

# PLANNING JUSTIFICATION REPORT

July 2022

459-509 Mill Street  
City of Kitchener

Official Plan Amendment  
Zoning By-law Amendment

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**POLOCORP**

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# EXECUTIVE SUMMARY

The Butler Group Consultants Inc. has been retained by Polocorp Inc, owners of 459-509 Mill Street (the "Site"), to prepare a Planning Justification Report in support of Official Plan Amendment and Zoning By-law Amendment applications. These applications are intended to facilitate the development of a mixed-use community located immediately adjacent the Mill ION Station. The Proposed Development consists of 1,500 units of residential and 2,013 square meters of commercial space, contained within 6 high-rise buildings (the "Proposed Development"). The building step up in height across the Site from 11 to a maximum of 32 storeys. The proposed buildings will be complemented by a series of highly-landscaped privately owned, public spaces including a central Promenade and plazas (see Figure 1).

The Site is located adjacent to the Mill ION station and is approximately 2.15ha in size, with 183.1m of frontage on Mill St. The Site is currently occupied by a mix of low scale residential and industrial buildings and is located within the Rockway neighbourhood, an eclectic area of low-rise residential, industrial and employment uses, and open spaces.

To facilitate the development, the following planning applications are being submitted:

- Official Plan Amendment to redesignate the Site from General Employment Industrial to Mixed Use; and,
- Zoning By-law Amendment to rezone the Site from General Employment (M-2) to Mixed Use Three (MIX-3) with site-specific provisions in Zoning By-law 2019-051.

Pre-Submission Consultations were held on September 7, 2021 and June 9, 2022 to discuss the Proposed Development. As per the Record of Consultation, a Planning Justification Report is required as part of a complete application. This Planning Justification Report includes the following:

- A description of the of the Site and surrounding uses, and its context within the surrounding community (Section 2);
- A description of the Proposed Development (Section 3);
- An overview of the Proposed Applications for Official Plan Amendment and Zoning By-law Amendment (Section 4);
- A summary of the supporting technical reports and their findings (Section 5); and,
- An analysis and planning justification of the Proposed Development with regard to the applicable Provincial, Regional, and City planning policy (Section 6).

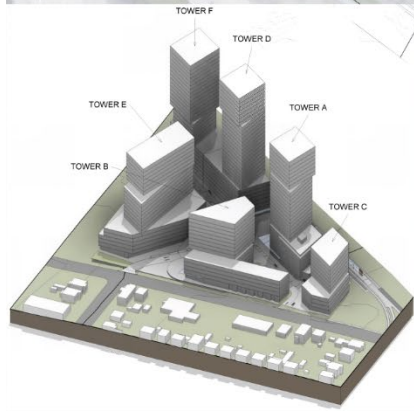
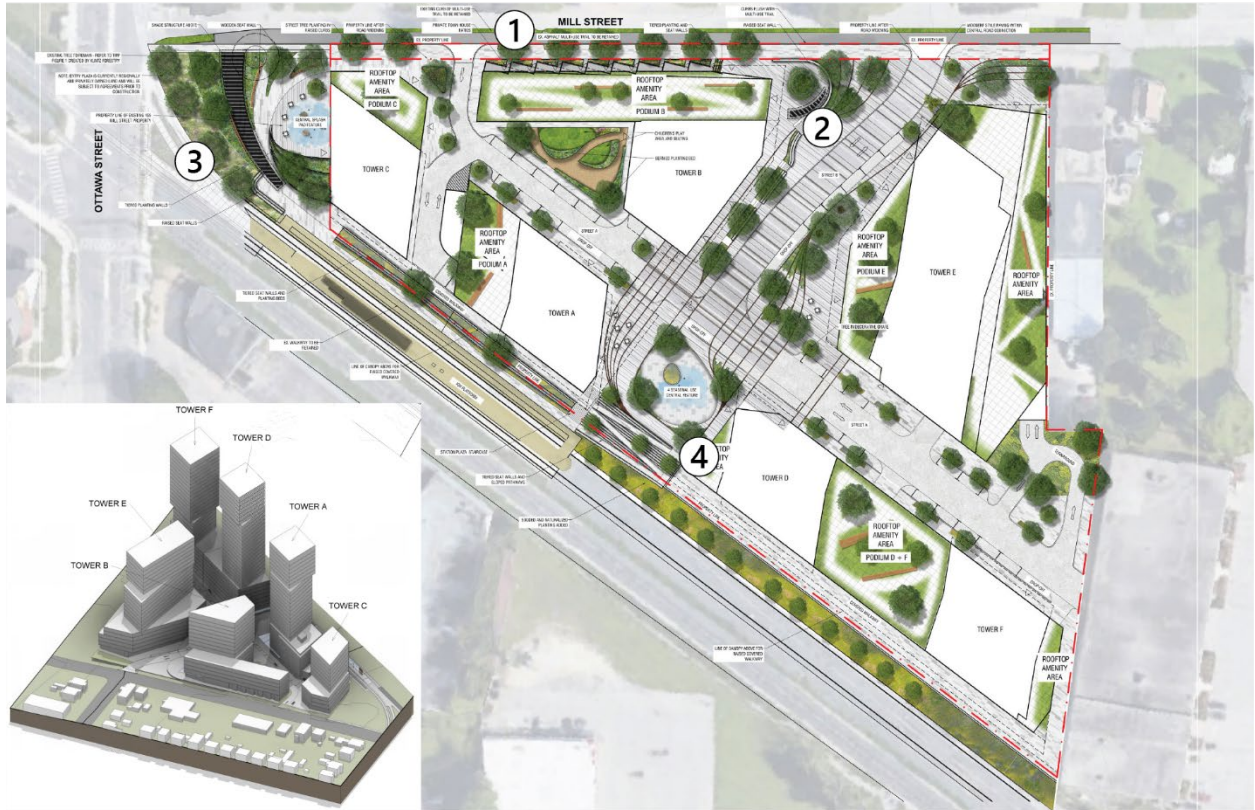
The proposed Official Plan Amendment and Zoning By-law Amendment will facilitate the appropriate development of the Site in accordance with the applicable in-force planning policy.



1 Mill Streetscape



2 Promenade



3 ION Connection



4 Station Plaza

Figure 1: Highlights of the Proposed Development

From a land use perspective, the proposal is consistent with policy direction promoting intensification of underutilized lands within built-up urban areas, particularly within locations that are well-served by existing municipal infrastructure, including higher order public transit.

We have worked closely with the project team to present a built form and urban design strategy that will fit within the existing and planned land use context within the Rockway MTSA. The proposed density and tower heights are an appropriate use of the land and implements an urban structure that reflects the Council-approved PARTS Plan (future Rockway Secondary Plan).

This Planning Justification Report confirms that the Proposed Development represents good planning and has regard for matters of Provincial interest, under the Planning Act, is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2020). Furthermore, the Proposed Development conforms with the Region of Waterloo Official Plan (2015); City of Kitchener Official Plan (2014); PARTS Rockway Plan (2017); and, MECP D-6 Series Guidelines (1995).

We recommend the approval of the requested Official Plan Amendment and Zoning By-law Amendment as set out in Appendix A of this report.

# 1.0 INTRODUCTION

This report and the supporting studies and materials will demonstrate that the Proposed Development has regard for and implements matters of Provincial interest, including the Provincial Policy Statement and Growth Plan for Greater Golden Horseshoe, and conforms to the Region of Waterloo and City of Kitchener Official Plans. The Proposed Applications offer an opportunity to establish a mixed-use residential community with up to 1,500 residential units immediately adjacent to the Mill ION station and, ultimately, represents good planning.

## 1.1 Background

The Butler Group Consultants Inc. has been retained to prepare the following Planning Justification Report on behalf of Polocorp Inc. (the "Owner") in support of the Official Plan Amendment and Zoning By-law Amendment applications for the lands municipally addressed as 459-509 Mill Street within the City of Kitchener (collectively referred to as the "Site"). The lands are legally described as Part of Lots 16, 17, 18 & B, Registered Plan 384 and Part of Lot 19A, Registered Plan 791, City of Kitchener, Regional Municipality of Waterloo.

The Proposed Applications are being submitted to facilitate the development of the Site as a 6-tower mixed-use community (herein referred to as the "Proposed Development"). The Proposed Development will consist of up to 1500 residential units; ground floor commercial space; on-site parking; and, privately owned public spaces including a central plaza. Buildings will vary in height, with a maximum of 32 storeys (105 metres) and 7.0 Floor Space Ratio (FSR). A total of 929 parking spaces are primarily provided within underground and podium parking structures.

Pre-Submission Consultations were held on September 7, 2021 and June 9, 2022 during which the submission requirements for a complete application were identified, including the following Planning Justification Report.

## 1.2 Proposed Applications

To facilitate the Proposed Development an Official Plan Amendment and Zoning By-law Amendment are required (the "Proposed Applications"). The Site is currently designated as "General Industrial Employment" within the City of Kitchener Official Plan and "General Industrial (M-2) Zone" within City of Kitchener Zoning By-law 85-1.

The Official Plan Amendment proposes to redesignate the Site from General Industrial Employment to "Mixed Use" with site-specific policy. The Mixed Use designation contemplates higher density residential uses as well as a range of non-residential uses including retail, office and community uses. The site-specific policy will increase the maximum permitted floor space ratio to 7.0 on the Subject Site.

