



## DEVELOPMENT SERVICES

### *Staff Report*

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REPORT NO: DS 2022-001

TO: Council

SUBMITTED BY: Harold O'Krafka, MCIP RPP  
Director of Development Services

PREPARED BY: Harold O'Krafka, MCIP RPP  
Director of Development Services

REVIEWED BY: Sharon Chambers, CAO

DATE: January 4, 2022

SUBJECT: Request for Municipal Support  
Proposed Minister's Zoning Order (MZO)  
Cachet Developments (NH) INC. /  
Cachet Developments (NH WEST) INC.  
1265 and 1299 Waterloo Street

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#### RECOMMENDATION:

THAT Report DS 2022-001 be received for information;

THAT Council, if deemed required, set a date of January 10, 2021 for an education session with the Township Solicitor respecting Minister's Zoning Order's (MZO); and,

THAT Council set a date of January 17, 2021 for consideration of the MZO request in Open Session of Council.

## SUMMARY:

Cachet Developments (NH) INC. and Cachet Developments (NH WEST) INC. have requested that the Township of Wilmot Council issue a resolution of support for their proposed Minister's Zoning Order. The order would impose zoning on their lands to facilitate the future development of those lands by means of a plan of subdivision in accordance with the minimum requirements of the Minister's Zoning Order. The request is included as Attachment 1 and the proposed zoning order is included as Attachment 2.

The proposed zoning order proposes a mixed-use development with a minimum density of 65 persons and jobs per hectare. It includes a minimum of 1200 residential units, commercial space, employment space, park space, trails and active transportation corridors, a community Agri-Hub and a site for a transit hub which would be implemented through a future draft plan of subdivision.

The Residential units would comprise of a minimum of 150 senior's apartments of which a minimum of 15 units would be affordable ( $\leq 80\%$  of average market rent), 200 rental apartments of which a minimum of 50 units would be affordable ( $\leq 80\%$  of average market rent), 150 condominium apartments, and 350 condominium units in mixed use buildings with a minimum of 50% of the ground floor space dedicated to commercial space. The remaining residential units would be a minimum of 250 street fronting townhomes and 50 rear lane townhomes together with a minimum of 100 single family dwellings.

## BACKGROUND:

Cachet Developments (NH) INC. and Cachet Developments (NH WEST) INC. have requested that the Township of Wilmot Council issue a resolution of support for their proposed Minister's Zoning Order. The order would impose zoning on their lands to facilitate the future development of those lands by means of a plan of subdivision in accordance with the requirements of the Minister's Zoning Order.

In support of their request they have submitted a draft Minister's Zoning Order (MZO) and a number of technical reports and memo's addressing matters that would be typically addressed in a traditional zoning application. The formal request and supporting documentation are included in this report as Attachments 1-6.

A Minister's Zoning Order (MZO) can be issued by the Minister of Municipal Affairs and Housing (MMAH) under the powers of Section 47 of the Planning Act to exercise any of the powers granted to Councils by Sections 34 (zoning), 38 (interim control), or 39 (temporary use) without the requirement to carry out public consultation. An MZO is not subject to appeal to the Ontario Land Tribunal.

MMAH describes the MZO as a critical tool that can be used to support and expedite the delivery of government priorities, including transit-oriented communities, affordable housing, long-term care homes and strategic economic recovery projects by removing potential barriers and delays.

MZO's have drawn significant attention in recent years due to the significantly increased volume being issued. MZO's are often cast in a negative light as they are not required to follow the traditional planning processes, do not require public consultation and are not subject to appeal to the Ontario Land Tribunal. While not technically required, recently the Minister of Municipal Affairs and Housing has sought/required an indication of support or opposition from local Council's prior to making a decision on requests.

The intent of this report therefore is to provide Council with a general analysis of the MZO proposal to determine if it aligns with the long range community planning in Wilmot Township.

It is acknowledged that the timing for consideration of an MZO proposal over the holiday season is not ideal. Therefore, staff is recommending that Council receive the information at the January 4<sup>th</sup> Special Meeting and hear presentations from the Developer and members of the public before making a decision on whether or not to provide a resolution of support. Council may also choose to schedule a training session with the Township's solicitor regarding the MZO process.

### REPORT:

The proposed MZO would impose zoning on lands owned by Cachet Developments (NH) INC and Cachet Developments (NH West) INC.

The lands are identified by their former municipal addresses, but technically front Nafziger Road due to the previous conveyance of trail lands to the Township of Wilmot.



The lands are located inside the Countryside Line as a result of the Rationalization of Settlement Boundaries and the Countryside Line exercise that the Township undertook between 2017 and 2019 to implement Regional Official Plan policies.

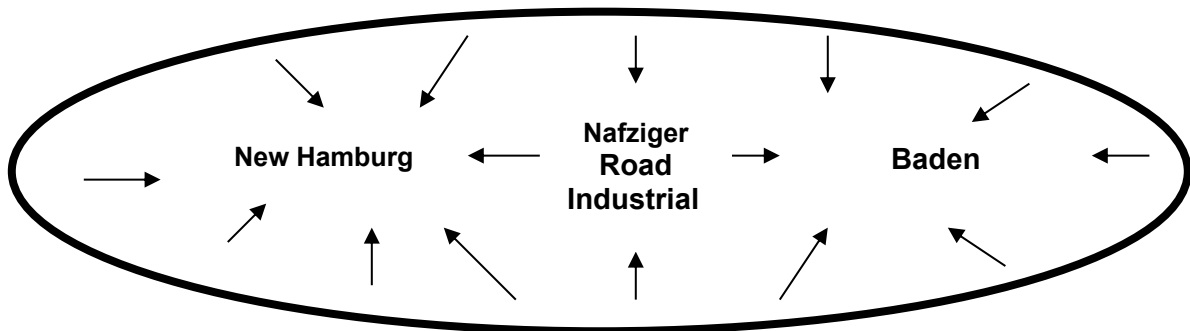
Those policies were included in the Regional Official Plan to allow the Township to implement its Concentrated Model of Growth which was first discussed in the early 2000's as part of the Regional Growth Management Strategy (RGMS) and the preparation of the 2003 Township Official Plan. The plan envisioned that, over time, residential growth would be directed to the corridor between Baden and New Hamburg north of the railway and south of Snyder's Road / Waterloo Street at higher densities to minimize the long term use of agricultural lands and to maximize the value of existing infrastructure assets.

