

Planning Justification

Proposed Residential Development
36 – 68 Union Street, Elmira

January 26, 2016

Revised February 2019

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1 INTRODUCTION

1.1 Background

W.E. Oughtred and Associates Inc. has been retained by Hawk Ridge Homes, the owner of 36-68 Union Street, Elmira to prepare a Planning Justification Report to support applications for Draft Plan of Subdivision and Zone Change. Located on the corner of Union Street and First Street in the Township of Woolwich (former Town of Elmira), the subject property is a 3.2 hectare parcel containing a two storey brick dwelling, steel shed, frame shed and the remains of a concrete foundation for a demolished chicken coop. All existing buildings and structures are vacant and proposed to be demolished. Shirt Creek and the Weigel Drain traverse the northerly portion of the site.

The proposal is for a new development comprising a total of 36 two-storey single family dwelling units. Twelve of the dwellings will be detached homes and the remaining 24 dwellings will be semi-detached homes. The development proposal includes extension of both College and Bauman Streets to connect with Union Street, as well as dedication of an open space block and park block to the Township for public recreation use. It is proposed that all dwellings will be serviced by municipal water and wastewater.

In 2009, Hawk Ridge Homes submitted an application to the Township of Woolwich to rezone the site to permit small lot single and semi-detached homes as well as an application to the Region of Waterloo for a Plan of Subdivision. After more than a year, Hawk Ridge appealed to the Ontario Municipal Board (OMB) on the grounds that the Township and Region had failed to come to a decision on the applications within the time frame set out in the Planning Act. Adjacent landowners, CCC Sulphur Products (formerly Sulco) and Chemtura, were granted party status at the hearing. Stationary noise generated by the Sulco and Chemtura operations was of particular concern to the Region and Township as well as to both industrial operations and, based on the evidence presented by the expert witnesses, the OMB refused Hawk Ridge's appeal.

Since the OMB ruling in 2011, Hawk Ridge has redesigned the development proposal significantly to address the noise and other concerns discussed at the hearing. Further, a new noise consultant RWDI Air Inc. was retained to prepare a new Noise Feasibility Assessment. Following peer review of that report in 2016, the noise report was revised to address the peer review comments. In addition, after a meeting with the management of CCC Chemicals in January 2018, the decision was made to remove three lots at the corner of First Street and Union Street from the residential development. It is now proposed that this block, Block 37 on the proposed plan of subdivision will be rezoned for non-residential uses at a future date.

1.2 Purpose of the Application

The subject property is located in the Built Up Area of the Township of Woolwich Urban Area as set out in Map 3B of the Region of Waterloo Official Plan. The property is designated for Residential and Ancillary Uses in the Township of Woolwich Settlement Area Plan for Elmira. The lands containing Shirt Creek/Weigel Drain and the associated floodplain are designated Restricted Area in the Township Official Plan. The proposed development is consistent with the Township Urban Area designation in the Region of Waterloo Official Plan and consistent with the land use designations in the Township of Woolwich Official Plan. Therefore, Amendments to the Region and Township Official Plans are not necessary. However, a Zoning By-law Amendment and registration of a Plan of Subdivision will be required before the proposed development can proceed. An application for Draft Plan of Subdivision has been submitted to the Region of Waterloo concurrently with an application to the Township of Woolwich to amend the Zoning By-law.

The site is currently zoned R-4, R-4 FF, M-2 FF and M-2 FW in Town of Woolwich Zoning By-law 55-86. The R4 (Residential – Mixed Medium Density) zone permits detached and semi detached dwellings. The M-2 (General Industrial Urban) zone permits manufacturing facilities, wholesale outlets, warehouses and various other commercial uses. The FW (Floodway) overlay limits new development and prohibits new

residential development on lands with that zone classification. The FF (Flood Fringe) overlay zoning permits new development, including residential development, subject to Grand River Conservation Authority (GRCA) flood proofing requirements and GRCA approval.

The site must be rezoned to R4A (Residential – Mixed Medium Density with Design Guidelines) and R5A (Residential – Mixed High Density with Design Guidelines) to permit the proposed small lot single and semi detached dwellings. The FF (Flood Fringe) overlay will be applied to the residential lots on the north side of the proposed Bauman Street extension. These lots will be zoned R4A FF and R5A FF to reflect their location in the Flood Fringe and will be subject to Grand River Conservation Authority restrictions and requirements. The lands containing Shirt Creek and Weigel drain and the associated flood plain must be rezoned to O-2 (Open Space). The O-2 zone prohibits any development, thereby maintaining consistency with the FW (Floodway) zoning currently on the lands within the floodplain of the creek. The proposed park block is currently zoned R-4 and R-4 FF and must be rezoned O-1 (Open Space).

Specialized consultants have been retained to prepare the following plans and reports in support of the applications:

- G. Douglas Vallee Limited – Functional Servicing Report, Storm Water Management Plan, Preliminary Lot Grading and Drainage Plan, Erosion and Siltation Control Plan;
- Van Harten Surveying Inc. – Topographic Survey and Proposed Draft Plan of Subdivision;
- RWDI Consulting Engineers and Scientists – Dust Impact Study, Odour Impact Study and Noise Impact Study;
- Chung & Vander Doelen Engineering Ltd. – Hydrogeological Study.

2 PHYSICAL CONTEXT

The subject property is known municipally as 36-68 Union Street, Elmira and legally described as Lots 74 and 75, Registrar's Compiled Plan 1330, Geographic Township of Woolwich, Town of Elmira. The site is located at the corner of First Street and Union Street, and lies between the western edge of Elmira's residential area and the eastern edge of the town's industrial area. The context map in Figure 1 shows the location of the property within the Town of Elmira.