The Zoning By-law Amendment proposes to rezone the Site from General Industrial (M-2) Zone by removing it from Zoning By-law 85-1 and adding it to Zoning By-law 2019-051 as a “Mixed Use Three (MIX-3) Zone” with special regulations and Holding provision. The MIX Zones permit mixed-use residential uses, as per the Official Plan designation. The proposed site-specific provisions are based on the provisions put forth by the “Mixed Use Four (MIX-4) Zone”, proposed within the Neighbourhood Planning Review draft amendment to Zoning By-law 2019-051. A Holding provision is proposed to be applied, the removal of which is conditional upon the acceptance of a Record of Site Condition for the Site.

## 1.3 Report Contents

This Planning Justification Report assesses the policy framework and provides justification for the Proposed Development and applications necessary to facilitate it. This report provides Council, municipal staff, technical agencies, and the public with:

- A description of the of the Site and its context within the surrounding community (Section 2);
- A description of the Proposed Development (Section 3);
- An overview of the Proposed Applications for an Official Plan Amendment and Zoning By-law Amendment (Section 4);
- A summary of the supporting technical reports and their findings (Section 5); and,
- An analysis of applicable planning policy and support for the Proposed Development (Section 6).

## 1.4 Supporting Studies and Materials

A list of technical requirements for complete Official Plan Amendment and Zoning By-law Amendment applications was provided by the City of Kitchener, Region of Waterloo, and other agencies through the Record of Consultation, dated June 9, 2022. The required reports/studies listed below have been completed and are included as part of this submission. A copy of the Record of Consultation has been included as Appendix B to this report.

This report must be read in conjunction with the following plans and reports prepared in support of the Proposed Applications:

- Urban Design Report by Michael Spaziani Architects Inc. (July 2022);
- Functional Servicing Report & SWM Report by JPE Engineering (July 12, 2022);
- Transportation Impact Study and Parking Justification Report by Paradigm Transportation Solutions Ltd (July 2022);
- Preliminary Geotechnical and Hydrogeological Investigation by Chung & Vander Doelen (March 28, 2022);
- Phase 1 Environmental Site Assessment (455-473 Mill Street) by Chung & Vander Doelen (July 12, 2022);



- Phase II Environmental Site Assessment (477, 481, and 485 Mill Street) by Chung & Vander Doelen (January 6, 2017);
- Phase I and II Environmental Site Assessment (509 Mill Street) by Chung & Vander Doelen (June 12, 2013);
- Tree Inventory and Preservation Plan Report by Kuntz Forestry Consulting Inc. (June 29, 2022);
- Noise and Vibration Feasibility Assessment by HGC Engineering (July 13, 2022);
- Pedestrian Wind Assessment by RWDI (June 22, 2022); and,
- Sustainability Statement by The Butler Group Consultants Inc. (July 2022).

A summary of the supporting studies and materials has been provided in Section 5.0 of this report.

## 2.0 SITE CONTEXT

### 2.1 Site Location & Description

The Site is located approximately 1.5 kilometers southeast of Downtown Kitchener, within the Rockway neighbourhood. The property is located on the south side of Mill Street, between Ottawa Street South and Courtland Avenue East (see Figure 2). It is roughly triangular in shape and occupies the middle of the block. The lands abutting the west edge of the Site, located at the intersection of Mill Street and Ottawa Street, are owned by the Region of Waterloo (451 Mill Street) while 455 Mill Street is held privately by another landowner. The rear of the Site abuts the ION LRT corridor and Mill LRT station. The Site has approximately 183.1m of frontage along Mill Street, 231.8m of frontage on the LRT corridor, and has an overall area of 2.15ha. The property is municipally known as 459, 469, 473, 477, 481, 485 and 509 Mill Street and is legally described as Part of Lots 16, 17, 18 & B, Registered Plan 384 and Part of Lot 19A, Registered Plan 791, City of Kitchener, Regional Municipality of Waterloo.



Figure 2: The Site, located at 459-509 Mill Street, adjacent to the Mill ION station and within the Rockway MTSA

## 2.2 Existing Site Conditions

The Site is currently occupied by a mix of low-rise residential and employment uses, with five single-detached dwellings (459-481 Mill Street), a landscape and trucking company (485 Mill Street), and an elevator manufacturer (509 Mill Street) (see Figure 3). The residential uses are largely sodded while the employment uses are largely covered with impermeable surfaces. There is a row of mature trees along the property line abutting the ION LRT corridor, a small stand of trees are located at the front of 485 Mill Street while several large street trees are located along Mill Street.

The Site slopes down to the south and east from a high point towards the intersection of Mill Street and Ottawa Street South. The land falls approximately 1 metre along the western edge, 3 metres along the eastern edge, 4 metres along Mill Street, and 5 metres along the LRT corridor.

Due to the previous employment uses on the eastern portion of the Site, hydrocarbon impacts have been found in the Site's soil and groundwater. These findings will be detailed further in Section 5.0.



Figure 3: The existing conditions of the Site, including residential and employment uses

## 2.3 Surrounding Context

### Land Use

The Site is located in the southern end of the Rockway neighbourhood. The area within 800 metres of the Site contains a mix of residential, commercial, employment, institutional, and open space uses (see Figure 4).

North – Directly across Mill Street are low-rise employment and residential uses, with single-detached, semi-detached, and low-rise apartment residential uses further north. A large employment area lies further to the north, centred on Borden Ave and Schneider Creek.

East – The remainder of the block to the east is occupied by employment uses, consisting of light industrial, commercial, and office uses. The Rockway Golf Course lies beyond, bisected by Courtland Avenue East and Schneider Creek.

South – Across the ION LRT and CN rail corridor is an employment area and the Concordia Club, with low-rise residential fronting onto Ottawa Street South. Beyond Highway 7/8 are additional employment uses.

West – The area to the west is primarily residential, with a mix of mid-20<sup>th</sup> century single-detached, townhouse, and low and mid-rise apartment buildings. Several churches are clustered at the intersection of Mill Street and Ottawa Street South. The former Schneiders facility, located at the

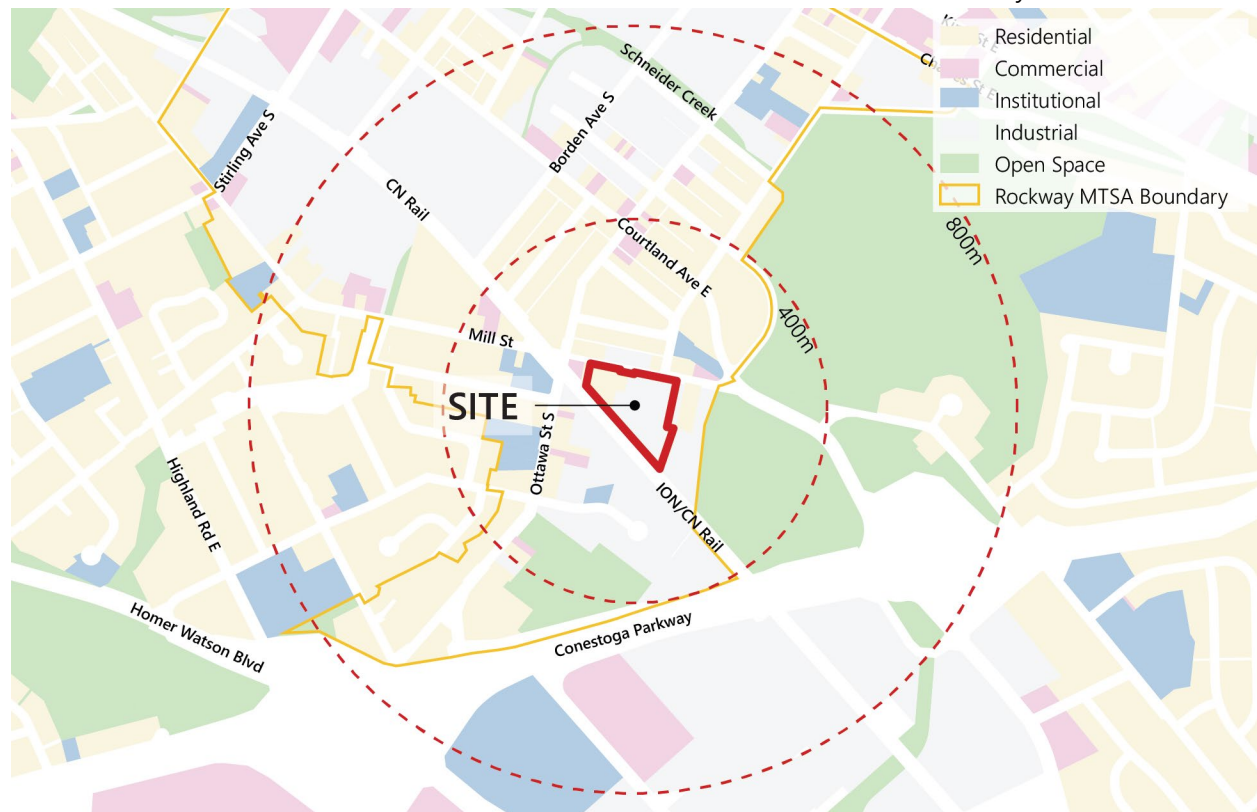


Figure 4: Land uses within the surrounding context

corner of Borden Ave and Courtland Ave S are slated for a large, multi-tower residential infill projects known as 'The Metz'.