As such, the long term plan to concentrate future growth in the New Hamburg / Baden corridor has been subject to public scrutiny at several intervals over the last 20 years in an open and transparent process.

An excerpt from Report PB 2003-07,

### The Wilmot Concentrated Growth Model

Concentrated growth on full services in and between Baden and New Hamburg to concentrate growth with minimal infrastructure requirements and maximum use of existing infrastructure as opposed to widespread growth throughout the Township on private services.



The Township has made significant efforts over the last 20 years to establish this corridor as an intensification zone, notwithstanding its technical status as a greenfield growth area.

A significant community investment has been made in locating the Wilmot Recreation Complex as a southerly anchor to the future development corridor. This investment will continue to be enhanced with the planned addition of a third ice pad in coming years to service the needs of the growing community in a location that maximizes accessibility for existing and future residents.

Efforts between 2007 and 2009 to identify and secure access to higher order transit were also subject to a full public vetting as part of the Metrolinx EA process. In 2009 the Metrolinx EA concluded that a future overnight facility and station should be located in the corridor to support the extension of all day two way GO service to the Region of Waterloo.

While over time the need for the overnight facility in Baden to support GO service extension to Kitchener has apparently diminished, Metrolinx recently initiated a two-year pilot project extending GO service to Stratford, St. Mary's and London. With daily trains now running through Wilmot Township, a recent direction from Township Council was given to staff to engage Metrolinx on opportunities in the short term and long term for Wilmot residents to access the service.

### Supporting Documentation

In support of the proposed MZO request the proponents have submitted a number of supporting analysis and technical briefs and memo's including,

Attached to this report are a Planning & Urban Design Rationale Report & Wilmot Village Master Plan (Attachment 3), Wilmot Land Needs Assessment (Attachment 4), Engineering Technical Memo (Attachment 5), and a Transportation Brief (Attachment 6).

This documentation provides the applicants justification for the need for additional greenfield lands to accommodate population growth in Wilmot to 2051 and highlights the applicant's opinions that the proposed development can be accommodated within the existing servicing capacity of the community.

In addition, it introduces a number of design components which would not necessarily be available to the Township under a traditional rezoning process.

### Density of Development and Affordability

Density of development and affordability are a common theme across Ontario as communities struggle to find solutions to the housing crisis.

The common goal of minimizing sprawl and preserving agricultural lands requires rural communities to envision how to integrate significantly higher density future growth into predominantly low-density communities.

In Wilmot Township the current Official Plan requires a minimum density for greenfield development of 45 persons and jobs per hectare (pj/ha) which is significantly greater than traditional existing neighbourhoods. Proposals to integrate higher densities in new neighbourhoods abutting existing neighbourhoods often creates friction in the planning process. While the public understands the need in general to grow differently it is rarely accepted by existing residents that it should occur next door.



The Region of Waterloo is currently completing a Municipal Comprehensive Review (MCR) which will allocate population growth, intensification rates and greenfield density requirements to area municipalities to the year 2051.

Intensification rates and density requirements will be established as Regional targets recognizing that each municipality within the Region has different roles to play within the growth spectrum. Waterloo for example has fully built to its boundaries, for all practical purposes, and so the significant majority of its future growth will be through intensification. Rural communities such as the four Townships will all reasonably have much lower rates of potential intensification due to the limited opportunities and lower traditional density of growth.

That is not to say that intensification is not a desirable goal, but rather to recognize the limited opportunities that exist and to acknowledge the implementation reality of public opposition to applications proposing to introduce significantly higher density development into established neighbourhoods. This is not unique to rural communities.

Wilmot's historic rate of intensification was approximately 17% at the time of the 2019 update to the Official Plan. Through that review Council set a new target within that document of 30% intensification moving forward.

Recent applications for intensification projects in Baden and New Hamburg have highlighted many of the community concerns with the impacts of intensification projects large or small within existing neighbourhoods and the difficult reality of implementing density through intensification.

The obvious benefit of intensification is that it typically introduces new forms of housing (other than single family detached dwellings) at higher density's and at increased affordability/attainability.

In the absence of significant opportunities for intensification to accommodate growth, and to provide greater affordability/attainability, the municipality must look to opportunities to significantly increase the density of greenfield growth to provide for the housing needs of the community while maintaining its commitment to minimize the impact of growth on agriculture.

Within the Region's ongoing MCR exercise consideration has been expressed by Regional staff to a preferred density target of 60 pj/ha. This is a significant increase beyond Wilmot's current target of 45 pj/ha and the minimum requirement of the Province's Growth Plan for the Greater Golden Horseshoe which sets a minimum requirement of 50pj/ha. On the surface it would seem like a target that would be wholly unrealistic for a rural community, in particular adjoining a traditional existing low density subdivision.