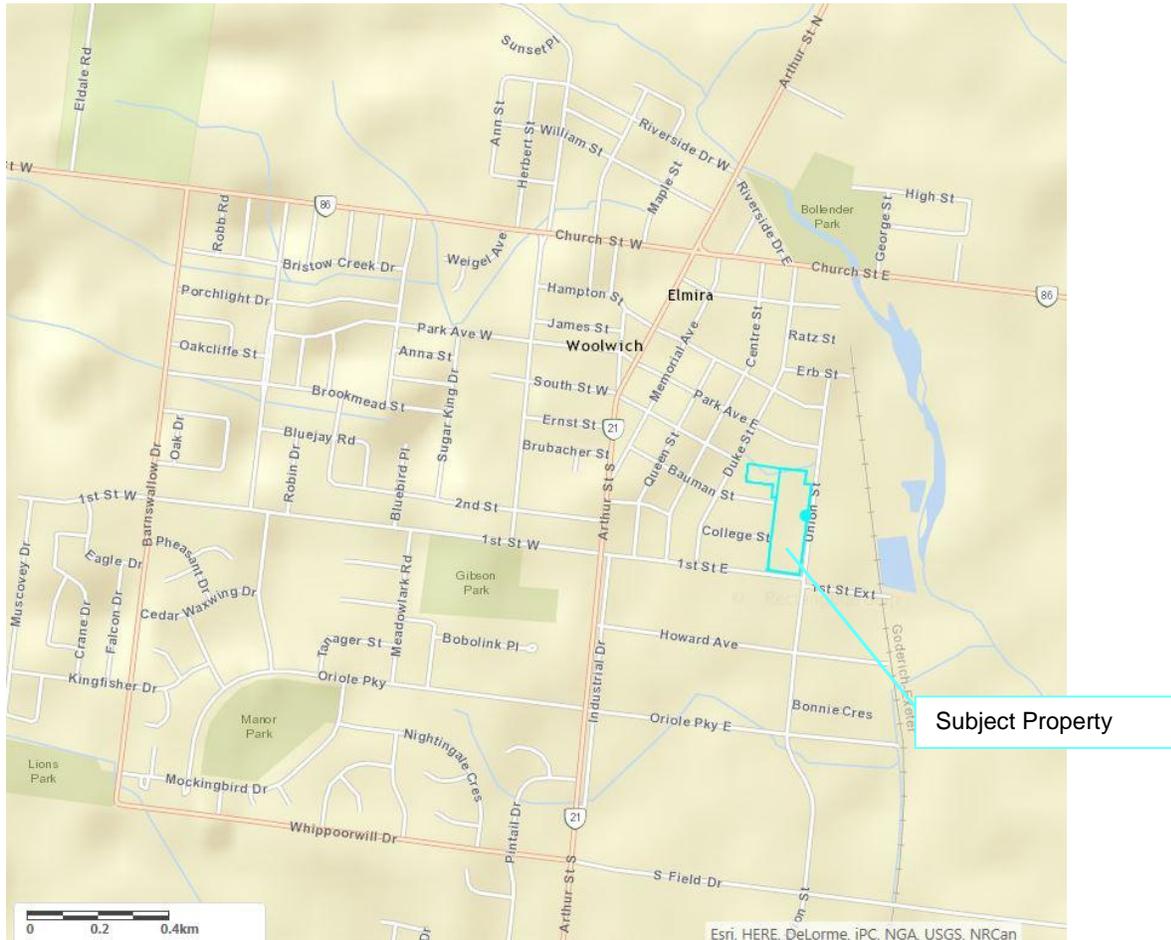


Figure 1: Context Map showing the location of 36-68 Union Street, Town of Elmira.
 Source: Region of Waterloo Interactive Maps

The property is 3.2 hectares in size. Of this, approximately 2.3 hectares is suitable for development. The balance of the property, approximately 0.9 hectares, is within the floodplain of the Shirt Creek/Weigel Drain and is subject to the Township's two-zone flood plain policy. A residential subdivision sits immediately to the west of the subject lands. To the east and south, the land uses are industrial. An untraveled road allowance (Edward Street) is located immediately to the north of the subject property and these lands are undeveloped. North of the untraveled road allowance, the uses are a mixture of residential and industrial. Figure 2 is an aerial photograph of the site and surrounding lands.

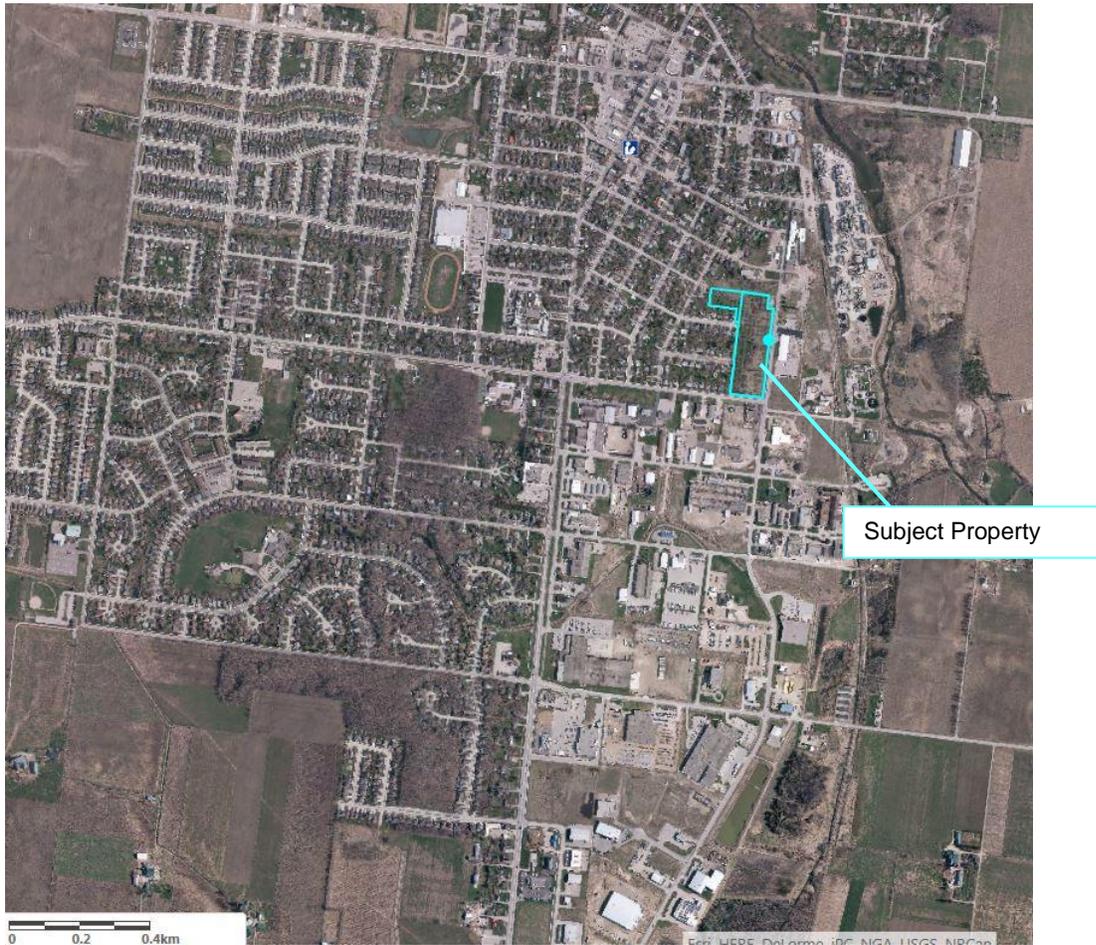


Figure 2: Aerial photo showing 36-68 Union Street, Elmira.
Source: Region of Waterloo Interactive Maps

