

3.0 CURRENT PLANNING POLICIES

3.1 Official Plan Policies

Official Plan Amendment Number 41 (OPA 41) was adopted by Council in 1998 to provide for the change in use on the Canbar property from industrial to residential and commercial. Specifically, lands along Erb Street and at the corner of Erb Street and Father David Bauer Drive were designated Office Commercial which provides for office and personal service uses as well as apartment development. The western portion of the site was designated Residential to provide for predominately low-rise residential building forms. The central and northern parts of the site were designated High Density Residential.

A series of Special Policies Areas were also included in OPA 41. SPA 53 provides for service commercial uses, not including DSTM retailing, oriented towards serving the convenience shopping needs of area residents on the ground floor of multi-storey office or residential buildings.

SPA 54 applied to the Office Commercial designation at the corner of Erb Street and Father David Bauer Drive. This policy recognizes the location of the property adjacent to many Uptown activities and encourages tourism-related uses which would complement tourism opportunities in the area.

The Special Policy Area permits a hotel on the site. Retail commercial uses are also permitted on the ground floor of a hotel to enhance tourism commercial opportunities for tourists using such a facility.

SPA 55 applies to the entire site. It requires that a Record of Site Condition (RSC) be provided prior to development. An RSC for the site is on file with the Province. This policy could be deleted.

3.2 District Plan Policies

The Central Residential District Plan was amended at the same time as OPA 41 was approved. The designations in the District Plan are similar to those provided in the Official Plan. The majority of the site is designated in the Central Residential District Plan as High Density Residential and Medium Density Residential. The Erb Street and Father David Bauer Drive frontage is designated Commercial with a Special Commercial Policy Area CP6 which is the same as SPA 53 of the Official Plan.



OPA No. 41 Designations

3.3 Zoning By-law Regulations

Zoning By-law Number 98-147, an amendment to By-law Number 1108, was passed by City Council on December 14, 1998. This zoning by-law amendment changed the applicable zoning on the property from Industrial to a variety of residential and commercial zones. As illustrated opposite, the townhouse areas were re-zoned Medium Density Two (MD-2) and the apartment areas were re-zoned Multiple Residence (MR) with the density prefix ranging from 170 to 225 units per hectare.

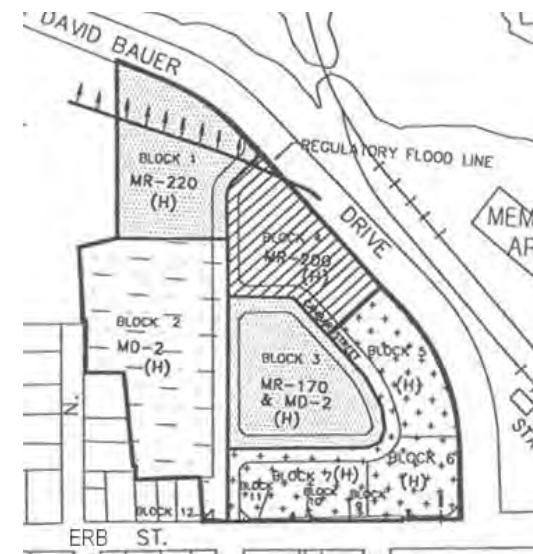
A series of development regulations were incorporated into the site specific zones. In general, these regulations are as follows:

- Building heights – 4 to 7 storeys
- Residential densities – 170 to 225 units per hectare
- Parking for apartments – 1.5 spaces per unit
- Parking for offices – 2.15 spaces per 100 square metres (where underground)
- Parking for townhouses – 1.4 spaces per unit
- Building set-backs – 6 metres for the first 4 storeys, 6.5 metres for storeys above 4
- Amenity/green space – 25 square metres per apartment unit, 60 square metres per townhouse

3.4 Height and Density Policy Study

From 2000 to 2003, the City of Waterloo Development Services Staff undertook the Height and Density Policy Study. This study grew out of the Land Supply Study which concluded that the City had a limited supply of residential and employment land within its existing urban boundary. The Land Supply study recommended that options for intensification (i.e. additional height and density) be determined as a means of using land more intensively and extending the use of the existing land supply within the City's urban area. The final Height and Density Policy Study report DS03-49 and implementing OPA No. 54 were adopted by City Council in October 2003. The study and implementing policy provide for the development of a series of nodes and corridors throughout the City, designates land for medium and high density residential development within the nodes and corridors, and establishes maximum heights and implementation techniques in these locations.