## Connectivity

The Site is located on Mill Street a City Arterial Road with a narrow 2-lane cross section and a multi-use trail (MUT) on the south side (adjacent to the Site) (see Figure 5). To the west is Ottawa Street South, a Regional Road with a variable cross section. North of the rail corridor the road profile includes two traffic lanes, a one-way LRT track, and sidewalks; south of the rail corridor it contains four traffic lanes, on-street bike lanes and sidewalks. Sydney Street South terminates at Mill Street, at the eastern end of the Site. It is a local street with a two-lane cross section, on-street parking, and a sidewalk on the east side. Highway 7/8 lies approximately 300m to the south and is accessed via Courtland Avenue East.

The Site is well connected to existing Grand River Transit routes (see Figure 6). It directly abuts the ION Mill Station and is served by 5 bus routes within 400m, including the 204 iXpress route.

The Site is also integrated into the existing active transportation network (see Figure 7). The MUT on Mill Street connects to an MUT on Courtland Avenue East to the southeast and transitions to bike lanes on the west side of Ottawa Street South. Bike lanes on Ottawa Street South lead under Highway 7/8 that connect to the trail network in southern Kitchener. An additional MUT follows the rail corridor to the northwest, linking the Site to the Iron Horse Trail and Downtown Kitchener.

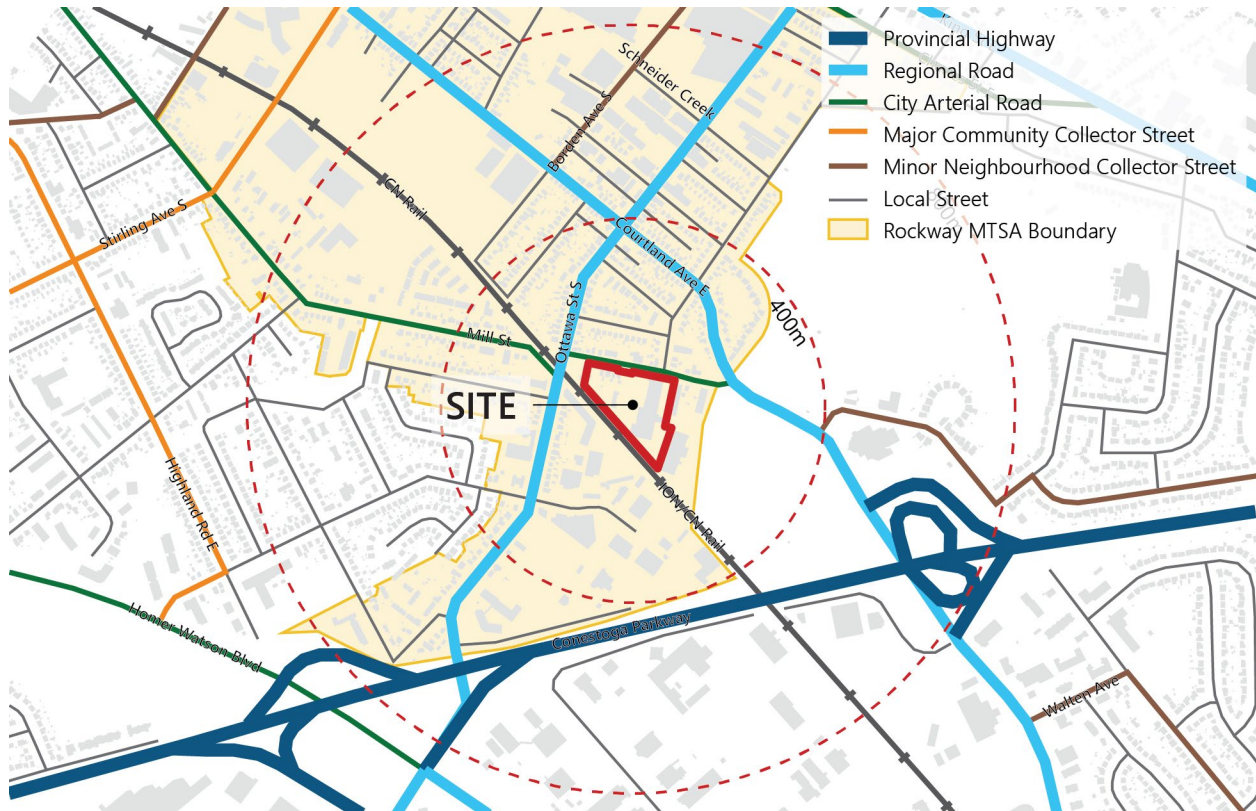


Figure 5: Surrounding road network

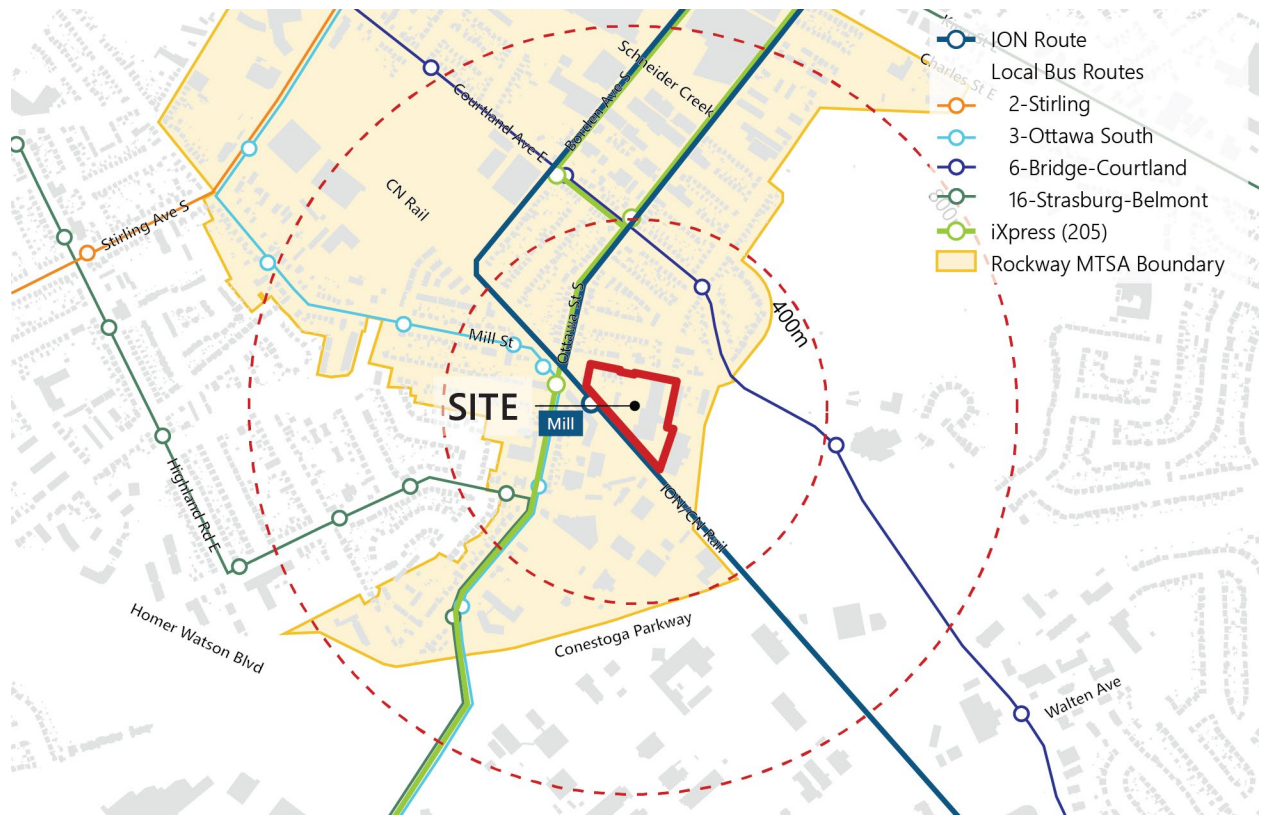


Figure 6: Surrounding Grand River Transit routes



Figure 7: Surrounding active transportation infrastructure

## Parks & Amenities

There is a lack of formal park space in the neighbourhood surrounding the Site, with the only open spaces being the Rockway Golf Course, Iron Horse Trail corridor, and Shoemaker Greenway (see Figure 8). However, the Site is well served by community amenities, with the nearby Mill Courtland Community Centre and YMCA.