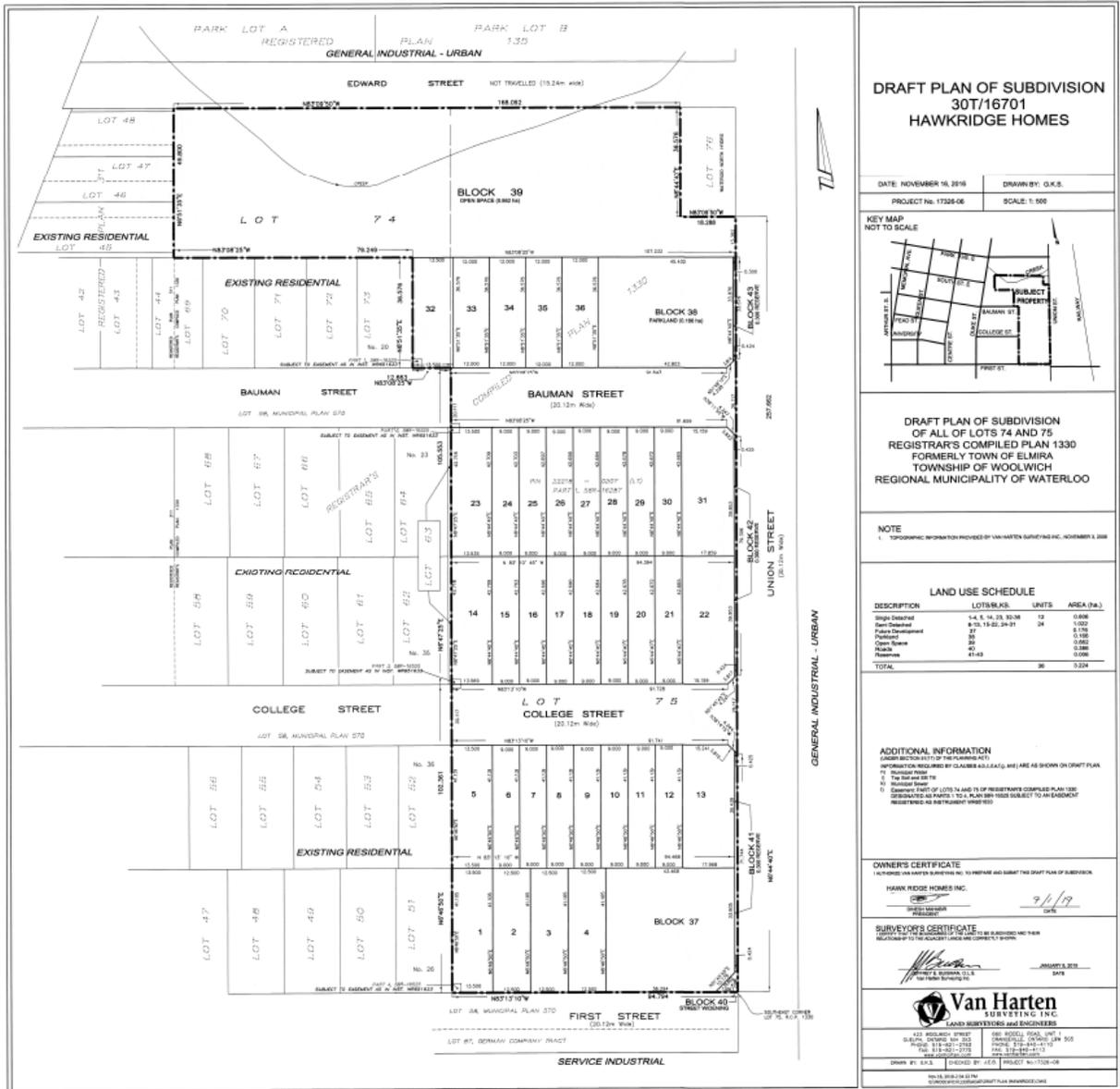
The proposed plan of subdivision would be an extension of the residential land uses that are located to the west of the subject property. The historic use of the developable portion of the site was an apple orchard and old apple trees remain on the property. These trees have been unattended for many years. There are no other trees of any significance on the lands. The developable area of the site is relatively flat.

The Weigel Drain is located along the northern extent of the property. The flood plain associated with Weigel Drain is not suitable for development, except as permitted in the flood fringe. A portion of the proposed development will be located within the flood fringe and The Grand River Conservation Authority has approved the proposal in principle, subject to flood proofing and other requirements.

3 PROPOSED DEVELOPMENT

All existing buildings and structures on the property are proposed to be demolished. Registration of the proposed Plan of Subdivision will create 12 lots for single family homes and 24 lots for semi detached homes as well as a block for future non-residential development. All lots will be accessed by municipal streets including First Street and the extensions of College and Bauman Streets. The lands within the flood plain will be dedicated to the Township for public open space. In addition the developer will also dedicate a 1634 square metre park block to the Township. Figure 3 shows the proposed Draft Plan of Subdivision.

Figure 3: Proposed Plan of Subdivision



3.1 Application Requests

Application	From	To
Zoning By-law Amendment:	R4 – Mixed Medium Density	R4A – Mixed Medium Density with Design Guidelines and R5A Mixed High Density with Design Guidelines and O-1 Open Space
	R4/FF- Mixed Medium Density with Floor Fringe Overlay	R4A/FF- Mixed Medium Density with Design Guidelines and Flood Fringe Overlay & R5A/FF Mixed High Density with Design Guidelines and Flood Fringe Overlay & O-1 Open Space
	M-2/FF – General Industrial with Flood Fringe Overlay	O-2 Open Space (No development permitted)
	M-2/FW – General Industrial with Floodway Overlay	O-2 Open Space (No development permitted)
Draft Plan of Subdivision	One 3.2 ha parcel	36 lots – 12 detached and 24 semi-detached, Open Space Block, Park Block, Block for Future Development

The lots that will be adjacent to the existing residential development are proposed to be zoned R4A or R4A-FF (five lots in total). The balance of the lots are proposed to be zoned R5A or R5A-FF (31 lots in total). All lots will meet the Zoning By-law requirements for lot width, lot area and lot frontage. Figure 4 sets out the existing zoning for the site and Figure 5 shows the proposed zoning.

3.2 Market Orientation

The 36 proposed dwellings will be moderately priced ownership product affordable to first time buyers in the Elmira market. The dwellings will have three or four bedrooms and provide appropriate accommodation for a variety of households including couples and families with children.

3.3 Road Pattern

All lots will be accessed by municipal roadways. To that end, the developer will be extending Bauman and College Streets through the property to connect to Union Street. Currently, both streets terminate in dead ends at the western edge of the subject property. Extending College and Bauman Streets will integrate the proposed development with the neighbourhood to the west and provide improved traffic flow for emergency and maintenance vehicles and for the residents in the homes located to the west. Driveways for all the proposed homes will be accessed from First Street, College Street or Bauman Street. There will be no driveways on Union Street. To prevent homeowners from constructing driveways onto Union Street in the future, a 0.3 metre reserve will be placed on the lots adjacent to Union Street. All municipal services to the new lots will be located within the municipal road allowances. This will entail excavating the north side of the First Street right of way to provide services to the four (4) lots that will front on to that road and the block for future non-residential development.

Each dwelling unit will have an attached garage with additional parking provided on the driveway for a total of two parking spaces per dwelling. All driveways will have a minimum length of 9 metres. Driveways for the semi-detached homes will be paired to provide sufficient on-street parking for visitors.

3.4 Site Development and Land Use Patterns

The proposed plan of subdivision will consist of small lots for detached and semi detached dwellings. However, the five lots immediately adjacent to the existing residential development will be slightly larger to maintain consistency with the sizes of the lots to the west. The proposed gross residential density is 11.25 units per hectare (36 dwellings/3.2 hectares). The proposed net residential density is 15.7 units per net developable hectare (36 dwellings/2.3 hectares of developable lands). Based on Waterloo Region's

Housing Overview, 2013, the average number of persons in a household in Woolwich Township is 2.75 to 3. If the lower end of the range is employed and each household is assumed to have 2.75 persons, the total population of the proposed development will be 99 people or 43 people per hectare. Assuming 3 persons per household, the total population will be 108 or 46 people per hectare.

Sidewalks are proposed to be constructed on both sides of the College and Bauman Street extensions. There is an existing sidewalk on the north side of First Street that will be reinstated after municipal services are installed for the lots fronting First Street. The proposed road pattern will seamlessly connect both motorists and pedestrians between the new development and the existing development to the west. In addition sidewalks are proposed along the entire Union Street frontage.

The park block will be adjacent to Union Street and will abut the lands to be dedicated to the Township for Open Space, thereby creating a large public amenity area that is easily accessed from Union Street. The total area to be dedicated to the Township for parkland (Block 40 on the Plan of Subdivision) and Open Space (Block 41) is 9,682 square metres. This area represents approximately 30% of the total area of the site.