While The BarrelYards is within the Uptown node, the primary node within the city, the implementing OPA No. 54 did not change the site specific land use designations and policies of Schedule "A" to the Official Plan. The site retains its Office Commercial, Residential and High Density Residential designations. Notwithstanding that OPA 41 was not repealed, the new Schedule A to the Official Plan which



Existing Zoning (By-law 98-147)

implements the Height and Density Study now designates The BarrelYards as High Density Residential at the Erb and Father David Bauer corner (previously designated Office Commercial), and designates the balance of the site as Residential and Medium High Density Residential in the middle and northwestern portions. The Medium High Density Residential Designation provides for apartment development up to a maximum of 12 storeys.

OPA No. 54 also introduced a new Schedule A2, Height and Density, to the Official Plan. The BarrelYards site has a High Density 25 Storey designation at the corner of Erb and Father David Bauer Drive and a Medium High Density 12 Storey designation on the balance of the site.

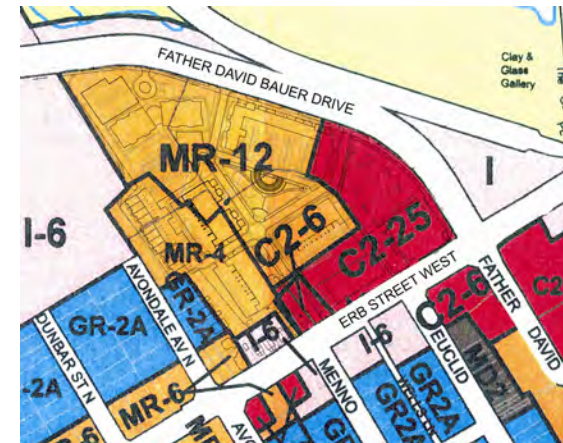
The notion of nodes and corridors in the City was incorporated into the Official Plan in this OPA through the creation of Schedule G. The BarrelYards is part of the Primary Node, the Uptown area, which is the largest and most diverse of all the nodes in the city.

Council adopted By-law No. 05-039 in 2005 to implement the Height and Density Policy Study. The new zoning regulations of By-law No. 05-039 provide a more contemporary approach to apartment development and remove much of the cumbersome structural requirements from the previous GR and MR apartment zones. By-law No. 98-147 applying to the Canbar lands was not repealed and remains in effect, notwithstanding that By-law 05-039 illustrates the Canbar property as MR-12 and MR-4 on its Schedule A.

The MR-12 zone provides for apartment development with a maximum building height of 12 storeys and density of 200 units per ha.

The new contemporary regulations of the revised MR Zone do not apply to The BarrelYards site but should to provide for ease of development. The new MR zone encourages buildings close to the street with a minimum set-back of 5 metres. It also removes the amenity space requirements and reduces the parking requirements from 1.5 to 1.25 spaces per residential unit.

In summary, the City of Waterloo has introduced new policies and zoning regulations for high density residential development. These policies promote intensification and good urban design; however they do not currently apply to The BarrelYards property. Amending the current Official Plan policies and Zoning By-law regulations for The BarrelYards site provides the opportunity to apply contemporary standards to the development.



Height and Density Study Zoning By-law amendment

3.5 Draft Plan of Subdivision

The former development proposal included draft Plan of Subdivision approval that was granted by the Region of Waterloo on February 25, 1999. The subdivision approval implemented the Northgrave development concept with the two public streets and a series of eight development blocks. The conditions of Draft Plan approval require Regional access permits and contemplated the possible installation of traffic signals on Erb Street at Menno Street, depending on the “build-out” density of the development. The Traffic Study in support of the application assumed an eastbound left turn lane would be constructed at Father David Bauer Drive. A road widening along Erb Street of approximately 3 metres would also be secured through registration of the Plan of Subdivision.

The City of Waterloo’s Draft Plan of Subdivision conditions included several conditions unique to the site, including requirements for:

- A Record of Site Condition (RSC) prior to development;
- Submission of a storm water management plan;
- Provision of public art for commercial buildings at a value of .75% of the building permit value;
- The owner make “all reasonable efforts” to conserve the corner façade and globe emblem from the Globe Furniture office building to be incorporated into the site;

- Providing an improved pedestrian promenade such as a double row of trees, sidewalk or other suitable landscaping along Father David Bauer Drive to a cost not to exceed \$25,000 in 1998 dollars;
- Providing a contribution of \$80,000 towards the installation of a centre median landscaped island on Father David Bauer Drive;
- Completing a noise study prior to registration and building permits.

A subdivision agreement was drafted but never executed by the previous owners.

The primary purpose of the Plan of Subdivision exercise was to create the new streets and various development blocks. With The BarrelYards and a comprehensive development plan, the Plan of Subdivision is not required and the previous approval can be deleted. The various elements of the development which were to be secured through the Draft Plan of Subdivision agreement can be secured through Site Plan Agreement between Auburn Developments and the City and registered on title. Auburn Developments will request that the former draft plan of subdivision file be closed following the approval of the current development applications.