The Cachet proposal does not abut an existing low density subdivision, rather it abuts an anticipated development (Wilmot Woods) that will realistically be designed to conform to the Township current standard of 45pj/ha and which would, through its design, be expected to transition from the low density Laschinger Boulevard neighbourhood to medium densities abutting the Cachet lands.

By considering the proposed MZO at this time it allows and secures the expectation and understanding of future residents of what will be developed in the years to come while ensuring that the amenities, infrastructure and design of the two developments will integrate seamlessly.

The Cachet proposal establishes a minimum required density of 65 pj/ha which exceeds even the anticipated Regional target. It accomplishes this through the introduction of multi-storey residential buildings along Nafziger Road which include a full range of housing options and affordability's.

Affordability is a key component to the proposal and one that the Minister has the authority to impose through the use of the MZO. The draft MZO commits to a minimum of 50 affordable rental units and an additional minimum of 15 affordable senior's rental units which would be of significant benefit to the community.

The draft MZO provides for a minimum total of 850 apartments (150 seniors, 200 rental, 150 condominium, and 350 mixed use) which is something that reasonably the Township in the absence of an MZO would struggle to provide either through traditional greenfield or intensification processes.

One of the concerns of building residential on the fringes of any community is the distance from the traditional core and access to commercial and other supportive amenities. Indeed the concept of the complete community or a '15 minute neighbourhood' is often raised as a consideration in greenfield development. The 15 minute neighbourhood is predicated on the belief that the majority of amenities would be within a 15 minute (1.2km) walk of ones residence.

The Cachet proposal integrates both commercial and employment space within the development to address those concerns and to ensure that the development can function as a complete community while enhancing the larger urban communities by providing the necessary density and range of housing to provide options for all segments of the population.

This is particularly important as the density of development is certainly at a transit supportive level which will support the Route 77 service of GRT and enhance the attractiveness of the community for other higher order transit access. Indeed the inclusion of lands dedicated to a transit hub and accessory uses along the railway would seem to have the potential to significantly increase the potential future access to higher order transit for all residents, in time, beyond Route 77 service.

The proposal is a significant plan which will would not be implemented over the short-term planning horizon. It is a long-term plan which will be developed through the traditional process of a draft plan of subdivision and which will be guided through a staging plan that will set in place by Council to achieve the goals and expectations of the community.

The draft plan of subdivision is also a public process which allows for public input into the design of the development which would ultimately be informed by additional detailed design

analysis. Most importantly it is an approval that would still require a complete vetting by the Region of Waterloo who would be the approval authority for the plan of subdivision.

The Cachet proposal may be an opportunity to provide for the broad range of housing needs in the community with a focus on providing more affordable and more attainable housing options than the traditional single family dwellings that dominate our landscape.

The last significant approval of higher density housing in Wilmot was the Hallman Apartments (now Skyline) on Hincks Street in the early 1970's. Those apartments have been a critical component of the community for decades and this proposed MZO has the potential to create a similar level of critical housing infrastructure for decades to come.

In consideration of the proposal and background materials it is the opinion of staff that the proposed MZO aligns with the Township Official Plan and with the intended powers of the Minister in issuing an MZO.

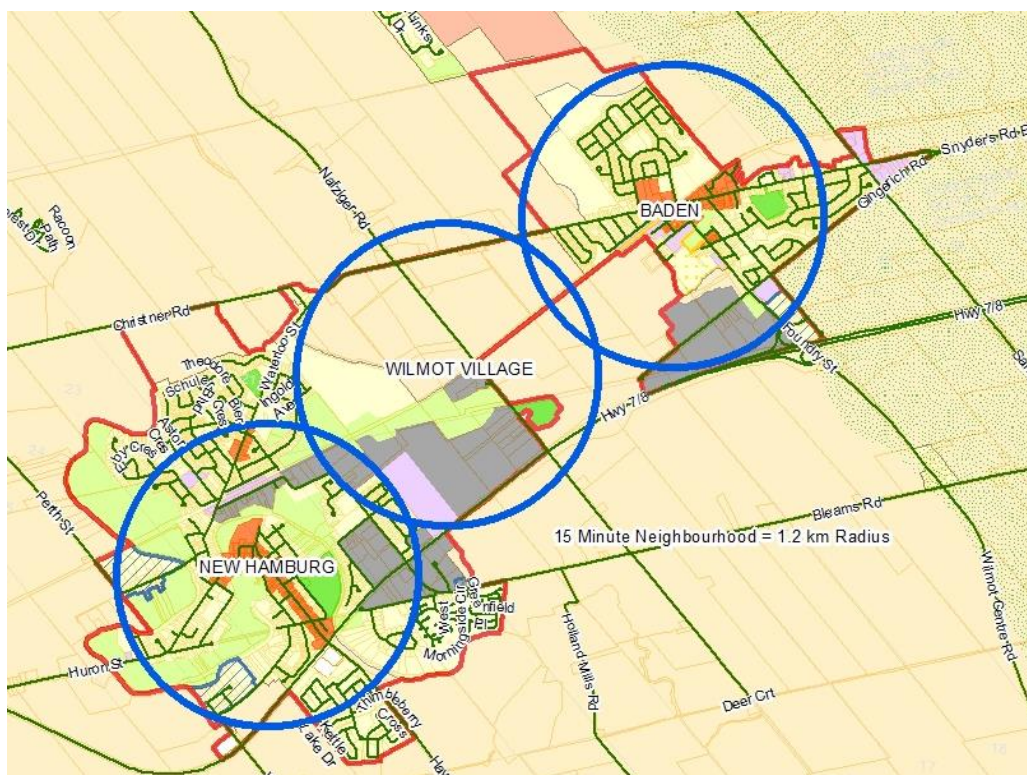
***“a critical tool that can be used to support and expedite the delivery of government priorities, including transit-oriented communities, affordable housing, long-term care homes and strategic economic recovery projects by removing potential barriers and delays.”***

Implementing this level of density expectation and complete community requirement prior to considering the Wilmot Woods plan of subdivision, and the long-term expansion of New Hamburg to Nafziger Road, may represent a logical and orderly development plan for the community. Ultimately it has the potential to implement a component of the longstanding plan of a Wilmot Concentrated Growth Model.