3.5 Utilities and Engineering

A Functional Servicing Report and Storm Water Management Brief have been prepared by G.D. Vallee Limited. The Functional Servicing Report demonstrates that the site can be serviced (water, storm water and sanitary sewer services) to the satisfaction of the Region of Waterloo and Township of Woolwich. Further, the report sets out opportunities for cost-sharing between the developer and the municipality. The Storm Water Management Brief concludes that the proposed development will have no noticeable impact on the storm water flows into the Weigel Drain. In addition, the report recommends installation of a grit separator to remove oil and grit from storm water runoff and enhance water quality. Utilities will be provided to all dwellings including hydro, telephone, cable television and natural gas. Details for the design of utilities servicing will be co-ordinated with the service providers at the detailed design phase of the subdivision.

3.6 Adjacent Land Uses

The subject property is bounded by an existing residential neighbourhood to the west, Union Street to the west, First Street to the south and an untraveled road allowance, Edward Street to the north. Homes in the neighbourhood to the east are generally well maintained one and one and a half storey dwellings that appear to be approximately fifty (50) years old. On the east side of Union Street, the land uses are industrial, including two chemical manufacturing operations, CCC Sulphur Products (Sulco) and Chemtura. Similarly, the land uses to the south of the subject property, south of First Street are also industrial including a wood working operation, HBK United Woodworking. A North Waterloo Hydro substation is located at 34 Union Street, north east corner of the subject lands. The Edward Street road allowance is located immediately to the north of the Hawk Ridge site and the hydro substation. To the north of this road allowance, in the block bounded by Union Street, Duke Street and Park Avenue East, there is a vacant lot as well as a mixture of industrial and residential uses.

3.7 Environmental Assessment

A Phase 1 and Phase 2 Environmental Assessment was prepared for the rezoning and subdivision applications that were submitted in 2009. A Record of Site Condition has filed with the Ministry of Environment on August 13, 2010 (Registration #73122). The Environmental Assessment concluded that soil contamination was below the Ministry of Environment limits for residential development.

3.8 Noise Impacts

RWDI Air Inc. has prepared a comprehensive analysis of rail, road and stationary noise sources that have the potential to impact the development. The report recommends that warning clause Type A and Type C be included in all purchase or rental agreements for the lots identified within the noise report and that the

homes on those lots be constructed to permit the future installation of central air conditioning. Based on the noise modelling and additional information obtained through Freedom of Information regarding noise mitigation at the nearby industries, the revised report does not recommend that the site be designated as Class 4 under Ministry of Environment Noise Guideline NPC-300. The revised noise report is being submitted in support of the revised applications for Zone Change and Plan of Subdivision.

3.9 Odour and Dust Impacts

A study of Odour and Dust Impacts has been prepared by RWDI Engineering and is included with the application for Draft Plan of Subdivision. The study concludes that dust and odour from adjacent industrial operations could, occasionally, impact the proposed dwellings. The report recommends that all proposed homes be constructed with central air conditioning and that warning clauses be included in all Purchase and Sale Agreements.

3.10 Staging of Development

The Township of Woolwich has confirmed that sufficient servicing capacity exists for all proposed dwellings and staging of the project will not be necessary. As a result, the developer intends to register a single Plan of Subdivision that encompasses the entire site.

3.11 School Accommodation

In November 2015, the Waterloo Region School Board and the Waterloo Region Catholic School Board were consulted regarding accommodation for elementary and secondary school students. There are three public elementary schools and one public high school in Elmira. John Mahood Public School will serve as the local elementary school for residents of the proposed development. The Public School Board expects yields of ten to fifteen students from a forty unit housing development and has advised that the local school can accommodate this number.

The Waterloo Region Catholic School Board operates one elementary school in Elmira, St. Teresa of Avila Catholic Elementary School. High school students wishing accommodation in the Catholic Board will be bussed to St. David Catholic Secondary School in Waterloo. The Catholic Board generally experiences a lower yield from new development than the Public Board. Approximately five students from the proposed development would be expected to attend Catholic schools. St. Teresa school currently has excess capacity and can accommodate the expected influx of students from the proposed development.

Figure 5: Proposed Zoning



Legend:

- R-4 Residential Mixed Medium Density (Existing zoning to be retained)
 - R-4A Residential Mixed Medium Density with Design Guidelines
 - R-5A Residential Mixed High Density with Design Guidelines
 - 0-1 Open Space One - Parkland
 - 0-2 Open Space Two – No development permitted.
- Flood Fringe Overlay

4 POLICY, REGULATORY AND GUIDELINE CONTEXT

The proposed Zoning By-law Amendment and Draft Plan of Subdivision applications have been evaluated for consistency with current legislation and policy at both the provincial and municipal level, including the Provincial Policy Statement, 2014; the Places to Grow Act, 2017; The Region of Waterloo Official Plan (2009), The Township of Woolwich Official Plan (2002) and the Township of Woolwich Zoning By-law 55-86.

4.1 Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) provides overall policy direction to municipalities on growth management and land use planning. Municipal Official Plans and all planning decisions must be consistent with the policies of the PPS. The aim of the PPS is to regulate the development of land in order to maintain the long term prosperity and social well-being of the province while protecting important resources and the quality of the natural environment. To that end, the PPS stipulates that growth will be accommodated in urban areas and rural settlement areas. The subject site is located in the Township of Woolwich Urban Area, (Elmira) and is designated as “Built Up Area” in the Region of Waterloo Official Plan and is, therefore, within a settlement area as defined by the PPS.

- Section 1.1 of the Provincial Policy Statement sets out several criteria to maintain healthy, livable and safe communities. These include promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities, accommodating an appropriate range and mix of residential, employment and other uses to meet long-term needs and encouraging cost-effective development patterns that minimize land consumption and servicing costs.
- Section 1.1.2 of the PPS stipulates that sufficient land should be made available through intensification and redevelopment within settlement areas.
- Section 1.1.3 states that Settlement Areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.
- Section 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources; are appropriate for and efficiently use infrastructure and public services; support active transportation, are transit supportive; and provide for a range of uses and opportunities for intensification and redevelopment where this can be accommodated.
- Section 1.1.3.3 directs local planning authorities to identify appropriate locations and promote opportunities for intensification and redevelopment.
- Section 1.1.3.4 requires that appropriate development standards be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.
- Section 1.1.3.5 of the PPS directs local planning agencies to establish and implement minimum targets for intensification and redevelopment within built up areas, based on local conditions. To that end, policy 2.C.2 of the Region of Waterloo Official Plan directs area municipalities to establish policies in their Official Plans to ensure that 45 per cent of all new residential development occurring annually within the region will be constructed in Built Up Areas.
- Section 1.2.6 sets out requirements for Land Use Compatibility, as follows:

“Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from

odour, noise and other contaminants, minimize risk to public health and safety and to ensure the long-term viability of major facilities.

- In Section 1.4, the Policy Statement directs local planning authorities to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by:
 - a) Promoting densities for new housing which efficiently uses land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed; and
 - e) Establishing development standards for residential intensification and new residential development which minimizes the cost of housing and facilitates compact form, while maintaining appropriate levels of public health and safety.