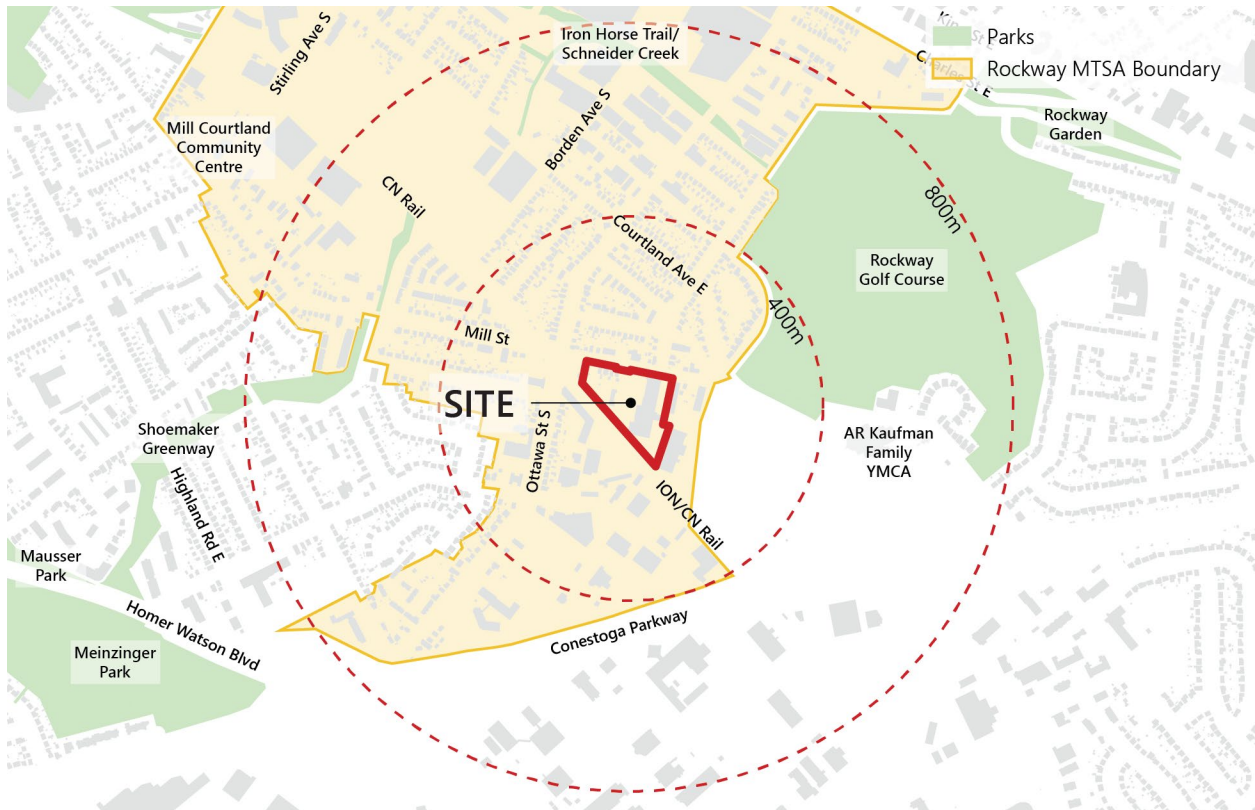


Figure 8: Surrounding parks, open spaces, and community amenities

## 2.4 MTSA Precedents

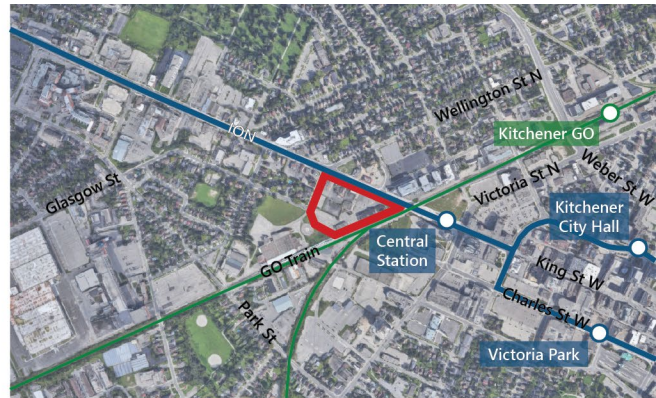
The Site context outlined above reflects the existing state of the Rockway neighbourhood, however, with the construction of the LRT and the inclusion of the area into a Major Transit Station Area in the Regional and City Official Plans, the neighbourhood is expected to experience a transformation. At the time of submission, the Proposed Applications mark one of the first major redevelopment proposals within the Rockway MTSA and, as such, no similar projects exist within the immediate vicinity. To contextualize the Rockway MTSA within the greater community, a review of similar developments within other MTSA's across Ontario have been provided below. The following has been provided to contextualize how planning policy within MTSA's are being implemented and how Rockway is anticipated to develop in the future.

The five selected projects illustrate appropriate intensification near LRT and GO Transit stations and are compatible with the surrounding land uses, including low and mid-rise residential, commercial, employment, and rail and transit corridors. The examples provided below are not an exhaustive list, rather, they are representative of the Provincial and Municipal implementation of land use policies within MTSA's in Ontario.

### 607-641 King St W Kitchener, ON

Number of Storeys	18-44
Density	832 units/ha
Units	1,938 units
FSR	7.5
Parking per Unit	0.65/unit 1/69 sq.m (for non-residential)

The development is located at the corner of King Street West and Wellington Street South fronting on to King Street West in Kitchener, Ontario. The development consists of five towers between 18 and 44 storeys in height. The area surrounding the development is primarily residential, including a number of single-family dwellings along with commercial use primarily along King Street West. The site is located approximately 250 m away from the Central ION LRT station and along with several GRT bus routes. Construction is currently underway on the development.

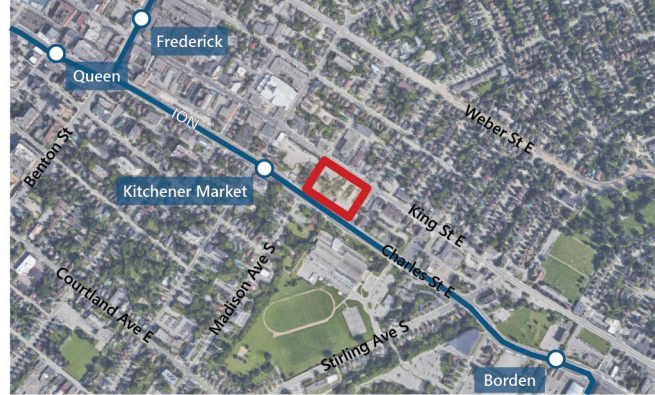




# 475 King Street East Kitchener, ON

Number of Storeys	23 & 19
Density	588.66 units/ha
Units	488 units
FSR	7.1
Parking per Unit	1.0/unit

The development fronts onto King Street East in Kitchener, Ontario spanning the block from King St. E./Cameron St. S./Charles St. E./Madison Ave. S. The mixed-use development consists of two residential towers situated atop a four/five storey podium. The site is located within 100m of the Kitchener Market ION LRT station along with several bus routes. The surrounding neighbourhood is comprised of primarily two storey detached residential dwellings and two storey commercial/retail structures. The Construction is currently underway.



# 805 Carling Avenue Ottawa, ON

Number of Storeys	45
Density	1,714 units/ha
Units	252 units
FSR	13.9
Parking per Unit	0.6 /unit (241 total to serve residential, visitor, commercial, and retail uses)

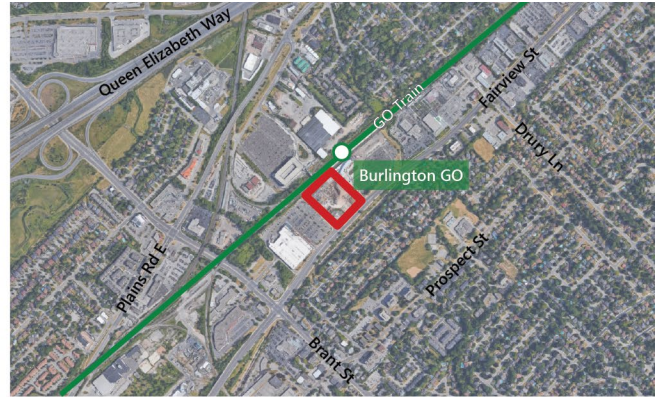
The development fronts onto Carling Avenue in the Little Italy neighbourhood of Ottawa, Ontario. The site is located on the corner of Carling Avenue and Preston Street in a mixed-use area with both commercial space and low rise residential. The development consists of a single tower situated atop a four/six storey podium. The site is located approximately 150m from the Carling LRT Station along with several OC Transpo bus routes. The development was completed in 2021.



## 2081-2093 Fairview Street Burlington, ON

Number of Storeys	24
Density	513.38 units/ha
Units	921 units
FSR	5.2
Parking per Unit	1.0/1 bed unit 1.25/2 bed unit 0.25 visitor/unit

The development fronts onto Fairview Street in Burlington, Ontario located adjacent to the Burlington GO Station and in close proximity to several Burlington Transit bus routes. The development is comprised of five towers, with three towers connected to one three/five/nine storey podium and another two towers connected by a four/six/twelve storey podium. The area surrounding the development includes retail and commercial along with a neighbourhood comprised primarily of one – two storey single detached homes. Construction is on-going.



## 211 & 225 John Street S, 70 & 80 Young St Hamilton, ON

Number of Storeys	23 & 19
Density	588.66 units/ha
Units	488 units
FSR	7.1
Parking per Unit	1.0/unit

The development fronts onto John Street South in the Corktown neighbourhood of Hamilton, Ontario spanning the block between John Street S./Young Street/Catherine Street S./Forest Avenue. The development consists of two towers, one 27 storeys in height and the other 14 storeys in height. The area surrounding the development is primarily residential with several low rise dwellings. The site is located approximately 300m away from the Hamilton GO Centre along with multiple HSR bus routes.