While not specifically expressed in the early visioning of the Wilmot Concentrated Growth Model in the early 2000's, in today's planning terminology it would have the effect of creating three integrated 15-minute urban communities in Wilmot being New Hamburg, Baden and the proposed “Wilmot Village”.

The communities would overlap and maximize the value of existing infrastructure and minimize the need for new infrastructure at densities that support transit, minimize the reliance on automobiles and that provide a high quality of life with housing opportunities and affordability for the entire community which aligns with the Wilmot Concentrated Growth Model.





Potential 15 Minute Community Visualization

It should be noted that a decision of Council to support the proposal does not necessarily guarantee that the Minister will approve the request.

Should the Minister decide to approve the Wilmot Village MZO it would assist in implementing a long-term vision for Wilmot of building towards an inclusive community and achieving local, Regional and Provincial complete community housing goals.

Should the Minister decide to not approve the Wilmot Village MZO the short-term impact on growth is unchanged. The Region's ongoing MCR process will continue and ultimately determine the long-term allocation of greenfield growth and intensification allocation to Wilmot. Based on discussions to date, it is highly possible that the MCR process will not allocate greenfield growth to the Township of Wilmot. This process is not appealable.

As such the issue before Council is ultimately whether to support a proposal that appears to align with Wilmot's long range planning goals, but does not provide for the standard public engagement processes as legislated for development applications under the Planning Act, or to rely on the Regions' MCR process, which may limit Wilmot's long-term growth to intensification only.

### ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The proposed MZO complies with most aspects of the Wilmot Strategic Plan

The proposed MZO achieves and supports the potential for long term community *Quality of Life* through by utilizing transit supportive densities while providing enhanced recreational amenities through parks and trails. In addition, it requires a full range of housing forms and attainability's including affordable rental housing opportunities for both seniors and non-seniors alike.

The process of the Minister using an MZO does not support *Community Engagement* as it excludes public notice and rights of appeal. The exclusion of appeal rights within the MCR process is a similar troubling concern. While recent requirements that Municipal Councils indicate support or opposition to an MZO proposal appear on the surface to introduce some measure of community engagement, they fall short of the standards the public typically expects in local Council planning processes.

The inclusion of employment and commercial opportunities supports the potential for *Economic Prosperity* in a compact built form that reflects smart growth principles.

The proposed MZO imposes a minimum density of development of 65 people and jobs per hectare which exceeds the Township Official Plan minimum requirement of 45, the Provincial Growth Plan minimum requirement of 50 and the anticipated Region of Waterloo target of 60 and in so doing minimizes the amount of agricultural land required to accommodate future growth within the Township and the Region which enhances the potential for *Environmental Protection*.

The high density and compact form create a complete community that is walkable and with the inclusion of a space dedicated to a future transit hub provides the opportunity for a community expansion which is not dependent on vehicle ownership.

The proposed MZO demonstrates the potential for *Responsible Governance* by concentrating growth in a location that maximizes existing infrastructure investments in roads, sewers, watermains, recreational facilities and educational facilities.

Providing an opportunity for public review of the proposed MZO prior to considering the matter highlights the important linkage between *Responsible Governance* and *Community Engagement*.

### ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

The intention of the 17 sustainable development goals (SDGs) is to transform our world. The proposed MZO may help to achieve this in Wilmot in a number of ways,

GOAL 3: Good Health and Well-being – creates a complete, compact and walkable community with open space far exceeding the minimum standards of the Planning Act that will benefit not only the planned community but also the existing communities of Baden and New Hamburg.

GOAL 6: Clean Water and Sanitation – appropriately serviced to allow compact form.

GOAL 8: Decent Work and Economic Growth – provides employment opportunities within the development in a location within walking distance to others.

GOAL 9: Industry, Innovation and Infrastructure – maximizes the value of existing infrastructure and minimizes the need for new infrastructure to be constructed.

GOAL 10: Reduced Inequality – provides housing for all including the full range from single family dwellings through townhomes, condominiums and rental accommodations including affordable housing requirements for both seniors and non-seniors alike embracing a ‘housing for all’ mentality and an ‘inclusive’ rather than ‘exclusive’ design

GOAL 11: Sustainable Cities and Communities – reflects a sustainable 15min neighbourhood design in a compact and desirable form.

GOAL 13: Climate Action – minimizes the footprint of growth by introducing height and density in a walkable community design that is transit supportive reducing reliance on personal automobiles.

#### FINANCIAL CONSIDERATIONS:

No zoning amendment application fees (\$5000) were payable due to the use of the MZO process.

Legal fees and staff time reviewing the request are therefore accommodated within the Development Services Operating Budget.

