
In summary, no other issues/concerns have been identified at this time. Regional staff has no objection to the continued processing of the application by the City. Subject to the above, the Region’s comments of March 4, 2005 continue to apply. Any questions, please call.

Yours truly,

[Signature]

Shilling Yip, MCIP, RPP
Principal Planner

cc. Douglas Stewart, IBI Group (Kitchener)
    Chris Gosselin, Region of Waterloo
    Don Corbett, Region of Waterloo

DOCS #563594, v3
Appendix B – Informal Meeting Minutes (Council – Monday, March 7, 2005)

Z-07-05 DRAFT PLAN OF SUBDIVISION AND ZONE CHANGE
COUNCIL MEETING
Monday, March 7, 2005
6:30 p.m.

A regular meeting of the Council of The Corporation of the City of Waterloo was held on March 7, 2005 at 6:30 p.m. in the Council Chambers, 100 Regina Street South, Waterloo, Ontario.

PRESENT:

Mayor Epp
Councillor d’Ailly
Councillor Bolger
Councillor Kieswetter
Councillor Whaley
Councillor McLean

Mayor Epp in the Chair

1. MOMENT OF REFLECTION

The Mayor opened the meeting with a moment of reflection and called for a moment of silence in memory of the four Royal Canadian Mounted Police officers who lost their lives on March 3, 2005: Constable Anthony Gordon, Constable Leo Johnston, Constable Brock Myrol and Constable Peter Schiemann

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

No disclosure of pecuniary interest was declared by any member of Council at this point in the meeting.

3. ADOPTION OF MINUTES (February 21, 2005 – Regular)

Moved by Councillor d’Ailly, seconded by Councillor Whaley:

"That the minutes of the regular meeting of Council held on February 21, 2005, be approved as printed."
INFORMAL PUBLIC MEETING

a) Z-05-02 ZONE CHANGE APPLICATION, DOUG OWEN CONSTRUCTION - WIDEMAN ROAD

Prepared by Rob Trotter

Mayor Epp advised that this hearing was the first opportunity to inform Council and the public of the proposed application and emphasized that no decisions would be made by Council at this meeting.

Rob Trotter, Development Planner, reviewed the application to amend the zoning by-law from Agriculture “A” to Flexible Residential “FR”, Green One “G1”, Single Residence Three “SR3” and Medium Density One “MD1” with site specific provisions to allow a residential plan of subdivision. The proposed subdivision will include a mixture of 38 to 68 large lot single detached dwellings and townhouses on 7 hectares (17 acres) of the total area of 15 hectares (37 acres). Mr. Trotter reviewed policies and regulations, environmental studies and subwatershed/recharge areas information related to the subject lands.

Mr. Trotter advised that staff will address the following items during their review of the application:

- environmental issues including water resources protection, proposed environmentally sensitive landscape boundary and protection of the northwest triangle
- subdivision design, including access, absence of park block, conservation easements, potential acquisition of the balance of the lands, trails
- use of the adjacent City-owned lands

Kevin Eby, Director, Community Planning, Regional Municipality of Waterloo, reviewed the Region’s source water protection initiatives for the Waterloo Moraine, including Regional wellhead/recharge protection and development planning initiatives, and noted that the subject lands are within an area where the Region applies risk management principles. Mr. Eby advised that the Region’s Water Resource Protection Strategy is recognized throughout North America and its implementation has provided a high level of protection for the Waterloo Moraine. He further indicated that the Water Resource Protection Strategy update, the Regional Growth Management Strategy and salt reduction initiatives serve to further the Region’s commitment to protecting the Moraine and concluded that the review of the Owens’ application will appropriately address environmental issues.

Paul Puopolo, Planning & Engineering Initiatives Limited, speaking on behalf of the applicant, outlined the planning context related to the proposed residential development, including
Regional, City and environmental policies, regulations and studies. He noted that the development principles will:

- conform with the Regional Official Policies Plan and City Official Plan and zoning by-law
- implement environmental studies
- conform with the City’s approved capital budget and staging of development
- coordinate with adjacent residential properties
- create a niche estate residential development on municipal services

Kevin Thomason, President, Sunfish Lake Association, expressed concern about:

- the need for additional environmental studies
- concern about groundwater and the Waterloo Moraine
- potential destruction of flora and fauna
- interpretation of policies, boundaries and rulings
- the affect on adjacent City-owned lands
- transit, streetlights, sidewalks

Mr. Thomason suggested that the City consider exchanging City-owned lands on the east side for the applicant’s lands to preserve them for nature and recreational uses.