The proposed development is located in the “Built Up Area” of the Township of Woolwich Settlement Area. As such, development of the lands for residential uses will contribute to meeting the intensification target set by the Province and the Region of Waterloo. The proposed development is consistent with the Provincial Policy Statement in that it will make efficient use of land and existing infrastructure while respecting the character of the adjacent low density neighbourhood. Existing water and wastewater services will be extended from the residential subdivision to the west to service the proposed development. Existing municipal roads will also be extended and serve to complete the grid pattern, thereby providing improved access to the existing residential neighbourhood. In addition the proposed development will add to the range of housing options available in the community including semi-detached dwellings. The subject lands are within walking distance (approximately 1 km) of the core area of Elmira. This will afford residents the option of walking or cycling to meet their daily needs.

With respect to the compatibility of the proposed residential development to the existing industrial development to the south, east and north of the subject lands, the proponent has submitted both an Air Quality Assessment and Noise Feasibility Assessment in support of the rezoning and subdivision applications. The Air Quality Assessment (dust and odour study) concludes that surrounding industry could, at times, generate dust and odour that will impact the residents of the proposed dwellings. The report advises that dust and odour can be mitigated by providing air conditioning in all dwelling units. Further, the report recommends that warning clauses are included in all Agreements of Purchase and Sale or Lease that would advise purchasers/tenants of the potential for odour and dust to be generated by the day to day operations of adjacent industry.

The Noise Feasibility Assessment dated February 8, 2019 has analysed the impact of noise generated by nearby industry as well as noise from road and rail traffic and railway shunting. The report finds that noise from rail shunting is not expected exceed Ministry of Environment and Climate Change (MOECC) guidelines. However, road and rail traffic noise will exceed NPC-300 guideline limits, in some circumstances. Therefore, the following noise control measures are required:

- A. Warning clauses (Type A) must be included in all Agreements for Purchase/Lease for all dwelling units identified in the Noise Feasibility Assessment.
- B. Warning clauses (Type C) to be included in Agreements of Purchase/Lease for all dwellings identified in the Noise Feasibility Assessment.

In addition, the Noise Feasibility Analysis also recommends that specific units be constructed to permit future installation of air conditioning. However, the Air Quality Assessment requires that all homes in the development be constructed with central air conditioning.

Hawk Ridge Homes will be fully implementing the recommendations of the Air Quality Assessment as well as the Noise Feasibility Assessment. All units in the development will be equipped with central air conditioning and warning clauses will be included in the Agreements of Purchase and Sale/Lease

advising purchasers/tenants that dust, odour and noise may be generated by surrounding industry during their day-to-day operations at levels that exceed Provincial and/or Regional guidelines. In addition, the proposal includes construction of a 1.8 metre high wooden fence located along the Union Street frontage of the site which will provide additional mitigation for noise and dust.

At the request of CCC Chemicals, the proposed Plan of Subdivision has been revised to remove three lots at the corner of Union Street and First Street from the residential development. These three lots are within an area that has the potential to be impacted by a chemical spill within 30 minutes or less. The lots now form a block for future non-residential development, retaining the existing R4 zoning until the owner submits an application to rezone to an appropriate commercial use. This block is shown as Block 37 on the proposed Plan of Subdivision.

4.2 Places to Grow Plan for the Greater Golden Horseshoe (2017)

The Growth Plan (2017) provides a vision for how the Greater Golden Horseshoe (GGH) will grow and develop to the year 2041. The Region of Waterloo is part of the outer ring of the Growth Plan Area. The primary objectives of the Growth Plan are to curtail urban sprawl through policies that mandate more efficient use of land and infrastructure, protect and enhance natural resources and encourage development of complete communities that support alternative modes of transportation including public transit. The plan's emphasis is on optimizing the use of the existing land supply and infrastructure in built up areas and discouraging unnecessary expansion of urban areas.

The following policies from the provincial Growth Plan are specifically relevant to the proposed development and the proposed Zoning By-law Amendment.

2.2.1 Managing Growth

2. Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) the vast majority of growth will be directed to settlement areas that:
 - i. have a delineated built boundary;
 - ii. have existing or planned municipal water and wastewater systems and;
 - iii. can support the achievement of complete communities;
 - c) within settlement areas, growth will be focused in:
 - i. the delineated built-up areas;
 - ii. strategic growth areas;
 - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
 - iv. areas with existing or planned public service facilities.
4. Applying the policies of this Plan will support the achievement of complete communities that:
- a) feature a diverse mix of land uses, including residential and employment uses, convenient access to local stores, services, and public service facilities;
 - b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
 - c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;

- d) expand convenient access to:
 - i, a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated into community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture.

2.2.2 Delineated Built-Up Areas

1. By the year 2031, and for each year thereafter, a minimum of 60 per cent of all residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area.
4. All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:
 - a) encourage intensification generally to achieve the desired urban structure;
 - c) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;

The proposed development is consistent with the Growth Plan in that it is located within an existing built up area of the Township with municipal water and wastewater services. The proposal will contribute to meeting the intensification target of the Growth Plan and the Region of Waterloo. Additionally, the proposed small lot single detached and semi-detached homes will contribute to the range of housing available in the community. The proposal represents intensification that is modest in scale and appropriate for the neighbourhood. Approximately thirty percent (30%) of the site area will be dedicated to the Township of Woolwich for Open Space and public park uses.

4.3 Region of Waterloo Official Plan

The Region of Waterloo Official Plan sets forth a vision for a sustainable and liveable Region and provides a policy framework for achieving this vision. The overall goal for the Region's urban communities is to direct a greater share of urban development towards the existing Built Up Areas and contribute to the creation of complete communities in Designated Greenfield Areas thereby protecting agricultural lands and environmentally sensitive lands from development.

The Plan also lists the elements for the Region's Planned Community Structure. The cities of Kitchener, Waterloo and Cambridge constitute the Urban Area. There are also several areas designated as Township Urban Areas. The subject property is located within a Township Urban Area. The Urban Area and Township Urban Areas will be the focus for new population and employment growth in the Region. To that end, the Region Official Plan specifies that 45% of all new residential development occurring annually within the region as a whole will be constructed within the built boundary of the Urban Area and Township Urban Areas. The subject lands are located within the built boundary of the Township of Woolwich Urban Area and, therefore, are subject to the development policies for Township Urban Areas, as follows:

2.D.1 General Development Policies

In preparing or reviewing planning studies, or in reviewing development applications or site plans, the Region and/or Area Municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that:

- (a) supports the Planned Community Structure described in this Plan;

- (c) contributes to the creation of complete communities with development patterns, densities and an appropriate mix of land uses that supports walking, cycling and the use of transit;
- (d) protects the natural environment, and surface water and groundwater resources;
- (e) conserves cultural heritage resources and supports the adaptive reuse of historic buildings;
- (f) respects the scale, physical character and context of established neighbourhoods in areas where re-urbanization is planned to occur;
- (g) facilitates residents' access to locally grown and other healthy foods in neighbourhoods; and
- (h) promotes building designs and orientations that incorporate energy conservation features and the use of alternative and/or renewable energy systems.

The proposed development will be located within the existing built up area of a Township Urban Area and will contribute to meeting the target that 45% of all new development will be constructed within the built boundary of an Urban Area or Township Urban Area. The plan of subdivision will consist of small lots for detached and semi detached dwellings and will be an addition to the existing residential community to the west. The developer is proposing to extend two municipal roads through the subdivision. The lot pattern for the new subdivision will be consistent with the lot pattern of the existing residential neighbourhood to the west. The proposed new dwellings will be modestly-sized, two storey homes that will not be out of place in the neighbourhood. Additionally, the subject lands are located approximately one kilometre from the core area of Elmira and within walking distance of a range of services including retail, schools and other community facilities. Residents of the proposed neighbourhood will have the option of walking or cycling to meet their daily needs. The subject property is within walking distance of Grand River Transit route 21 which operates service along Arthur Street. The portion of the property containing Shirt Creek/Weigel Drain and the associated flood plain designated Flood Way will be dedicated to the Township for public open space. Based on the foregoing, the proposed development is consistent with the General Development Policies for Township Urban Areas.