The precedents provided above illustrate recent development patterns within Major Transit Station Areas across Ontario. These developments typically include high density with similar FSR's as proposed with a mix of residential and commercial uses. Locating this type of development within MTSA's provides opportunity for individuals to live and work within a community less dependent on private automobiles and more reliant on public and active transit options. Mixed-use communities offer commonly used commercial uses within walking distance to their homes, and places of work, complemented by highly landscaped and well-designed public amenity spaces. These precedents assist in illustrating options for the future of the Rockway neighbourhood as a Major Transit Station Area. Additional analysis with respect to how the Proposed Development relates to the context of the area and how it implements all relevant Provincial, Regional and City planning policies is detailed in Section 6.0 of this report.

# 3.0 PROPOSED DEVELOPMENT

The Site offers a unique opportunity to create an iconic gateway to the Rockway neighbourhood. The Owner envisions a vibrant, mixed-use community that functions as a multi-modal hub on the Mill ION station. To attain this, the Proposed Development includes up to 1500 residential units within a multi-building, mixed-use community. The development will ultimately consist of 6 residential towers, situated atop 5 building podiums, and will integrate commercial, community and amenity spaces as well as structured parking (see Figure 9 and Appendix D).

Towers A, B, D and E are centred around a large central plaza (the “Station Plaza”) and promenade that extends from the south end of the ION station platform to Sydney Street. Collectively, this

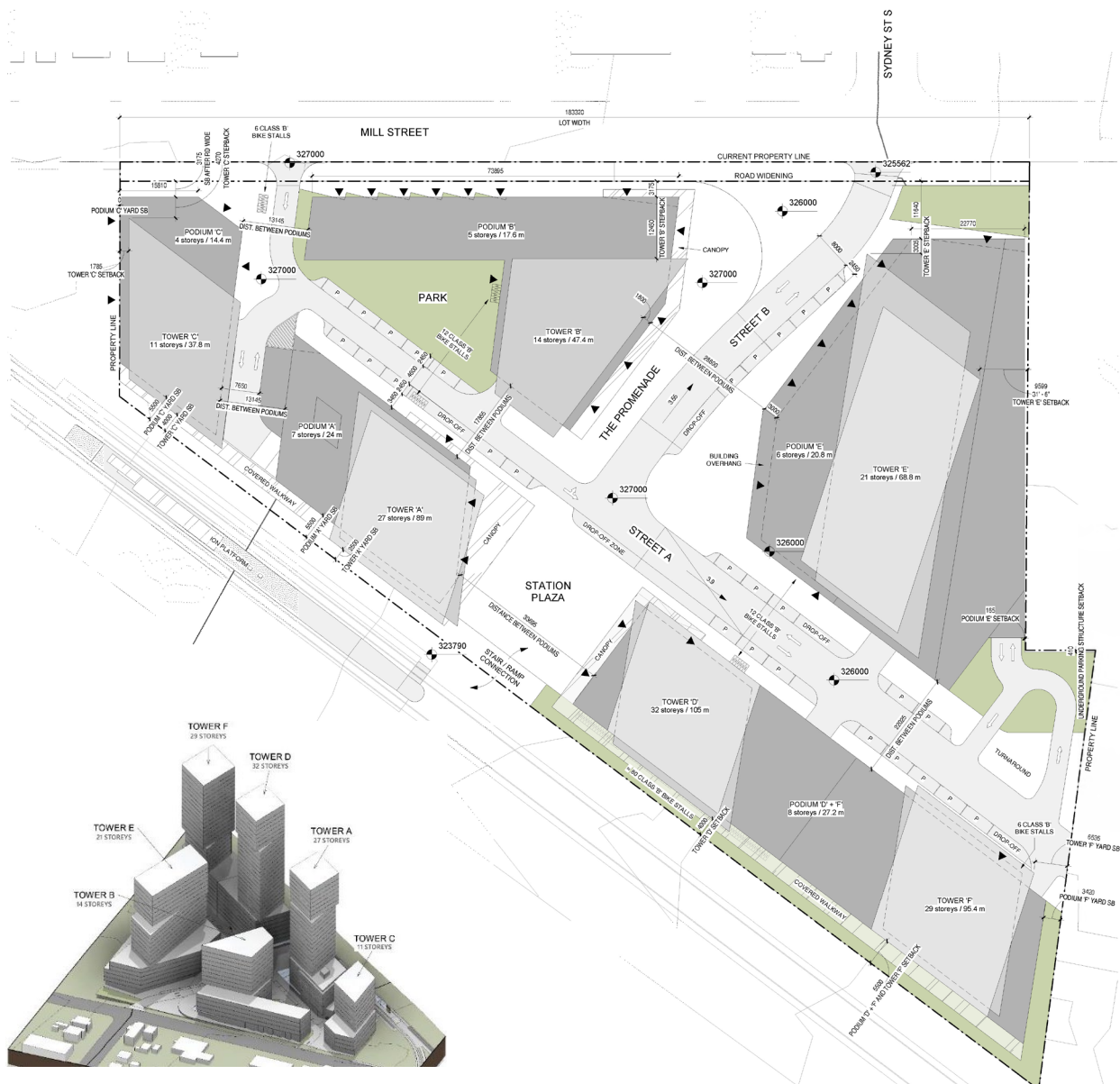


Figure 9: Proposed Site Plan and 3D Massing

space forms the primary open space within the Proposed Development. Tower F provides and additional housing opportunity to the immediate east and adjacent to the Mill ION Station. Building C forms the north edge of the development, abutting a separately owned lot and lands currently owned by the Region of Waterloo. In partnership with the City of Kitchener, these lands offer an opportunity to create a gateway to the Mill ION station and Proposed Development via a public park (the "Entry Plaza").

Vehicular access to the Site is via a private street system that loops from Mill Street, through the Site, that ultimately aligns with the southern terminus of Sydney Street. The private street is flanked by wide pedestrian sidewalks and active street frontages to form a central promenade and parkette framed by Building B.

A detailed summary of the Proposed Development is provided below.

## Site Configuration

Given the triangular shape of the Site between Mill Street and the LRT right-of-way, the buildings create an irregular siting pattern. Tower C is situated at the west end of the Site, forming the 'point' of the triangular parcel. Buildings A, B, D, E and F splay eastward from this point. Buildings B, C and E align with Mill Street to create a contiguous street edge while buildings A, C, D and F align with the ION LRT corridor on the southern edge. Building podiums and towers are irregularly shaped and vary from building to building.

For the purpose of interpretation of the Zoning By-law, the Mill Street frontage is considered the front yard, the west and east boundaries are considered interior side yards and the southern edge, abutting the LRT corridor, is considered the rear yard. A minimum front yard setback of 3.2 metres is proposed for the building podium to provide opportunity for landscaping and private amenity space abutting Mill Street. An additional tower setback of 4.3 metres has been provided from Mill Street. A rear yard setback of 5.5 metres is proposed for building podiums. This setback ensures sufficient space to provide a walkway around the building. Tower A is offset from the podium and is proposed to have a minimum rear yard setback of 2.5 metres. Interior side yard setbacks of 0.0 metres are proposed for the podiums of Towers C and E. Tower C has a setback of 1.8 metres from the west interior lot line, while Tower E has a setback of 9.5 from east interior lot line.

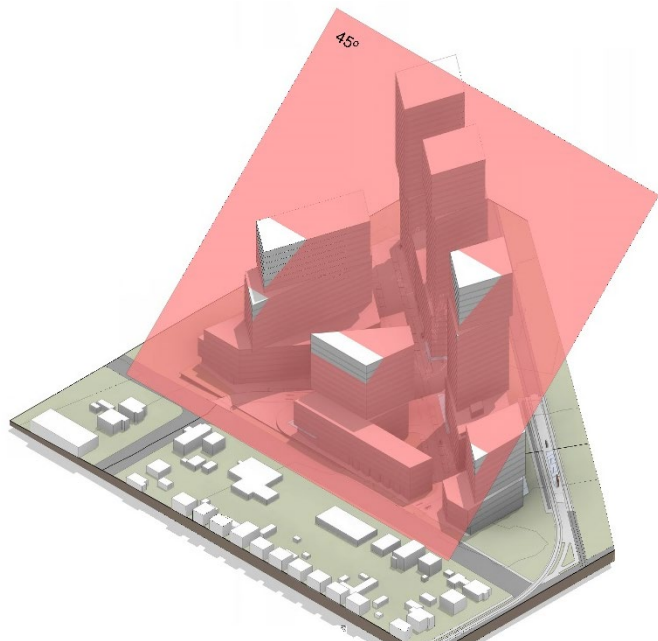


Figure 10: Angular plane diagram

## Height and Massing

The Proposed Development is comprised of 6 towers, ranging in height from 11 to 32 storeys, situated atop building podiums (see Figures 11 and 12). The Proposed Development has a total FSR of 7.0 with 6.53 FSR dedicated to residential, 0.09 FSR to commercial and 0.38 FSR dedicated to parking. The podiums of Towers D and F abut to create a contiguous podium between the two buildings. Building towers and podiums range in height, generally stepping up from west to east, and up from Mill Street. The proposed height and massing largely conform to a 45-degree angular plane with only minor encroachments (Figure 10).

