

December 21, 2022

Hon. Steve Clark
Minister of Municipal Affairs and Housing
17th Floor, 777 Bay Street,
Toronto, ON
M7A 2J3
Steve.Clark@pc.ola.org

Dear Mr. Clark:

**RE: Regional Municipality of Waterloo Official Plan, ERO Number 019-5952, Ministry Reference Number 30-OP-22206
OUR FILE 1985B**

I am writing on behalf of our clients Stremma Developments (Baden Southeast) Inc., Stremma Developments (Baden Southwest) Inc. and Snyder's Road (Baden) GP in response to the Environmental Registry of Ontario (ERO) posting regarding the approval to amend the Regional Municipality of Waterloo Official Plan (ERO Number 019-5922). Our clients own lands within the Township of Wilmot immediately outside the Baden Urban Settlement Area. Our clients' land holdings are identified on the attached figure (**Figure 1**) and have a total area of 105 hectares (260 acres). 96.6 hectares (239 acres) of our clients' landholdings are within the identified Countryside Line by the Region of Waterloo. The following is provided as supplementary information to Mr. Peter Van Loan's letter related to the Region of Waterloo Official Plan No. 6, and is intended to summarize how our clients' lands represent a logical location for urban expansion of the Baden Township Urban Area.

Our clients have been actively engaged in the ROP Review process and have made several submissions to the Region and Township regarding the planning and contextual support for an urban expansion onto their lands. **Our clients do not support the Region's Land Needs Analysis (LNA) prepared as the basis of Regional Official Plan Amendment No. 6 (ROPA No. 6), and ask that all of our clients' lands within the Countryside Line be included in the Township Urban Area** (see **Figure 2**). It is noted that ROPA No. 6 only included a portion (18 hectares) of our clients lands (Stremma Developments (Baden Southwest) Inc.) into the Township Urban Area.

Basis of Concerns with ROPA No. 6

Our client supports the need to provide for a full range and mix of housing options and densities to meet market demands and affordable housing needs. We support the Region's efforts to meet this objective through a Municipal Comprehensive Review (MCR). In accordance with the province's LNA Methodology, such a Review should ensure that sufficient land is available to accommodate all housing market segments,

avoid housing shortages, consider market demand, accommodate all employment types, and plan for infrastructure to achieve complete communities. However, we question the methodology used and inputs into the Region's LNA that led to adoption of ROPA No. 6. Specifically, our concerns are summarized as follows:

- The Region's LNA does not reflect and is not in accordance with the "in effect" Provincial Land Needs Assessment Methodology as required in accordance with Section 2.2.1.5 of *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (the 'Growth Plan').
- The Region's housing supply, building permit and status of plans analyses are outdated and date back to 2019. The available supply of land and lots available to accommodate future growth are overstated as a result. This disparity is readily apparent when comparing Hemson's housing forecasts (prepared on behalf of the Province) with the Region's housing forecast. As a result, the amount of land required for urban expansion should be significantly greater than recommended by the Region.
- The Region's LNA does not include an appropriate or rigorous evaluation of available opportunities to accommodate growth as required by Section 2.2.8 of the Growth Plan. As a result, land that is available to accommodate residential growth has been overstated.
- The Region's LNA considers lands that are developed or that have no real possibility of accommodating residential growth to be capacity (available housing supply). As a result, the Region has significantly over-estimated the supply of land that is available to accommodate the residential growth forecasts of the Growth Plan;
- The Region's LNA is not based on a realistic evaluation of housing need by housing type as required by the Growth Plan and the Provincial Land Needs Assessment Methodology. This is readily apparent when comparing Hemson's housing forecast by housing type (prepared on behalf of the Province) with the Region's housing forecast by housing type. Following the Provincial Methodology would have resulted in a land need that is significantly greater than recommended by the Region.
- The Region's LNA uses high density and high intensification targets as input assumptions to calculate a theoretical housing supply (capacity) that is available to accommodate the growth forecasts of the Growth Plan. This approach is contrary to Provincial Policy and the Province's LNA Methodology.
- The Region's density and intensification input assumptions are intended to restrict/limit the size of the urban area expansion as a pre-determined end result. The pre-determined conclusion does not represent an objective evaluation of land required to accommodate the growth forecasts of the Growth Plan.
- The Region's LNA is premised upon faulty and exaggerated assumptions that there will be a massive exodus of seniors from low rise dwellings to apartments. Census Canada Data, other statistics and incentives for seniors to age in place do not support this theory which was previously rejected by the former OMB when the Region's last MCR was considered. The available supply of ground related housing has been overestimated as a result.
- The Region's Methodology fails to accurately quantify/inventory available housing supply by housing type or determine if available housing supply by housing type matches forecasted market based demand by housing type. Rather, the Region's LNA assumes population forecasts must fit within the housing supply that is available rather than the housing type that is required. The result is housing needs will not be satisfied, ground related housing will be restricted and the price of housing will be affected - all contrary to initiatives, objectives and policies of the Province.
- The Region's LNA relies upon short-term trends that have been significantly influenced by: a constrained DGA supply (ground-related housing supply has been constrained by policy, process and/or infrastructure); a significant amount of student housing construction which has been in