#### ATTACHMENTS:

- Attachment 1: Cachet Developments Request Letter
- Attachment 2: Draft Minister’s Zoning Order and Schedule
- Attachment 3: Planning & Urban Design Rationale Report (Bousfields)
- Attachment 4: Wilmot Land Needs Assessment (urbanMetrics)
- Attachment 5: Engineering Technical Memo (Walter Fedy)
- Attachment 6: Transportation Brief (Paradigm)

Attachment 1: Cachet Development Request Letter



December 22, 2021

Harold O’Krafka  
 Director of Development Services  
 Township of Wilmot  
 60 Snyder’s Road West  
 Baden, ON N3A 1A1

Dear Mr. O’Krafka,

**RE: CACHET DEVELOPMENTS (NH) INC. and  
 CACHET DEVELOPMENTS (NH WEST) INC.  
 MINISTER’S ZONING ORDER RESOLUTION REQUEST  
 1265 AND 1299 WATERLOO STREET – TOWNSHIP OF WILMOT**

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Cachet Developments (NH) Inc. and Cachet Developments (NH West) Inc. (“Cachet”) is the owner of 1265 and 1299 Waterloo Street in the Township of Wilmot (“Subject Lands”). The Subject Lands are approximately 43 hectares and are bisected by 3.6 hectares of land owned by the Township of Wilmot consisting of the Ivan Gingerich Drain and the future extension of the Laschinger Woods Trail.

The purpose of this letter is to request, at its earliest convenience, Council’s support for a Minister’s Zoning Order (“MZO”) for the Subject Lands.

**REQUEST FOR MINISTERIAL ZONING ORDER (MZO)**

The objective of the MZO is to realize the Township of Wilmot’s vision of concentrating growth on full services in and between Baden and New Hamburg with minimum infrastructure requirements and maximum use of existing infrastructure. The Subject lands will be transformed into a complete, master-planned community consisting of a broad range of residential, employment and community uses all anchored by a Transit Hub.

The proposal conforms to the applicable planning policy framework, including the PPS, Growth Plan, Regional Official Plan, and Wilmot Official Plan. It will also result in a number of significant public benefits, including:

- The development of a Transit Hub that will allow for convenient access and a destination for local and regional transit, which will increase accessibility for the residents and visitors of Wilmot.
- The diversification of employment opportunities and development of vacant and planned employment areas in Wilmot.
- The addition of new and easily accessible commercial amenities to Wilmot within convenient walking distance to residential uses and transit.
- A full range and mix of housing including seniors units, affordable housing, rental apartments, townhouses and single detached dwellings that will expand the range of



- housing options for existing and future residents of Wilmot.
- The construction of a new park, two new urban plazas, and public trails to support the existing and new residents of Wilmot.
- The development of an agri-hub to reinforce the areas rural culture and provide support for local farmers.
- The provision of additional ridership to support local and regional transit lines.
- The ability to accommodate the forecasted growth in a transit-oriented and sustainable way.

## **SUPPORTING STUDIES AND REPORTS**

The master plan has been evaluated, assessed and supported by a group of reputable consultants including:

- Bousfields Inc. – Land Use Planning and Urban Design
- urbanMetrics Inc. – Land Economist
- WalterFedy – Civil Engineering
- Paradigm Transportation Solutions Limited – Transportation Planning/Engineering

The consulting team's supporting reports have been enclosed with this letter.

## **KEY ELEMENTS OF THE MASTER PLAN**

Summarized below are some of the key elements to Cachet's vision in transforming the Subject Lands into a complete community:

### *Transit Hub*

The Transit Hub will serve to support the Township of Wilmot's interest in providing its residents access to higher order transit.

### *Mixed-use Employment Areas*

A mix of employment and commercial amenities including a community health centre are planned for the lands south of the Ivan Gingerich drain.

### *Housing*

A range of housing offerings are provided for the lands north of the Ivan Gingerich Drain including 150 seniors housing units, 200 rental and affordable housing units and over 900 attainable housing units consisting of medium density and ground-based units. This will address a need for new and alternative forms of housing to accommodate Wilmot residents of all ages and incomes.

### *Active Transportation & Public Service Facilities*

New trails are proposed to connect to the future extension of the Laschinger Woods Trail, providing a comprehensive network. The master plan also includes the development of a public park and two new urban plazas at key mixed-use locations.

### *Agri-Hub*

A new agri-hub is a community space that will reinforce the local roots and provide opportunities for community gardens and farmers markets to provide healthy, local, affordable food options.

## NEXT STEPS

The MZO for the Subject Lands will assist the Township of Wilmot, specifically the communities of New Hamburg and Baden, grow as complete communities, providing the necessities of life (residential, employment, retail/commercial) within proximity to each other and transit while promoting the efficient use of land and infrastructure at transit-supportive densities.

Following receipt of the MZO, Cachet and its consulting team will work with the Township of Wilmot, the Region of Waterloo, and other stakeholders to implement the MZO through other Planning Act applications, including but not limited to draft plan of subdivision and site plan applications.

Cachet and its consulting team are available to answer any questions you may have with respect to this application and process.

We greatly appreciate your time and consideration of this important development for the Township of Wilmot.

Yours very truly,

**Cachet Developments (NH) Inc.**

Per:



**Ramsey Shaheen, Director**

RS\*md

## Attachment 2: Draft Minister's Zoning Order and Schedule

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## **ONTARIO REGULATION**

made under the  
**PLANNING ACT**

### **ZONING ORDER – TOWNSHIP OF WILMOT**

#### **Interpretation**

1. In this Order,

“building – mixed use” means a building designed, intended or used for residential and non-residential purposes.