4.4 Township of Woolwich Official Plan

The Township of Woolwich Official Plan sets forth general development policies to regulate the Township's growth and development within the framework of the broader policies contained in the Region of Waterloo Official Plan. The following sections of the Township Official Plan are specifically relevant in evaluating the proposed development:

Chapter 5 of the Official Plan sets out the Township's population policy. Section 5.1 describes the structure of the Region of Waterloo as consisting of two elements: cities (Kitchener, Waterloo and Cambridge) and townships. Cities provide a broad range of facilities and services to serve major concentrations of population. Townships, including Woolwich, are responsible for protecting and preserving agricultural lands and providing for moderate urban development in defined Settlement Areas. Further, it is not intended that the Township of Woolwich will accommodate a major portion of the urban growth anticipated in the Region of Waterloo.

Section 5.2 provides forecasts for population growth within Woolwich Township from 18,100 people in 1999 to 24,600 people in 2016 and further stipulates that a majority of this growth will be concentrated within Elmira, St. Jacobs and Breslau Urban Areas where services can be provided cost-effectively.

Section 5.2.1 stipulates that residential growth within the Elmira Settlement Area shall be considered:

- a) On municipally operated sewage collection system to the design capacity of the sewage treatment services available. Development approvals will be staged so that development will not exceed the capacity of the plant at any given time.

The proposed development will be located within the Elmira Settlement Area and will be serviced by municipal water and wastewater services. These services can be extended from the residential area to the west without any municipal infrastructure upgrades. Additionally, Township staff has confirmed that there is sufficient sewage capacity of the proposed development and staging of the project will not be necessary.

Chapter 7 provides policies for settlement areas. There are three distinct classifications of settlement areas in Woolwich Township: Residential Settlements, Service Settlements and Urban Settlements. Each settlement area has a settlement plan which consists of detailed policies specific to the settlement area. Elmira is identified as an Urban Settlement Area.

The subject property is designated Residential and Ancillary Uses on Schedule "A" to the Settlement Plan for Elmira. This designation permits residential development on full municipal services. There is a Restricted Area Overlay on the lands adjacent to the Shirt Creek/Weigel Drain. The Restricted Area Overlay recognizes the flood plain associated with the creek/drain.

The Elmira Settlement Plan is set out in Section 7.18. Relevant policies from the Plan are:

7.18.2 Goals

- c) To provide for staging of growth in the Elmira Settlement Area in a manner consistent with community objectives for moderate growth and acceptable planning, engineering, environmental and fiscal management practices.
- d) To integrate future development within the Elmira Settlement Area ensuring that development proposals are designed and implemented in accordance with a desirable community form and structure, which maintains the traditional development pattern of a small Ontario town with minimal disruption to existing residents.
- e) To promote a healthy community concept through development of community form.
- f) To promote sustainable urban development by regulating wasteful or unnecessarily costly forms of development and by encouraging multiple uses of land where different uses can exist harmoniously.
- g) To conserve heritage and natural features in the Elmira Settlement Area providing for their maintenance through appropriate land use and environmental management practices.
- h) To implement the Provincial Policy Statement by providing a full range of housing types and densities to meet projected demographic and market requirements of current and future residents.
- i) To implement the Provincial Policy Statement relating to flood plain planning in providing the orderly planning of land use and regulation of development as a preventative approach in floodplain management.

7.18.3 Objectives

- a) To provide for growth in residential population in the Elmira Settlement Area to approximately 12,210 people by the year 2016 in a manner which provides for a desirable community structure in patterns of land use, commerce and industrial activity of the Elmira Settlement Area.
- b) To provide for residential land use including:
 - i) Residential intensification of land use for residential purposes, as appropriate, through infill, conversion and redevelopment; and
 - ii) Development of Areas 5, 1A-1, 8, 4, 3B, 9, 10 and 1A-2 denoted on Schedule 'A' Settlement Plan – "Elmira" in accordance with the staging policies set out in Section 7.18.16 of the Plan.

- e) To develop an integrated open space system facilitation both active and passive recreational activities utilizing institutional, park and Restricted Land Use Areas.
- f) To provide for a wide range of recreational opportunities through community and neighbourhood parks.

The proposed development is located on lands that were formerly used as an apple orchard and associated dwelling and structures. The orchard has been untended for many years and the structures on the lands are vacant. The site is located adjacent to an existing residential development. Roads will be extended from the neighbourhood to the west through the subject lands, thereby integrating the new development with the existing neighbourhood. The proposed development represents a modest level of intensification that will fit harmoniously into its small town setting. The proposed dwellings are modest two storey detached and semi-detached residences with traditional design features that will be complimentary to the existing residential development to the west. The subject property is designated as Development Area 8. Area 8, along with Areas 1A-1 and 5 are classified as Phase 1 in Section 7.18.16.1 of the Official Plan and are intended to be developed in the near term. The proposed homes are small lot detached and semi-detached dwellings that will be affordable to first time homebuyers and suitable for households with children. Lands associated with the creek/drain will be dedicated to the Township as open space and an adjacent parcel will be dedicated for park space for active recreational uses.

7.18.3.2 Housing

- a) To require provision of a full range of housing types and densities which will meet the needs of the current and future residents of the Elmira Settlement Area.
- b) To require the integration of housing types and densities reflective of the low-density residential character of the Elmira Settlement Area.
- c) To encourage housing types and densities reflecting the traditional housing form, density and character of the Elmira Settlement Area.
- d) To require as part of development, a range and mix of housing to provide opportunity for a minimum of 25% of the housing stock, calculated on a Township-wide basis, as affordable, and to provide opportunities through the designation and zoning of land, for a minimum of 30% of new housing to be smaller-lot single detached units, semi-detached units, plexes, townhouses and apartments.

Hawk Ridge intends to market the dwelling to first-time buyers. As such, the price point for the homes will be generally affordable for entry-level purchasers in Elmira. The proposal will contribute to meeting the target that 30% of new dwelling units be smaller-lot single and semi detached units. The proposed homes will be two storey dwellings with floor area of 2,000 square feet or less and will be complimentary to the existing homes in the residential neighbourhood to the west. Furthermore, the proposed zoning includes design guidelines which permit front porches as well as attached garages that do not overwhelm the front elevation of the home. As a result, the proposed homes will reflect the low density traditional housing form that is found throughout the Elmira Settlement Area.

7.18.3.4 Environment

- a) To conserve natural features and associated environmental systems.

The drain/creek and associated flood plain will be dedicated to the Township for passive open space with no development permitted. Development within the Floodway will meet all Grand River Conservation Authority requirements including flood proof and no habitable rooms below the Regional Flood Elevation.

Development will not impact the environmental functions of the drain/creek which include storm water management and wildlife habitat.

7.18.3.5 Archaeology

- a) To ensure that existing and potential archaeological sites are reviewed prior to the draft approval of Plans of Subdivision or Consent approval and, where appropriate, mitigation measures undertaken.