the form of high-rise apartments; and financial incentives to stimulate apartment construction. Short-term trends do not represent a housing forecast by housing type. The need for ground-related and missing middle housing (homes that include three bedrooms with a relationship to the ground that are suitable for four people plus a dog and affordable for families earning an average family income) has been underestimated as a result;

- The Region's LNA rationalizes the location of the small expansions that are proposed and does not include a rigorous comparative evaluation of all expansion alternatives as required by the Growth Plan. Policy 2.2.8.3 of the Growth Plan directs an evaluation to determine the most appropriate location(s) for expansions. The Region justified pre-determined locations and never did a comparative analysis to determine the best location. In the end, the Region came up with a fifteen minute neighborhood theory. The small scattered expansions recommended by Regional staff will do little to advance this concept.

In summary, we believe the Region's LNA will lead to a constrained housing supply and contribute to increased housing costs and continue to make housing unaffordable for families and the missing middle. This runs contrary to provincial policy and Growth Plan, which requires the provision of an adequate market based range and mix of housing options. A proper LNA process that follows the Province's methodology would have resulted in a much greater urban expansion than approved by the Region.

Background

In June 2003, Regional Council adopted the Regional Growth Management Strategy (RGMS). The RGMS identified a long-term strategic framework which identifies where, when and how future residential and employment growth will be accommodated. Among other matters, the RGMS identified a strategy to shape the urban and rural form of the Region including reurbanization and targeted greenfield development.

The RGMS provides for the protection of the Region's "Countryside" and provides direction to incorporate the Countryside Line concept as part of the Regional Official Plan (ROP). The RGMS includes a Regional Growth Management Strategy Map. The map confirms the intention to connect and "grow" Baden and New Hamburg together and generally between Highway 7/8 and Snyders Road. To this end, targeted greenfield expansion in this area has been identified.

The Regional Official Plan (ROP) was approved, with modifications, on June 18, 2015. The ROP implements the RGMS and related policy concepts including the Protected Countryside and Countryside Line. The Countryside Line represents the long-term boundary between the Urban Area/Township Urban Area and the Countryside. Where the Countryside Line coincides with the Protected Countryside designation and/or Regional Recharge Areas, the Countryside Line is considered a permanent boundary in order to protect these valuable areas from urban development. The ROP provides that lands within the Countryside Line are to be considered in priority to lands outside the Countryside Line should settlement area expansions be warranted. Most of our clients' lands are located within the Countryside Line as shown on **Figure 1**.

The Township of Wilmot has adopted and the Region of Waterloo has approved two amendments including OPA 9 (conformity review) and OPA 10 (settlement boundary rationalization exercise). The Township staff report (Report No. DS20170-10) relating to these amendments provides useful background and confirms Township Council's long-term growth model which framed the Township's input to the RGMS. The staff report summarizes Wilmot's commitment to a "Concentrated Growth Model", which concentrates growth on full services in and between Baden and New Hamburg.

Consideration of Subject Lands in the TUA

In accordance with Section 1.6.1 of the Provincial Policy Statement 2020 (PPS) and Section 3.2.1 of the Growth Plan, land use planning and growth management should be coordinated and integrated with the consideration of infrastructure planning. Infrastructure planning has or is in the process of being completed in Wilmot Township and recognizes Wilmot's Concentrated Growth Model that is reflected in the ROP and the Township's Official Plan. Some of the infrastructure planning includes:

- The recently expanded New Hamburg Wastewater Treatment Plant.
- The ongoing Class Environmental Assessment (EA) associated with Snyder's Road.
- The recently initiated Class EA associated with water supply necessary to achieve the Township's Concentrated Growth Model.
- The ongoing Baden and New Hamburg Water and Wastewater System Servicing Review.
- The recently completed Class EA associated with the Baden Trunk Sanitary Sewer.