Judy Greenwood-Speers spoke in opposition to the application, voicing her concern about allowing residential development on the Waterloo Moraine and the possible impact on municipal wells. Ms. Greenwood-Speers noted that a number of municipal wells are shut down due to contamination and requested Council not to allow further development on the Waterloo Moraine.

Catherine Fife, Citizens for the Protection of the Waterloo Moraine, asked Council to consider the application from the perspective of controlling urban sprawl and requested that the development not be allowed to occur while the Region works through the process of approving its proposed Greenlands Strategy. Ms. Fife requested that Council find a way to preserve the property for public use.

Professor Emil Frind talked about the pending provincial source water protection legislation and its potential affect on the proposed development related to aquifer recharge, sustainability of recharge and cumulative impacts. Dr. Frind recommended that Council apply the precautionary principle to its decision and to err on the side of caution where information is insufficient. Dr. Frind provided an analysis of the surface and subsurface conditions on the subject lands and risks to groundwater, and stated that the development is not compatible with source water protection and the subject lands should be included in the Environmentally Sensitive Landscape area.
Pete Heseltine, President, Laurelwood Neighbourhood Association, advised of his strong opposition to the type of development proposed for the Owen lands, and voiced his concerns about clear-cutting 20 acres of forest, potential pollution of groundwater, impact on the Waterloo moraine and the recharge area for the area water supply, and the possibility of excavation activities breaking the protective clay cap on the acquifer.

Sharon Woodley recommended that cities respond to the Kyoto accord and develop environment plans that direct cities away from spending millions of dollars on new roads and re-define how cities grow and how they are managed. Ms. Woodley voiced her support for the land exchange proposal and requested Council to stop development on the west side and encourage development in the Uptown.

Jane Schneider described the environmental characteristics of the subject lands, noting the many types of trees, animals and birds to which the forest is home. Mrs. Schneider indicated that the four Environmentally Sensitive Policy Areas close to the subject lands are all connected and function as one unit and urged Council to keep the whole area ecologically healthy by not allowing development to occur.

Diane Ensing spoke in opposition to the application and noted that the Schneider family has provided an important community resource for more than two decades by allowing public access for hiking and cross-country skiing on their property in the Environmentally Sensitive Policy Area (ESPA) complex.

Dr. Ensing suggested the City has an opportunity to provide municipal stewardship of the environment by protecting and enhancing natural areas and keeping the Owens and adjacent City-owned lands as a buffer between development and the Environmentally Sensitive Policy Area. Dr. Ensing indicated her support for a land exchange that would allow development in a less environmentally sensitive part of the City.

Ginny Quinn, Citizens for the Protection of the Waterloo Moraine, expressed her concern about development on the recharge area on the Waterloo Moraine, lack of concern for the fragility of the acquifers and the potential for fractures in the sensitive till which could open the acquifers to contamination. Ms. Quinn urged Council to consider expert opinions and research in making a decision.

Moved by Councillor d'Ailly, seconded by Councillor Bolger:

"That the meeting continue past 11:00 p.m." (Time: 10:58 p.m.)

Carried Unanimously
Susan Smith spoke in opposition to the application and suggested that the Environmental Impact Study written and paid for by the developer is flawed because of a conflict of interest and that its conclusions lack common sense.

Ms. Smith cited concerns about the impact on significant bird species in the area, the wildlife corridor, quality and quantity of surface water and groundwater, and contamination and degradation of the environment. Ms. Smith requested that Council incorporate into the Environment Impact Study a requirement to determine the size of buffer needed to protect the forest.

Tom Schneider displayed a series of photographs showing Schneider's Woods, Musselman's Woods, the Forested Hills ESPA and the Owens/City-owned (McNally) lands. Mr. Schneider advised that the target forest cover for the City is 20 to 30%, the current level is 13.36% and the proposed clear cut would represent a further loss of 1.3%. He concluded that forests are integral to water quality and quantity and air quality and questioned whether the City was opposed to the Kyoto accord.