“farm-related community area” means land used for the growing and harvesting of plants, vegetables or fruits and provided the crops are for the sole use, donation or consumption by the individual or individuals growing or working the community garden. It shall also include a temporary public market operated by a community organization, or a non-profit corporation, at which the majority of persons who operate the stalls sell local agricultural products, value added local agricultural products, or VQA wines provided the products are produced by persons who operate the stalls. It shall also include educational and active opportunities to experience the agricultural way of life in Rural Wilmot.

“high occupancy vehicle facility” means land used to support and service a public transit facility, including for dispatching, storing, servicing, hiring, loading or unloading trains, buses, taxis, rideshare vehicles, limousine vehicles or similar fleet vehicles, but not tow trucks, tractors, trailers or tractor-trailers.

“private lane” means a thoroughfare which affords a means of access to abutting lots and buildings intended for general vehicular traffic circulation.

“residential building – apartment” shall also include a stacked townhouse.

“stacked townhouse” means a building containing four or more dwelling units in which each dwelling unit is divided both horizontally and vertically from another dwelling unit by a common wall and has an individual entrance at the ground level.

“urban plaza” means an unobstructed, publicly accessible and predominantly hardscaped open space area.

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“Zoning By-law” means Zoning By-law No. 83-38 of the Township of Wilmot, as amended.

### **Application**

2. This Order applies to lands in the Township of Wilmot, in the Regional Municipality of Waterloo, in the Province of Ontario, being the on a map numbered --- and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

### **Regulations for All Zones**

3. In addition to Section 6.19 of the Zoning By-law, parks, urban plazas, farm related community areas, and public infrastructure uses shall be permitted uses in any zone on the lands described in Section 2.
4. For the purposes of this Zoning Order a private lane shall be considered a public street.
5. The minimum density for the lands referred to in Section 2 is 65 persons and jobs per hectare.
6. A minimum 2 hectare public park shall be required for the lands referred to in Section 2.
7. A Senior Citizen Residence with a minimum of 150 seniors housing units shall be provided within the Mixed-Use Residential and/or Mixed-Use Commercial Zone, of which 15 seniors housing units will be affordable seniors housing units. The affordable seniors housing units will have rent equal to or less than 80% of the median market rent of a unit in the regional market area.
8. A minimum of 200 rental residential apartment units will be provided within the Mixed-Use Residential and/or Mixed-Use Commercial Zone, of which 50 residential apartment units will be affordable housing units. The affordable housing units will have rent equal to or less than 80 percent of the median market rent of a unit in the regional market area.

### **Neighbourhood Residential Zone**

9. (1) This section applies to the lands located in the area shown as the Residential Neighbourhood Zone on the map described in Section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited in the Residential Neighbourhood Zone, except for:

- (a) Residential Building – Single Detached



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- (b) Residential Building – Semi-Detached
- (c) Residential Building – Townhouse
- (d) Residential Building – Back-to-Back Townhouse
- (e) Residential Building – Cluster Townhouse
- (f) Additional dwelling units in conformity with Section 6.26 of the Zoning By-law
- (g) Uses accessory to the foregoing permitted uses
- (h) Home occupation in conformity with subsection 6.20 of the Zoning By-law

(3) The following requirements and restrictions shall apply to the buildings or structures permitted under subsection (2):

<b>Regulations</b>	<b>Single Detached</b>	<b>Semi-Detached</b>	<b>Townhouse</b>	<b>Back-to-Back Townhouse</b>	<b>Cluster Townhouse</b>
<b>Min. Lot Area</b>	270 sq. m.	420 sq. m.	140 sq. m.	90 sq. m.	N/A
<b>Min. Lot Frontage</b>					30 m
• <b>Interior</b>	9 m	14 m	5.5 m	6 m	
• <b>Corner</b>	12 m	16 m	8.5 m	9m	
<b>Max. Lot Coverage</b>	50%	50%	55%	65%	55%
<b>Max. Building Height</b>	11 m	11 m	11 m	11.5 m	10.5 m
<b>Min. Front Yard Setback</b>	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m
<b>Min. Rear Yard Setback</b>	7.0 m (On a corner lot, a side yard requirement may be substituted for a rear yard requirement for all permitted uses)	7m	6.5	N/A	6.5
<b>Min. Exterior Side Yard Setback</b>	1.5 m	1.5m	1.5 m	1.5 m	1.5 m
<b>Min. Interior Side Yard Setback</b>	1.2 m (a)	1.2 m	1.2 m	1.2 m	1.2 m

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<b>Regulations</b>	<b>Single Detached</b>	<b>Semi-Detached</b>	<b>Townhouse</b>	<b>Back-to-Back Townhouse</b>	<b>Cluster Townhouse</b>
<b>Accessory Buildings</b>	In conformity with the regulations contained in subsection 6.3 of the Zoning By-law.				
<b>Off-Street Parking</b>	In conformity with the regulations contained in subsection 6.10 and 6.12 of the Zoning By-law.				

(3)(a): The required interior side yard may be reduced on one side of a single-detached dwelling to 0.6 m if there are no doors, windows or other openings within the side yard.

### **Mixed-Use Residential Zone**

10. (1) This section applies to the lands located in the area shown as the Mixed-Use Residential Zone on the map described in section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited in the Mixed-Use Residential Zone, except for:

- (a) Residential Building - Apartment
- (b) Senior Citizen Residence
- (c) School
- (d) Day Care Facility
- (e) Nursing or convalescence home
- (f) Uses accessory to the foregoing permitted uses
- (g) Home occupation in conformity with subsection 6.20 of the Zoning By-law
- (h) All uses permitted in subsection 12.1 of the Zoning By-law.