Infrastructure and land use planning have guided our clients' investment decisions. Our clients' lands that are identified with the red dash line (**Snyder's Road (Baden) GP Inc.**) are located partially within the Township Urban Area and between the Township Urban Area and the Countryside Line. A draft plan of subdivision (30T-21601) has been submitted for the portion of this property that is designated as Township Urban Area. The Waterloo Catholic District School Board (WCDSB) have identified the need for a new elementary school and we have worked closely with staff in locating a school site within the limits of our client's proposed subdivision. The location of the proposed elementary school site is shown on **Figure 1**.

Including our client's lands within the Township Urban Area would result in a school site that is central to the community and that will function as a community focal point. Future trails will build upon the 2.0 kilometre multi-use trail (the Beckdale Trail) that links the Waterloo-Oxford District Secondary School and Sir Adam Beck P.S. and Brennerman Drive to Nafzinger Road and the Wilmot Recreation Complex. Much of the Beckdale Trail is located on lands donated by Stemma Developments. The servicing strategy for these lands will accommodate the balance of the property located between the Countryside Line and the Township Urban Area. Consideration will be given to oversizing sanitary services such that the communal sewage treatment plant that services the Foxboro Green Community (north of the Snyder's Road (Baden) GP Inc. lands) can be decommissioned.

The lands identified with the purple dash line (**Stemma Developments (Baden Southeast Inc.)**) are located between the Canadian National Railway to the south and Snyder's Road to the north, and have an area of 30.44 hectares (75.22 acres). This property is located within the Countryside Line and immediately adjacent to the Baden Township Urban Area located to the east. The adjacent plan of subdivision has anticipated the development of this parcel of land and provision has been made for a street connection to Brennerman Drive.

The lands identified with the orange dash line (**Stemma Development (Baden Southwest) Inc.**) are located between the Canadian National Railway to the south, Snyder's Road to the north and Nafzinger Road to the east, and have an area of 45.69 hectares (112.92 acres). This parcel of land is also located within the Countryside Line. The Adam Beck Public School and Waterloo Oxford District Secondary School are somewhat disconnected from the Baden Community. Including the Stemma lands within the Township Urban Area will 'fill-in' the overall pattern of development, resulting in a more cohesive urban structure and providing for residential opportunities in proximity to the recreation complex and employment lands located to the southwest. We anticipate development of the Baden Southeast and Baden Southwest

parcels will generally proceed from east to west and that development of the Baden Southeast parcel could provide a sanitary outlet for the Sir Adam Beck Public School and Waterloo Oxford District Secondary School such that existing private services can be decommissioned.

Summary

In summary, our clients' lands represent a logical area for future residential expansion and an urban expansion on our clients' land would have regard to Section 2 of the Planning Act, be consistent with the PPS and conform to the Growth Plan. This opinion recognizes the following:

- 1) The request implements the Township's Concentrated Growth Model which informed the 2003 Regional Growth Management strategy and the delineation of the Countryside Line in the 2015 ROP.
- 2) The request conforms with the urban structure contemplated by the RGMS, the ROP and Township Official Plan.
- 3) Development of the subject lands would comply with density targets and provide a range and mix of housing options and densities to not only meet projected market needs but also promote housing affordability (Planning Section 2j); PPS Policy 1.1.1b), 1.1.3.8a), 1.4; Growth Plan Policy 2.2.6).
- 4) Infrastructure planning that has occurred or that is underway in Wilmot Township is in anticipation of growth consistent with the Township's Concentrated Growth Model and will accommodate the development of our clients' lands (Planning Act Section 2f); PPS Policy 1.1.3.8b), 1.2.1, 1.6.1; Growth Plan Policy 3.2.1).
- 5) Most of our clients' lands are located within the Countryside Line and not within the Protected Countryside (ROP Map 7).
- 6) The subject lands are contiguous to the Township Urban Area and within walking distance to existing schools. They represent the logical expansion of the Urban Area having regard to a number of considerations including infrastructure planning and investment that has occurred. Road stubs and existing services in the existing settlement area contemplate the future extension of the settlement area onto our clients' lands. The adjacent plans of subdivisions have anticipated the development of these parcels of land and provision has been made for street connections (Planning Act Section 2h)p)q)r); PPS Policy 1.1.3.6, 1.1.3.8b, 1.6.1, 1.6.3, 1.6.7.1; Growth Plan Policy 3.2.1, 3.2.2).
- 7) Development of the subject lands would contribute to creating a complete community that is in close proximity to existing and planned employment in Baden and New Hamburg, which would minimize travel to work for prospective employees within the employment areas, and provide the ability to residents to live and work in the same community (Planning Act Section 2h)l)q)s); PPS Policy 1.1.1, 1.1.3.2; Growth Plan Policy 2.2.1.4).
- 8) Infrastructure planning and investment for lands within the Township Urban Area will consider and make provision for our clients' lands within the Countryside Line (Planning Act Section 2f); PPS Policy 1.1.3.8b), 1.2.1, 1.6.1; Growth Plan Policy 3.2.1).
- 9) Providing municipal services to our clients' lands would allow for the decommissioning of the existing Foxboro Green wastewater treatment plant and provide municipal services to the Sir Adam Beck Public School and Waterloo-Oxford District Secondary School (Planning Act Section 2f); PPS Policy 1.1.3.8b), 1.2.1, 1.6.1; Growth Plan Policy 2.2.8.3b), 3.2.1, 3.2.6.2).
- 10) The Baden Southeast and the Baden Southwest lands are well connected to the Regional and provincial transportation network. The subject lands would represent the logical extension of planned local roads, which provide a direct connection to the Regional Road network. The proposed development of our clients' lands would support transit. The lands would also as help

facilitate the expansion of the existing trail network, which would connect Baden to the Wilmot Recreation Complex as contemplated in the Township of Wilmot 2013 Trails Master Plan (Planning Act Section 2(f)(q); PPS Policy 1.5.1, 1.6.7.1, 1.6.7.3 and 1.6.7.4; Growth Plan Policy 3.2.2).

- 11) All of our clients' lands are well located relative to the existing public service facilities such as elementary and secondary schools, the Township Administration Building and the commercial core of the Baden Settlement Area. Development of all of the subject lands would support these existing facilities/uses as well as provide additional opportunities for other uses that would benefit from the properties' access to both Snyder's and Nafziger Roads (Planning Act Section 2(h)(i)(m)(p); PPS Policy 1.1.1g), 1.1.3.2b), 1.1.3.8b); Growth Plan Policy 2.2.1.4, 2.2.8.3a), 3.2.8).
- 12) The Waterloo Catholic District School Board (WCDSB) have identified the need for a new elementary school and our client has worked closely with staff in locating a school site within the limits their proposed subdivision. The Adam Beck Public School and Waterloo Oxford District Secondary School are currently disconnected from the Baden Community. Including the subject lands within the Township Urban Area would 'fill-in' the overall pattern of development, resulting in a more cohesive urban structure and providing for residential opportunities in proximity to the recreation complex and employments lands located to the southwest of the subject lands (Planning Act Section 2(h)(i)(p)(q)(r); PPS Policy 1.1.1g), 1.5.1, 1.8.1; Growth Plan Policy 2.2.1.4).
- 13) All areas surrounding the Township Urban Areas in the Township of Wilmot are prime agricultural lands, and as a result, prime agricultural areas cannot be avoided and lower priority lands should be considered (PPS Policy 1.1.3.8c), Growth Plan Policy 2.2.8.3f).
- 14) Although the expansion of the settlement area on the subject lands will result in the loss of approximately 96 hectares of farmland, the lands are not within a specialty crop area, there are no agricultural structures or livestock facilities on any of the parcels, and as a result, there would be no loss of existing agricultural infrastructure from urban expansion on any of our clients' lands. In addition, including the subject lands into the settlement area would not result in disjointed or undersized agricultural parcels that would not be viable. As a result, impacts on the agricultural system or network would be negligible and could be mitigated to extent feasible (Planning Act Section 2b), PPS Policy 1.1.3.8c)e), 2.3.2 ; Growth Plan Policy 2.2.8.3f)h)).
- 15) There are no existing livestock operations in proximity to our clients' lands that would be impacted. The closest livestock facility is located at the northwest intersection of Snyder's Road and Nafziger Road, and development of the subject lands would comply with the minimum distance separation (MDS) formulae (Planning Act Section 2b), PPS Policy 1.1.3.8d), 2.3.3.3; Growth Plan Policy 2.2.8.3g)).
- 16) Virtually all of our clients' lands are considered to be "net developable" resulting in efficient development (PPS Policy 1.1.1a), 1.1.3.2).
- 17) The subject lands are not within a Mineral Aggregate Resource Area and there are no existing mineral aggregate operations in the immediate area of the subject lands. Expansion on the subject lands would not preclude or hinder the expansion or use of an existing operation (Planning Act Section 2c); PPS Policy 2.4.1, 2.5.4.2).
- 18) There are no designated buildings of historical or architectural significance located on the subject lands. The subject lands are not within or adjacent to significant cultural heritage landscapes. It is also noted that the subject lands are not within the Haldimand Tract and not subject to any development moratoriums announced by Six Nations in April 2021 (Planning Act Section 2d); PPS Policy 2.6; Growth Plan Policy 4.2.7.1).
- 19) The lands do not contain or include designated Core Environmental features, and as a result, the Natural Heritage System will be avoided (Planning Act Section 2a); PPS Policy 2.1, Growth Plan Policy 2.2.3.8e).
- 20) The size and scale of our clients' lands support the viability/feasibility of climate change and sustainable development initiatives such as district energy and/or micro geo-exchange systems,