Because of its previous use as an apple orchard, the subject property has been previously assessed as having limited archaeological value.

7.18.3.6 Transportation

- b) To develop a road pattern to reflect a modified grid road pattern consistent with the residential form contemplated by the Settlement Plan.
- c) To align, where possible, local and collector road with existing and proposed roads on adjacent lands.
- d) To provide for pedestrian pathways and sidewalks which minimize potential conflicts with vehicular traffic while providing essential connections between the Core Area, industrial areas and the surrounding residential areas of the Settlement.

The proposal includes the extension of College and Bauman Streets from where they currently terminate west of the subject lands. Both streets will be extended through the site to intersect with Union Street thereby completing the grid street pattern in the neighbourhood. Completion of the grid will improve traffic flow for emergency and maintenance vehicles and for the residents of the neighbourhood to the west. The College and Bauman Street extensions will have sidewalks on both sides of the street and a sidewalk will be constructed along the Union Street frontage of the site, thereby improving pedestrian connections to Union Street.

7.18.3.7 Services

- a) That future development in the Elmira Settlement Area to be provided municipal water, sanitary, storm drainage and utility services.

Full municipal services will be provided to all of the proposed dwellings. No upgrades of municipal infrastructure will be required.

7.18.3.8 Staging

- a) To provide for a moderate rate of growth, which is not expected to exceed an average annual growth rate in households of 3% (not compounded) in the Elmira Settlement Area, considering the financial and physical capability of the Township of Woolwich to assimilate development in accordance with the Growth Strategy and Master Servicing Study for the Settlements of Elmira and St. Jacobs.
- c) To ensure that the rate of development reflects the capacity of the road services and other proposed improvements, which include but are not specifically limited to, sanitary, storm, and water works and utilities.

- d) To ensure that the staging of development areas are logical and cost efficient such that development expands from the current established areas and provides for the extension of existing municipal services into the growth areas as development progresses.
- e) To require as part of the staging of development, a range and mix of housing to provide opportunity for a minimum of 25% of the housing stock, calculated on a Township-wide basis as affordable, and to provide opportunities through designation and zoning of land, for a minimum of 30% of new housing to be smaller-lot single detached units, semi detached units, plexes, townhouses and apartments.

The subject lands are located in Staging Area 8 and, as such, are included in Phase 1 for the purposes of staging. Phase 1 lands are intended to be developed in the near term. Because the site is adjacent to an existing residential neighbourhood, services (water and waste water) and roads can be extended in a cost efficient manner and no upgrades to municipal infrastructure are required.

7.18.5.2 General Residential Policies

- b) The gross residential density for the Elmira Settlement Area will be approximately 14.8 units per gross residential hectare (approximately 5.99 units per gross residential acre). Net residential density on a particular site may be permitted to a maximum of 60 units per net residential hectare (24.3 units per acre) provided sufficient services are available, the development is compatible with proposed or existing surrounding land uses and is consistent with the objectives and policies of this Plan. Higher density development may be considered by site-specific amendment to the Township Official Plan.
- c) The range and variety of dwelling unit types and densities shall be required to accommodate the various household structures and income groups expected in the Elmira Settlement Area.
- d) Innovative housing types and subdivision design incorporating traditional small town land use principles shall be encouraged, where appropriate, in accordance with good planning, engineering and environmental principles.
- e) It is a policy of the Plan to require integration of a range and variety of housing types and densities within residential developments.
- f) Residential development shall not be permitted without full municipal sanitary sewer, water, storm water and electrical services.
- g) Development of low-density residential uses shall generally be by Draft Plan of Subdivision subject to the provisions of the Planning Act.

The proposed Gross Residential Density of the development will be 11.25 units per hectare and the Net Residential Density will be 15.7 units per hectare. The proposed population density will be in the range of 45 persons per hectare based on average household size of 2.75 to 3 persons per household. All dwellings will be serviced with municipal water and wastewater and development will proceed based on a registered Plan of Subdivision. The plan includes some variety in lot sizes, home sizes and densities (singles and semis) and the dwellings have been designed with traditional elements such as peaked roofs, front porches and recessed garages that are appropriate for the small town setting.

7.18.9.2 Parkland Provision

- a) In considering proposed subdivisions, severances, minor variance or Site Plans for residential purposes, the Township may require that land be conveyed to the municipality for park or other public recreational purposes not exceeding 5% of the lands proposed for development, exclusive of Restricted Land Use Areas, or one hectare per 300 dwelling units proposed. Alternatively, the Township may accept cash-in-lieu of parkland as provided in the Planning Act.

A 1630 square metre parcel will be dedicated to the Township for a park. This represents 5% of the total site area, excluding the flood plain area.

7.18.9.3 Parks

- b) For the purpose of determining parkland dedication requirements, pursuant to the Planning Act, parklands shall not include flood plain, valley lands or open space areas for storm water detention purposes unless acceptable to the Township, but may include wooded areas.

The lands to be dedicated for parkland do not include flood plain, valley lands or areas for storm water management.

Chapter 9 sets out the Township's Housing Policies. Policies relevant to the proposed development are:

9.2.1 The Township has established desirable target densities for Elmira, St. Jacobs and Breslau to be implemented through the Zoning By-law, approval of plan of subdivision, as well as site-specific development applications.

These targets have been developed to:

- a) Promote the efficient use of land, resources, infrastructure and public service facilities;
- b) Avoid the need for unnecessary and/or uneconomical expansion of infrastructure; and
- c) Encourage development appropriate to the type of wastewater and water systems, which are planned or available.

9.2.2 The Township will encourage the provision of new dwelling units in designated settlement areas through infill, conversion, intensification or redevelopment compatible with surrounding uses, except where infrastructure is inadequate or there are significant physical constraints.

9.3.1 The Township will require the provision of a broad range and mix of housing types and tenure options in new development in the Township consistent with the density targets established through policy 9.2 and consistent with the Township's small urban character to ensure the provision of housing alternatives that meet the needs of existing and future township residents.

9.3.2 The Township will encourage the provision of affordable ownership and rental housing to meet the varying needs of the Township residents by:

- a) Providing opportunities through the designation and appropriate zoning of land for a minimum of 30% new housing to be smaller-lot single detached units, semi-detached units, plexes, townhouses and apartments;
- b) Encouraging innovative lot configurations, housing designs and construction techniques;

The proposed development is an infill project on a site that is adjacent to an existing residential neighbourhood. The site was formerly an apple orchard but has been unused for any purpose for many years. The development will consist of small lot single detached and semi-detached dwellings on municipal services. The developer intends that these homes will be affordable to first time homebuyers in the Elmira market. The proposed zoning will incorporate Design Guidelines that encourage front porches

to be the dominant feature on the front face of the home. Front porches are a traditional design feature and characteristic of architecture in many small towns.

Chapter 13 of the Official Plan considers Environmental Stewardship. The subject lands contain an area adjacent to Weigel Drain/Shirt Creek which is designated Restricted Land Use. The policies for Restricted Land Use Areas that apply to the proposed development are as follows:

13.11.2 Restricted Land Use Areas include:

- a) Steep slopes/erosion areas;
- b) Unsuitable/organic soils;
- c) Flood plain.

The existence of such conditions indicated the need to adopt special policies relative to the proposed developments in, on, or adjacent to such conditions.

13.11.7 Two Zone Flood Plain Policies

13.11.7.1 The Two-Zone floodway-flood fringe concept is selectively applied to portions of the flood plain where development could potentially occur without adverse impacts on flood elevations or adjacent structures.