A summary of podium and tower heights are provided below:

	Podium		Tower	
	<i>m</i>	Storeys	<i>m</i>	Storeys
Tower A	24.0	7	89.0	27
Tower B	17.6	5	47.4	14
Tower C	14.4	4	37.8	11
Tower D	27.2	8	105.0	32
Tower E	20.8	6	68.8	21
Tower F	27.2	8	95.4	29

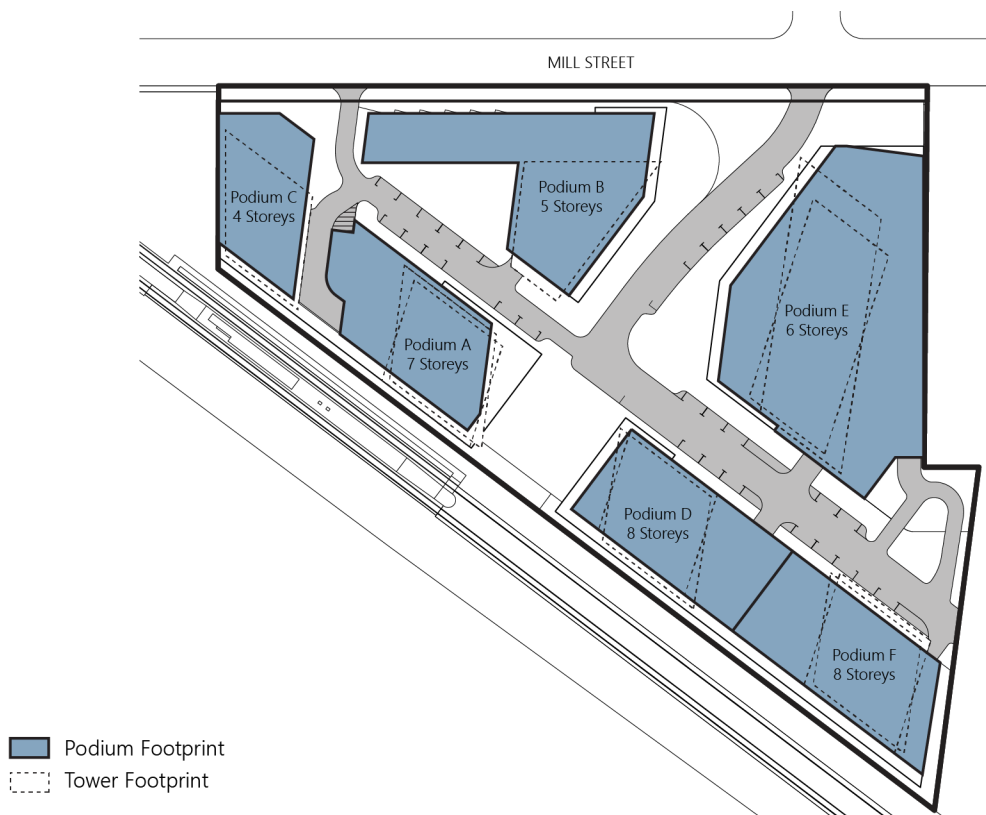


Figure 11: Proposed podium footprints and heights

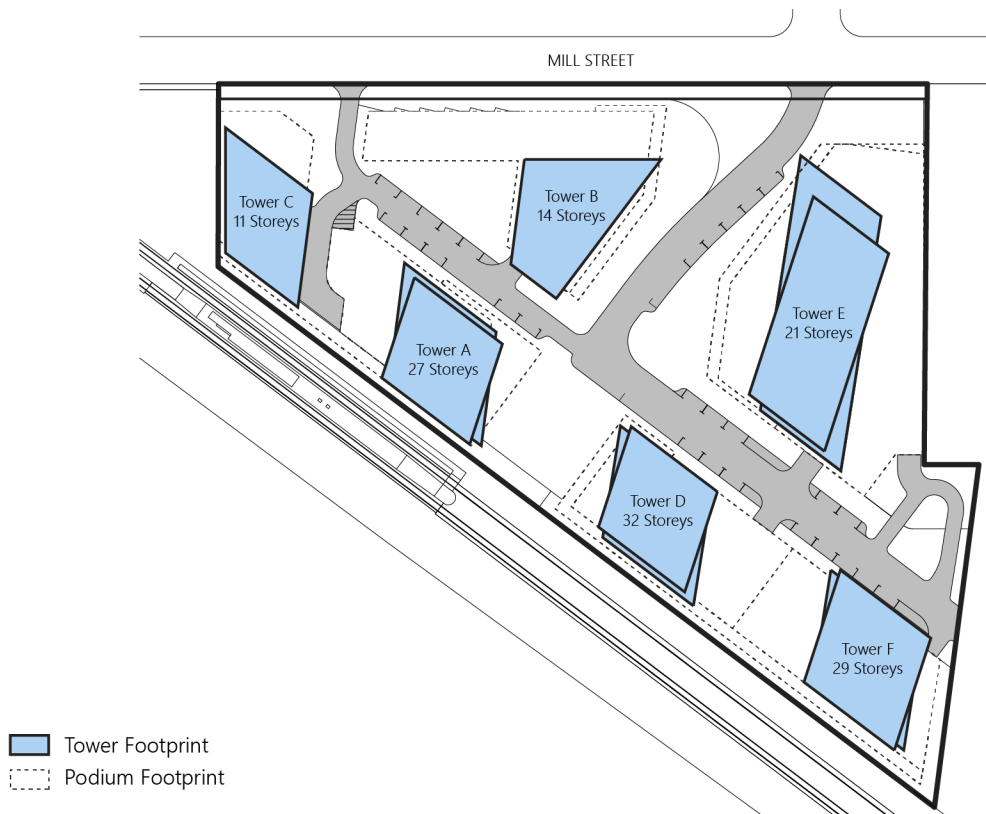


Figure 12: Proposed tower footprints and heights

### Tower A

Tower A is located internal to the Site, adjacent the LRT right-of-way. The north side of the building flanks the one-way access aisle, located on the west side of the Site, while the south side flanks the LRT corridor. The building podium is a modified parallelogram as a result of the underground garage access. The building's tower sits on the east side of the podium, slightly askew from the base resulting in a slight overhang toward Station Plaza and the LRT corridor. The tower has the footprint of a parallelogram.

### Tower B

The podium of Tower B is 'L' shaped, with the Tower located on the east side of the building. The tower podium is setback 3.2 metres from Mill Street and has approximately 73.9 metres of frontage. The podium is 17.6 metres (5 storeys) in height and contains street-fronting townhomes within the first two storeys of the podium. The tower is stepped back 12.5 metres from the Mill Street building face. The building tower has an irregular, quadrilateral building footprint.

### Tower C

Tower C forms the pinnacle of the Site's building configuration. It is the smallest of all the buildings within the Proposed Development, in regard to height and floor area. The building podium is an irregular pentagon in shape, with frontage on Mill Street and the ION corridor. The building tower

is a parallelogram and has a step back of 4.3 metres from the Mill Street facade and a 1.7m setback from the interior lot line.

### Tower D and F

As noted above, the podiums of Tower D and Tower F form a contiguous building base. Together, the building podiums are generally rectangular in shape, aligning with the LRT corridor to the south and private internal road to the north. Towers D and F are located at the west and east sides of the podium, respectively. The towers mimic one another in their parallelogram shape and orientation but vary in height by 3 storeys. Tower D is the tallest building within the Proposed Development, capped at 105 metres (32 storeys).

### Tower E

Tower E is the largest building in the Proposed Development, in regard to gross floor area. It is irregularly shaped and abuts the eastern property boundary. The tower above the podium appears as if two parallelogram-shaped buildings are stacked, slightly rotated, atop each other. There is a slight overhang on the north side of the podium. The tower's proportions define it as a slab tower, as per the City of Kitchener Urban Design Guidelines. The tower is oriented north-south, with the narrow edge abutting Mill Street.