(3) The following requirements and restrictions shall apply to the buildings or structures permitted under subsection (2):

<b>Regulations</b>	<b>For all Permitted Uses</b>
<b>Min. Lot Area</b>	740 square metres
<b>Min. Lot Frontage</b>	30 metres
<b>Min. Front Yard Setback</b>	4.5 metres
<b>Min. Exterior Side Yard Setback</b>	4.5 metres
<b>Min. Side Yard Setback</b>	3 metres or one half the building height beyond the second storey, whichever is greater.
<b>Min. Rear Yard Setback</b>	7.5 metres
<b>Max. Building Height</b>	6-storeys and 23 m.
<b>Accessory Buildings</b>	In conformity with the regulations contained in subsection 6.3 of the Zoning By-law.

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<b>Regulations</b>	<b>For all Permitted Uses</b>
<b>Off-Street Parking for Residential Uses</b>	1.25 spaces per dwelling unit
<b>Off-Street Parking for all other uses</b>	In conformity with the regulations contained in subsection 6.10 and 6.12 of the Zoning By-law. Visitor and non-residential parking spaces may be shared and provided on a non-exclusive basis.

### **Mixed-Use Commercial Zone**

**11.** (1) This section applies to the lands located in the area shown as the Mixed-Use Commercial Zone on the map described in section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited in the Mixed-Use Commercial Zone, except for:

- (a) Residential Building - Apartment
- (b) Senior Citizen Residence
- (c) School
- (d) Day Care Facility
- (e) Nursing or convalescence home
- (f) Uses accessory to the foregoing permitted uses
- (g) Home occupation in conformity with subsection 6.20 of the Zoning By-law
- (h) All uses permitted in subsection 12.1 of the Zoning By-law.

(3) The following requirements and restrictions shall apply to the buildings or structures permitted under subsection (2):

<b>Regulations</b>	<b>For all Permitted Uses</b>
<b>Min. Lot Area</b>	740 square metres
<b>Min. Lot Frontage</b>	30 metres
<b>Min. Front Yard Setback</b>	4.5 metres
<b>Min. Exterior Side Yard Setback</b>	4.5 metres
<b>Min. Side Yard Setback</b>	3 metres or one half the building height beyond the second storey, whichever is greater.
<b>Min. Rear Yard Setback</b>	7.5 metres
<b>Max. Building Height</b>	6-storeys and 23 m.
<b>Accessory Buildings</b>	In conformity with the regulations contained in subsection 6.3 of the Zoning By-law.

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<b>Regulations</b>	<b>For all Permitted Uses</b>
<b>Off-Street Parking for Residential Uses</b>	1.25 spaces per dwelling unit
<b>Off-Street Parking for all other uses</b>	In conformity with the regulations contained in subsection 6.10 and 6.12 of the Zoning By-law. Visitor and non-residential parking spaces may be shared and provided on a non-exclusive basis.

(4) A minimum of 50 percent of the ground floor gross floor area of all buildings in the Mixed-Use Commercial Zone shall be dedicated to non-residential uses identified in 11(2)(h).

### **Mixed-Use Employment Zone**

**12.** (1) This section applies to the lands located in the area shown as the Mixed-Use Employment Zone on the map described in section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited in the Mixed-Use Employment Zone, except for:

- (a) All uses permitted in subsection 16.2 of the Zoning By-law
- (b) Offices, including medical offices and medical clinics
- (c) All uses permitted in subsection 12.1 of the Zoning By-law
- (d) Uses accessory to the foregoing permitted uses
- (e) Any use permitted in the Mixed-Use Commercial Zone, subject to regulation 12(4) below.

(3) The following requirements and restrictions shall apply to the buildings or structures permitted under subsection (2):

- (a) The uses in 12(2)(a) are subject to the regulations in subsection 16.3 of the Zoning By-law.
- (b) Offices are subject to the regulations in the Mixed-Use Commercial Zone.
- (c) The uses permitted in subsection 12.1 of the Zoning By-law are subject to the regulations in the Mixed-Use Commercial Zone.
- (d) Any Mixed-Use Commercial use is subject to the regulations in the Mixed-Use Commercial Zone and regulation 12(4) provided herein.

(4) The establishment of any sensitive land use, including any residential and/or institutional uses, shall be subject to the compatibility regulations provided in the Provincial D-6 Guidelines to the satisfaction of the Township of Wilmot.

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### Transit Hub Zone

**13.** (1) This section applies to the lands located in the area shown as the Transit Hub on the map described in section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited in the Transit Hub Zone, except for a public transit depot together with accessory uses, buildings and structures that may include:

- (a) The uses permitted in the Mixed-Use Commercial Zone;
- (b) A parking structure;
- (c) A commercial parking lot;
- (d) A municipal parking lot;
- (e) Public uses;
- (f) High occupancy vehicle facility; and,
- (g) Motor vehicle rental establishments.

(3) The uses permitted in subsection (2)(a), (b), (c), (d), (e) and (g) are only permitted as accessory to the principal High occupancy vehicle facility.