or a net zero built form. LID and other green infrastructure measures can also be designed and incorporated into the development plans of the subject lands (Planning Act Section 2s), PPS Policy 1.1.1a)i), 1.6.2, 1.7j)k; Growth Plan Policy 2.2.1.4, 3.2.1, 4.2.10).

- 21) The lands are not designated as Regional Recharge Area or Wellhead Protection Area, and as a result these areas will be avoided (Planning Act Section 2a); PPS Policy 2.2; Growth Plan Policy 2.2.8.3e).

Thank you for considering our submission and we welcome any opportunity to discuss the above.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'P. Chauvin', with a stylized flourish at the end.

Pierre J. Chauvin, MA, MCIP, RPP
Partner

Attach.

- c. *Nick Gougoulas, Stremma Developments (Baden Southeast) Inc., Stremma Developments (Baden Southwest) Inc., and Snyder's Road (Baden) GP*
Peter Van Loan, Aird & Berlis LLP

Figure 1

**Snyder's Road (Baden) GP Inc./
Stremma Developments Inc.**
1012 Snyder's Rd W, 1149 Snyder's Rd W, 1455 Nafziger Rd
Township of Wilmot
Regional Municipality of Waterloo

LEGEND

Snyder's Road (Baden) GP Inc.

Draft Plan of Subdivision Snyder's Road (Baden) GP Inc.

Stremma Developments (Baden Southeast) Inc.

Stremma Developments (Baden Southwest) Inc.

Township Urban Area Boundary

Countryside Line from Township Official Plan

Parcel Fabric

Recommended Community Area Expansions
Source: Region of Waterloo Lands Need Assessment - Addendum (June 21, 2022) Appendix C, Map 4: "Recommended Expansion Locations - Township of Wilmot"