Fred Schneider questioned whether the 1993 Ontario Municipal Board decision with respect to the land had any bearing on whether or not development could proceed. Mayor Epp indicated that Council would make a decision, but that decision could be appealed to the Ontario Municipal Board.

Dr. Allan Morgan, Department of Earth Sciences, University of Waterloo, used a PowerPoint presentation to explain how the Waterloo Moraine was created by ice lobes moving into the area. Dr. Morgan advised that any subdivision will degrade water quality and that successive dry seasons could create serious water problems.

Dr. Morgan further commented that grading removes the acquifer cap and the Forested Hills need the subject lands as a buffer zone.

Penelope Polyzou spoke in opposition to the proposed development and stated it will further degrade the environment and drinking water. Ms. Polyzou advised that the scoped Environment Impact Study was inadequate in a number of areas and that Council should not approve the development without sufficient information. She noted that cumulative minor impacts become a major impact and suggested the area is approaching the point of no return where levels of pollution in the acquifer will render water unfit for human consumption.

Francis Hatch advised that she believes the water supply is in serious jeopardy and that more growth on the Waterloo Moraine is not advisable or sustainable. Ms. Hatch strongly opposed tax dollars being used to support any further growth on the west side of Waterloo.
Michael Frind advised that the Forested Hills area is a significant natural heritage of the Waterloo west side, with hills, kettle holes, hardwood and coniferous forests, wetlands and streams. He noted that the Owens land effectively function as an integral part of the Forested Hills. Mr. Frind indicated that the mature forest includes 30 to 50 year old spruce trees, is not part of a managed plantation and offer an ideal habitat and winter protection for deer. Mr. Frind suggested that the City-owned McNally lands would be an ideal site for a future outdoor education centre and that the Owen lands could serve as a buffer for the City lands and the Forested Hills.

Louise Lanteigne, Vice President, Columbia Forest Neighbourhood Association, cited concerns about:

- environmental pollution during residential construction
- the addition of non-permeable materials by home-Owners
- pesticide use, residential car-washing, car oil, road salt

Ms. Lanteigne expressed alarm about the unsafe storage and leakage of diesel fuel by a developer in the Laurel Creek Village subdivision, and high chlorine levels and discoloured water in the Columbia Forest subdivision.

Ms. Lanteigne asked Council to hold developers accountable and requested that staff investigate the situation in the Laurel Creek Village subdivision.

Neil Stewart, indicated his support for the comments made by previous speakers, voiced his concern about the cumulative impact of development on the environment and questioned who will bear liability for future negative environmental impacts.

Cyril Zister, a farmer, voiced his frustration about politicians and city residents controlling farmers' use of their lands, and noted that the cost to a farmer for preserving wetlands is loss of production. He estimated that the cost to him for the preservation of wetlands on his property was approximately $90,000 in gross revenue over 30 years, and noted that wetlands are an unused resource on which farmers are required to pay tax. Mr. Zister stated that farmers should be compensated by the people who receive the water which farmers are forced to conserve at the cost of lost production.

Steve Slute, urged Council not to allow anything that will contribute to pollution in the future and to stop water-taking for commercial purposes.

Ali Raza advised that he was born in a desert area where seawater must be desalinated and purified for drinking purposes, and urged Council not to allow development to destroy fresh water resources.
As no one else was present to speak to the application the Chair concluded the hearing and indicated that staff would review the issues and provide further reporting to Council at a later date.
APPENDIX ‘C’ – WEST SIDE VISION

In 1993 the City of Waterloo in consultation with interested members of the public developed a vision for the City’s west side:

Against a backdrop of natural woodlands, attractively designed homes of various types rise up with the rolling topography. Smaller neighbourhood pockets are created by the landscape and the placement of built features including other uses and landscaping. Open spaces, pedestrian and cyclist opportunities are readily apparent and provide an obvious focus to higher density, higher rise mixed use centres which are visibly noticeable and feel within easy access. Streets are different – fewer cars, more people, and houses are closer to the street.

The West Side Vision forms an integral component to the land use planning framework for the lands west of Erbsville Road. Policies reflecting the vision are contained in the City’s Official Plan and the Columbia Hills District Plan. The vision supports the development of smaller neighbourhoods around significant environmental features, promotes a sense of community. The proposed subdivision is in keeping with these principles.