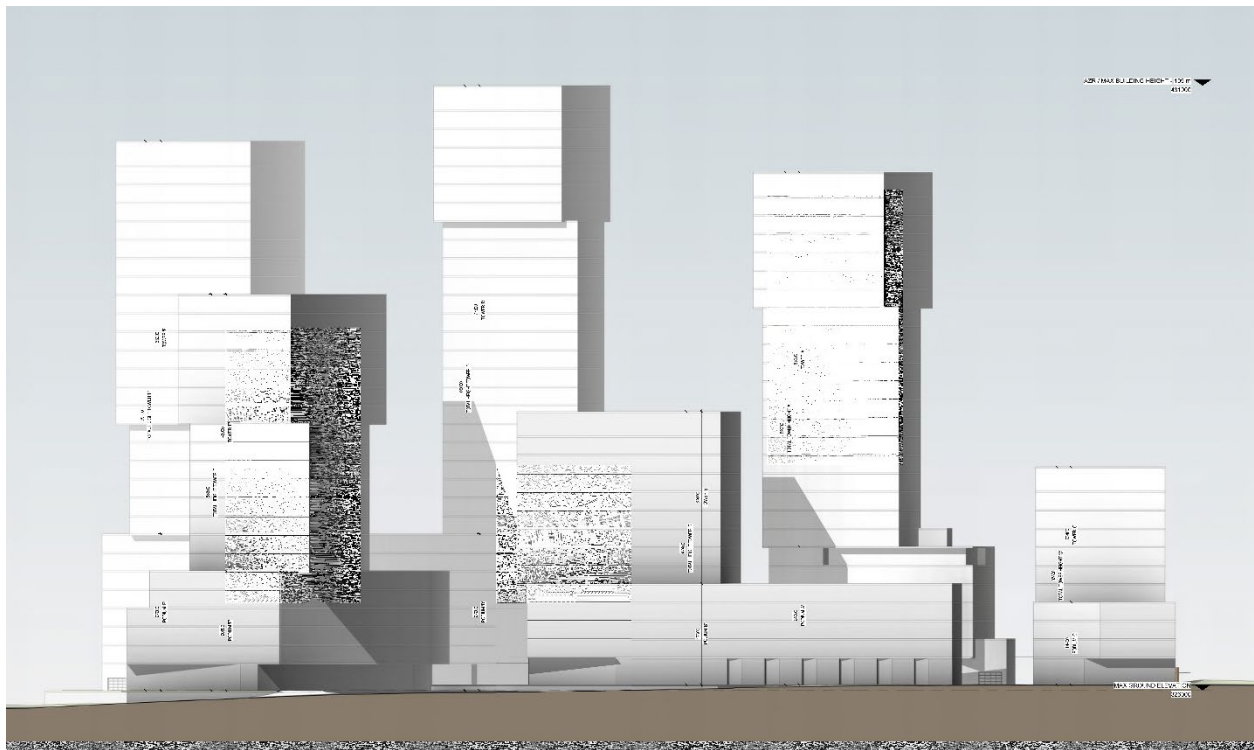


Figure 13: Building elevations along Mill Street cross section



## Public Amenity Space

The Proposed Development is centred around Station Plaza and the Promenade, which form the primary open space within the community (see Figures 14 and 15). Station Plaza is an approximately 1,150 square metre public space located at the south access to the Mill ION Station platform. The open space extends over Street A toward Sydney Street, forming a 28-metre wide promenade along Street B. Station Plaza is envisioned as a gateway to the neighbourhood and focal point within the community, offering an opportunity for a major landscape feature such as an ice rink, fountain or public art. The plaza and promenade will be flanked by commercial uses and will feature significant landscaping throughout including street trees, landscaped areas and street seating.

The west end of the City block, shaped by the intersection of Mill Street, Ottawa Street and the rail corridor, offers the opportunity to create a public plaza (the "Entry Plaza"). While the lands municipally described as 451 and 455 Mill Street are currently owned by the Region of Waterloo and a private landowner, the space offers an opportunity for a future public open space. The space is envisioned as the north access to the ION station and a gateway to the Proposed Development. The Owners have initiated discussions with the Region of Waterloo to facilitate the conveyance of 451 Mill Street to the City of Kitchener. The Owners are also in active discussion with the owner of



Figure 14: Proposed landscape plan

455 Mill Street to coordinate the potential purchase and ultimate conveyance of the lands to the City of Kitchener. Should the conveyances be possible, the Plaza will be constructed.

A parkette has been proposed for the enclave shaped by the podium of Tower B. The parkette will function as an adventure play area and passive recreational space. The area will be highly landscaped and include a playground and seating area. The parkette will be publicly accessible and contribute to the multi-generational appeal of the public spaces available within the community.



Figure 15: View of the Promenade from Mill Street

### Residential

The Proposed Development is primarily comprised of residential uses. A total of 1,500 standard condominium units will be provided within the 6 towers and building podiums. A breakdown of the approximate unit count per building is provided below:

Tower A	240 units
Tower B	160 units
Tower C	80 units
Tower D	320 units
Tower E	340 units
Tower F	310 units
<hr/>	
Total	up to 1,500 units

A mix of unit types are proposed throughout all buildings including a mix of 1-, 2- and 3-bedroom units. Street-fronting townhomes are envisioned along Mill Street. While the exact unit type and size will be determined through detailed design, they are anticipated to range in size from 550 to 1,200 square feet. Similarly, the mix of unit types will be determined at a later date, however, the applicant will strive to achieve targets of approximately:

- 1-Bedroom: 77%
- 2-Bedroom: 18%
- 3-Bedroom: 5%

The Proposed Development results in a residential density of ~705 units per hectare. Assuming an average of 1.7 residents per apartment dwelling, based on Water and Wastewater Monitoring Report (June 2021), the Proposed Development is expected to accommodate approximately 2,550 residents.

## Commercial

The Proposed Development includes ground floor commercial uses (see Figure 16). Commercial uses are located throughout the Site, however, they are largely concentrated in and around the Station Plaza and flanking the Promenade within the base of Buildings A, B, D and E. Additional commercial space is located within the base of Tower C fronting Mill Street. Should 455 and 451

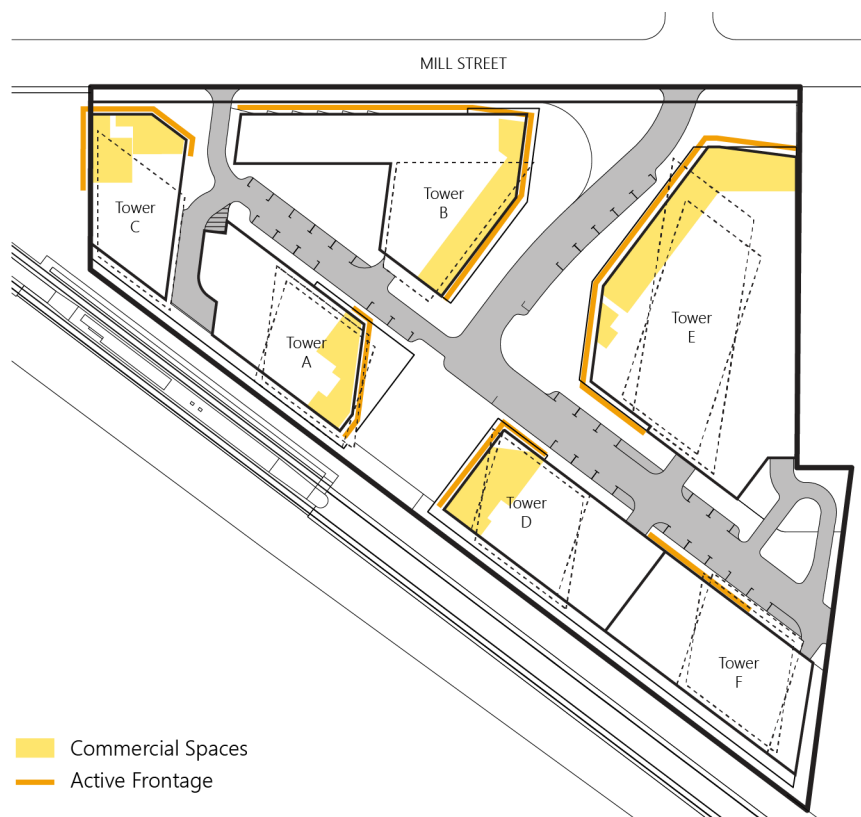


Figure 16: Proposed ground floor commercial spaces and active street frontages

Mill Street be conveyed to the City, the opportunity for commercial frontage on the Entry Plaza would be possible.

The Proposed Development includes a total of 2,013 square metres of commercial space, divided into 5 locations within the Site. Commercial spaces within buildings A, B, D and E have the potential to be subdivided into multiple units. These spaces are envisioned to accommodate a mix of restaurants, cafes, neighbourhood retail and personal service businesses, as per MIX-3 Zone within Zoning By-law 2019-051. Ground floor level, including commercial spaces, have been assumed to have a minimum of 4.5 metre ceiling heights.

## **Private Amenity Space**

As described above, the outdoor areas at ground level are proposed to be privately-owned public spaces (POPS). As such, private amenity areas are provided above ground level. Given the Tower configurations and siting on the podium, the Proposed Development features significant opportunity for rooftop terraces. Individual rooftop amenity areas are proposed to be located on the podiums for all six towers. Rooftop terraces offer to the opportunity to feature numerous amenities which may include BBQ areas, outdoor gathering and seating spaces, dog runs, games areas or movie screening areas.

## **Pedestrian Circulation**

Given the Site's relationship with the Mill ION Station, pedestrian connectivity within, and through, the Site has been prioritized. Oversized sidewalks have been proposed along Streets A and B from Mill Street providing access from the north (see Figure 17). Access from the south is provided by direct connections from the north and south ends of the Mill ION station. The north station access links to the proposed Entry Plaza while the south access provide direct access into the Station Plaza. Additional walkways are proposed along southern property line, parallel to the rail corridor, to provide pedestrian circulation around Towers A and C.

## **Bicycle Parking**

The Proposed Development includes a total of approximately 1300 bicycle parking spaces, integrated throughout the Site. A total of 1184 "Class A" indoor bicycle parking stalls will be provided. Class A stalls will be located within each of the building podiums on ground floor (see Figure 18).

A linear cluster of Class B parking stalls are proposed along the south side of Towers D and F, adjacent the ION station access and Station Plaza. Approximately 80 Class B bicycle spaces will be provided within the covered outdoor area. An additional 36 "Class B" bicycle spaces will be distributed throughout the Site in secure locations within close proximity to residential entrances, commercial spaces and public amenity spaces. Exact locations and numbers of Class B spaces will be determined through detailed design.