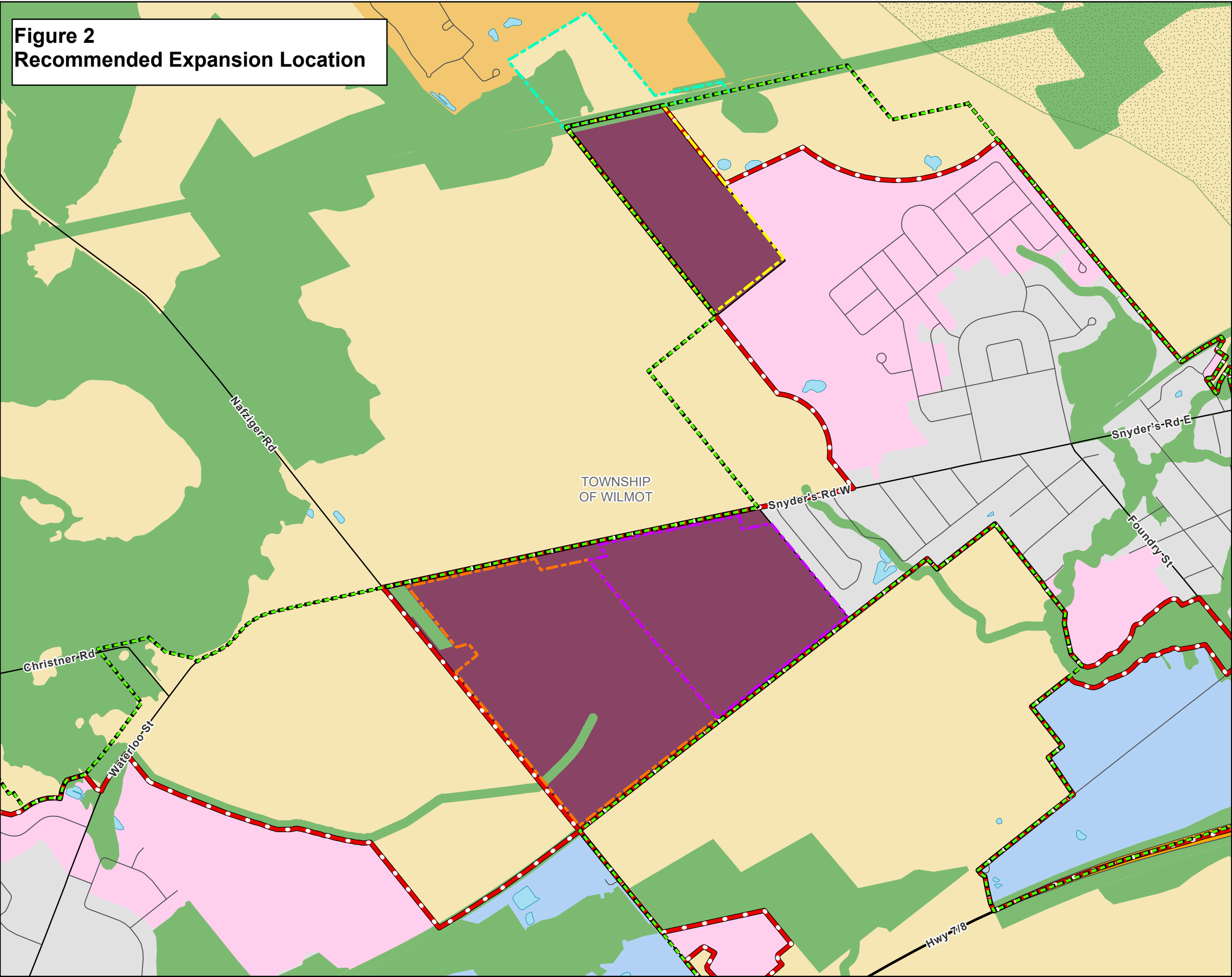
Recommended Employment Area Expansions
Source: Region of Waterloo Lands Need Assessment - Addendum (June 21, 2022) Appendix C, Map 4: "Recommended Expansion Locations - Township of Wilmot"

Sources:
- 2018 Imagery: Google Earth
- Township Urban Area Boundary and Countryside Line from Township of Wilmot Official Plan (consolidated April 2019). Boundaries are approximate.

DATE: December 8, 2022	
FILE: 1985B	
SCALE ±1:20,000	
DRAWN: DGS/JB	

K:\1985B-BADEN SETTLEMENT AREA EXPANSION\RPT\CONTEXT MAP DECEMBER8 2022.DWG

Figure 2
Recommended Expansion Location



Legend

- Stremma Developments (Baden Southeast) Inc.
- Stremma Developments (Baden Southwest) Inc.
- Snyder's Road (Baden) GP Inc.
- Other Lands owned by Snyder's Road (Baden) GP Inc.
Gross Area: 10.9 ha
Net Area: 6.6 ha
- Municipal Boundaries
- Countryside Line
- Urban Area
- Constrained Areas
- Regional Employment Area
- Protected Countryside
- Prime Agriculture
- Designated Greenfield Area
- Built-Up Area
- Rural
- Recommended Expansion

New Community Area	
Gross Area	104.1 ha
Net Area	100.8 ha