13.11.7.2 Two Zone Flood Plain Policies apply to portions of the developed areas of the Canagaguige Creek and its tributaries, Drain Number 1 and the Weigel Drain all within the Elmira Settlement. The extent of the Two-Zone area will be determined through the completion of detailed technical analysis to the satisfaction of the Grand River Conservation Authority, the Region and the Township. Following the identification of the Two Zone areas through such analysis the policies of Section 13.11.7 apply.

13.11.7.5 Development may be permitted within the flood fringe provided that the following conditions are met:

- a) A permit issued by the Grand River Conservation Authority or its designate, pursuant to Ontario Regulation 156/06, as amended.
- b) All development is suitably flood proofed to the Regulatory Flood elevation as determined by and to the satisfaction of the Grand River Conservation Authority and the Township;
- c) All habitable floor space is constructed at or above the Regulatory Flood elevation and all essential building services (i.e. electrical, telephone, heating, etc) are constructed at or above or are protected to the Regulatory Flood elevations;
- d) The creation of any uninhabitable floor space below the Regulatory Flood elevation where there is the possibility of conversion to habitable floor space is not permitted.
- e) Access for all new habitable buildings located in the flood fringe shall be such that emergency vehicular and pedestrian movement is not prevented during times of flooding in order that safe access/evacuation is ensured.

The area of the Shirt Creek/Weigel Drain that is currently zoned M-2 F/W (Floodway) will be rezoned O-2 (Open Space with no development permitted) and dedicated to the Township for passive recreation and open space. The lands that are zoned M-2 F/F (Flood Fringe) will be rezoned and developed for residential purposes with the required permits from the Grand River Conservation Authority. Dwellings located within the Flood Fringe will not have habitable rooms (basements) below the Regional Flood Elevation and will be flood-proofed to GRCA requirements.

4.5 Zoning By-law

The majority of the subject lands have been zoned for residential uses since the 1970's. These lands are currently zoned R-4 (Mixed Medium Density) or R-4 F/F (Mixed Medium Density, Flood Fringe). Under the proposed Zoning By-law, five lots will be zoned R4-A (Mixed Medium Density with Design Guidelines) or R-4A F/F (Mixed Medium Density with Design Guidelines, Flood Fringe) to maintain consistency in lot area and frontage with the existing development to the west. The remaining thirty-one lots will be zoned R-5A (Mixed High Density with Design Guidelines) or R-5A F/F (Mixed High Density with Design Guidelines, Flood Fringe). The R5-A zone permits lots with slightly smaller frontages and areas than the R-4A zone. The intent of the rezoning is to permit a development of small lot single and semi-detached homes subject to design guidelines that encourage the front entry and front porch to be the focal point of the home as viewed from the street.

The lands adjacent to Shirt Creek/Weigel Drain are currently zoned for general industrial uses (M-2). Lands within the flood plan are zoned M-2 F/W (General Industrial Floodway). Lands in the flood fringe are zoned M-2 F/F (General Industrial Flood Fringe). It is proposed that the lands currently zone M-2 F/F be rezoned to O-1 (Open Space) and be dedicated to the municipality for a park/children's playground. The lands currently zoned M-2 F/W will be rezoned to O-2 (Open Space – No Development). These lands will also be dedicated to the municipality for open space and passive recreational purposes.

The block at the corner of Front Street and Union Street (Block 37 on the proposed Plan of Subdivision) which is being held for future non-residential development will not be rezoned at this time and will retain the existing R-4 zoning. Once the residential lots have been developed, the proponent will apply for non-residential zoning on this block. Potentially appropriate zones include C-2 (Buffer Commercial-Urban) and C-7 (Service Commercial) with exclusions for uses that are not compatible with the adjacent residential dwellings.

The proposed Zone Change maintains the intent of the Township of Woolwich Official Plan in that lands currently zoned residential will remain residential with only a slight change to the standards for lot area and frontage and subject to design guidelines. Lands that are currently zoned Industrial with Flood Fringe and Floodway overlays will be used for park land and open space and will not be developed (other than playground equipment).

All lots will meet the frontage and area requirements for their respective zone and each home will have meet the Zoning By-law requirement for front, rear and side yard setbacks as well as height.

5 CONCLUSIONS AND RECOMMENDATION

The proposal to construct twelve detached and twenty-four semi-detached homes on the subject property will contribute to meeting the Township's growth and intensification targets. The development will add to the diversity of housing available in Woolwich and the proposed homes will be constructed subject to design guidelines that encourage dwellings to be built with traditional architectural features such as front porches and recessed garages. Additionally, the subject property was originally an apple orchard but has been unused for any purpose for many years. As such, the proposal will repurpose a site within the existing urban area. There is an existing residential development to the west and two municipal roads will be extended eastward through the site to connect with Union Street and complete the street grid. Water and wastewater services will be constructed within the municipal road allowances to service the proposed development. Upgrades to municipal infrastructure are not required.

As an infill project located within a Township Urban Area, the proposal is consistent with the Region of Waterloo development policies which require that 45% of all new residential development occurring annually be constructed in existing built up areas. The proposal is also consistent with the goals and objectives of the Township of Woolwich Official Plan including policies for residential development, transportation, environmental stewardship, housing and development staging. Development will proceed once a Plan of Subdivision has been registered, consistent with Region of Waterloo and Township of Woolwich policy.

A Zone Change will be required to revise the zoning from R-4 (Residential Mixed Medium Density) and R-4 F/F (Flood Fringe) to R-4A (Residential Mixed Medium Density with Design Guidelines) and R-5A (Residential Mixed High Density with Design Guidelines). The Zone Change will permit construction of small lot detached and semi-detached dwellings subject to Design Guidelines. All lots will meet the frontage and area requirements for their respective zone and the dwellings will meet the zone standards for front, rear and side yard setback as well as height. Additionally, the F/F (Flood Fringe) overlay will apply to five (5) of the detached lots that are adjacent to Shirt Creek/Weigel Drain. Development of these five lots will be subject to the requirements of the Grand River Conservation Authority. A 1659 square metre block currently zoned R-4 F/F will be rezoned to O-1 (Open Space) and dedicated to the Township for park land. Lands currently zoned M-2 FW (General Industrial Urban, Flood Way) will be rezoned to O-2 (Open Space, no development permitted) and will be dedicated to the Township for open space and passive recreational use. The uses of the block at the corner of Union and First Streets (Block 37) will be determined at a later date. The existing zoning R-4 will be retained on this block until such time as the property owner makes an application to rezone the lands for non-residential uses.

The proposed development will be an attractive new neighbourhood in Woolwich. The proposal will repurpose a site in within the Elmira Settlement Area that has been vacant for many years and that is close to schools, shopping and community facilities. Residents will have the option of walking or cycling to meet their daily needs. In our opinion the proposal meets the objectives of the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe (2017), the Region of Waterloo Official Plan and the Township of Woolwich Official Plan. Therefore, approval of the applications for Zone Change and Plan of Subdivision is appropriate for redevelopment of the subject lands.

Should you require any further information, please do not hesitate to contact me.



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William Oughtred is a Development Consultant who has been providing planning services in the Greater Toronto Area for more than 25 years. Mr. Oughtred has extensive experience in the preparation of Planning Justification Reports and Urban Design Briefs for development applications throughout Ontario. On numerous occasions, he has been qualified to provide evidence and opinion at the Ontario Municipal Board.