(4) The following requirements and restrictions shall apply to the buildings or structures permitted under subsection (2):

<b>Regulations</b>	<b>For all Permitted Uses</b>
<b>Min. Lot Area</b>	3,000 square metres
<b>Min. Lot Frontage</b>	30 metres
<b>Min. Front Yard Setback</b>	4.5 metres
<b>Min. Exterior Side Yard Setback</b>	4.5 metres
<b>Min. Side Yard Setback</b>	3 metres or one half the building height beyond the second storey, whichever is greater.
<b>Min. Rear Yard Setback</b>	7.5 metres
<b>Max. Building Height</b>	6-storeys and 23 m.
<b>Accessory Buildings</b>	In conformity with the regulations contained in subsection 6.3 of the Zoning By-law.
<b>Off-Street Parking for Residential Uses</b>	1.25 spaces per dwelling unit
<b>Off-Street Parking for all other uses</b>	In conformity with the regulations contained in subsection 6.10 and 6.12 of the Zoning By-law. Visitor and non-residential parking spaces may be shared and provided on a non-exclusive basis.



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**Terms of Use**

**14.** (1) Every use of land and every erection, location or use of any building or structure shall be in accordance with this Order.

(2) Nothing in this order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(4) Nothing in this order prevents the strengthening or restoration to a safe condition of any building or structure.

**Deemed by-law**

**15.** (1) This Order is deemed for all purposes, except the purposes of the section of 24 of the Act, to be and to always have been a by-law passed by the Council of the Township of Wilmot.

**Commencement**

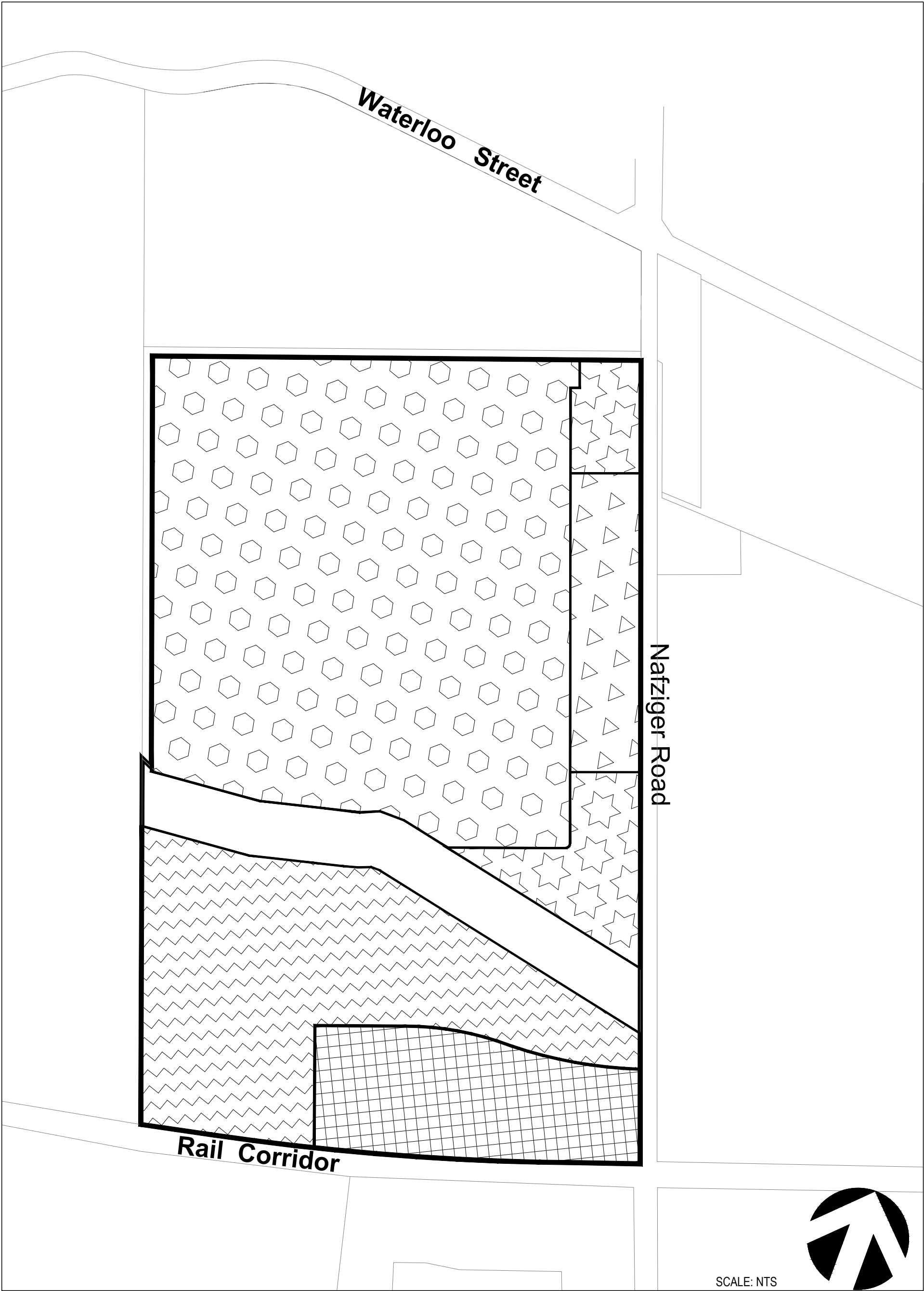
**16. This Regulation comes into force on the day it is filed.**

Made by:






.....  
*Signature*

*Minister of Municipal Affairs and Housing*

Date made.....



LEGEND

- |  |  |
|--|--|
|  <b>Transit Hub Zone</b>               |  <b>Mixed-Use Commercial Zone</b> |
|  <b>Neighbourhood Residential Zone</b> |  <b>Mixed-Use Employment Zone</b> |
|  <b>Mixed-Use Residential Zone</b>     |  |

**1265 & 1299 Waterloo St  
Wilmot Township**

**SCHEDULE A**