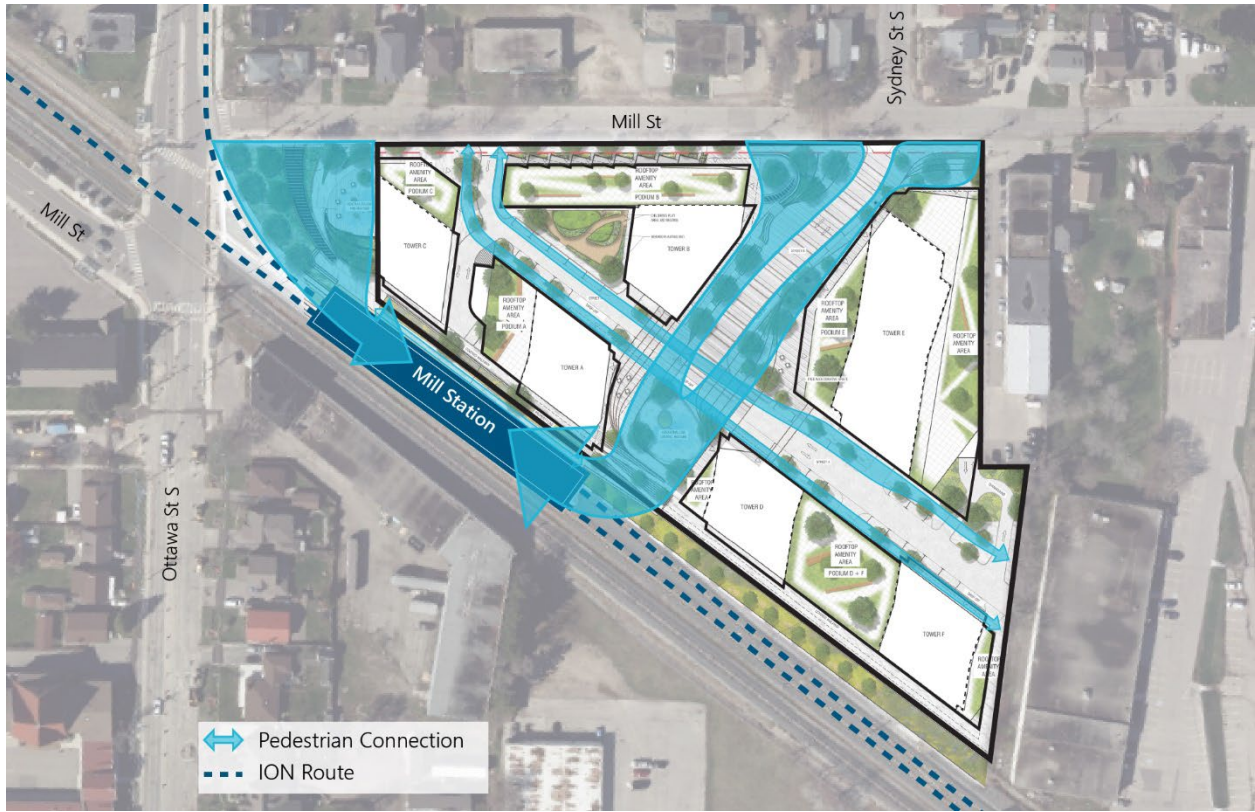


Figure 17: Proposed pedestrian connections

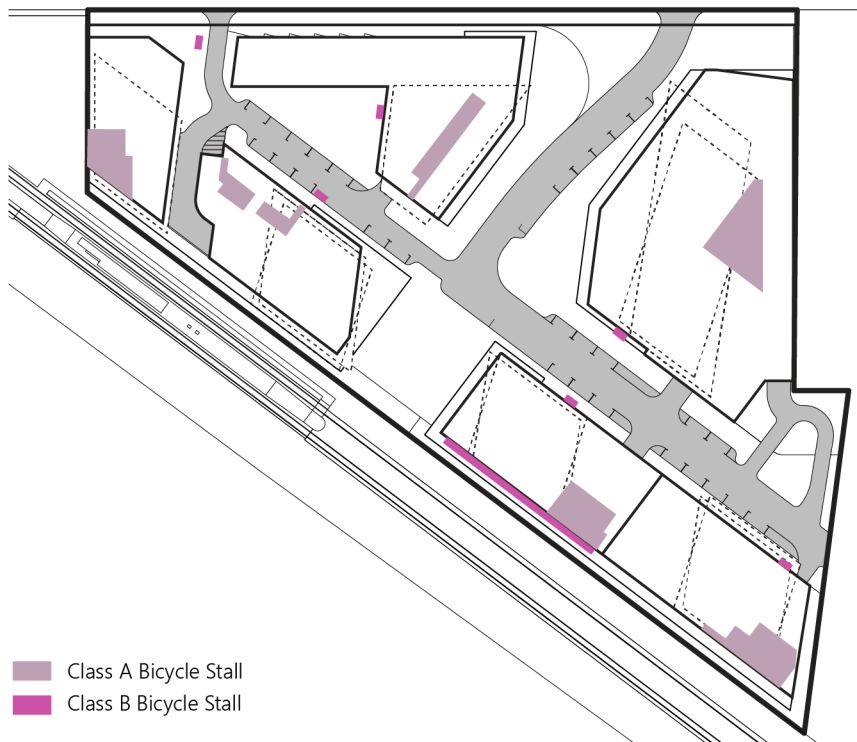


Figure 18: Proposed Class A & B bicycle parking

## Vehicular Circulation and Parking

Vehicular circulation within the Site is provided by two private streets (see Figure 19). Street A is accessed from Mill Street between Buildings B and C. It runs parallel to the LRT corridor, terminating at the east property boundary with a vehicular turn-around. The west end of the street is one-way only, whereas the east end is two-way. Street B aligns with the terminus of Sydney Street South at Mill Street, and extends to Station Plaza, intersecting with Street A. Street B forms part of the Promenade. The street network has been designed to accommodate two primary functions; to provide access to the parking structures and, provide a future connection to the balance of the City block, should the opportunity arise.

A total of 926 parking spaces are provided on-site, the vast majority of which are provided within two parking structures. An underground parking structure containing 755 spaces is accessed from the south side of Tower A. The underground structure is comprised of two levels. The first level encompasses the entire Site area, while the second level occupies the southeast half only. A podium parking structure containing 143 spaces is provided within Tower E. It is two levels and accessible from the east end of Street A.

Of the proposed parking, a total of 900 are proposed for residential use. The balance of the spaces will be utilized for guest parking for both the residential and commercial units. Of the guest parking spaces, 28 are provided as on-street surface parking spaces. A total of 24 barrier free parking spaces are provided.

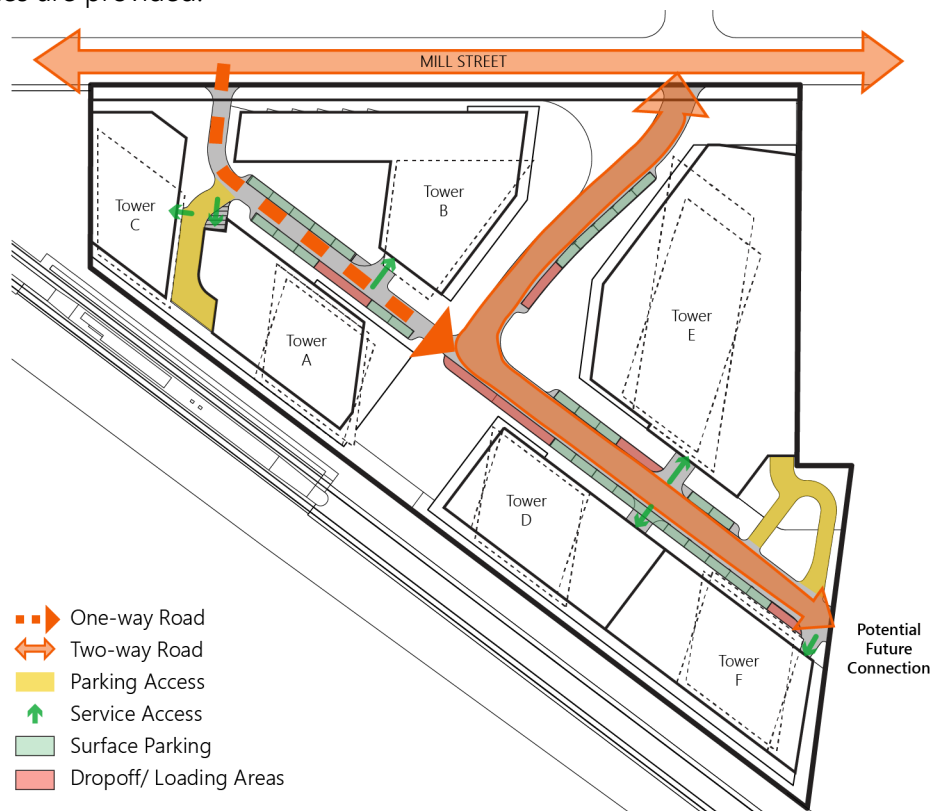


Figure 19: Proposed vehicle circulation

As outlined in the Urban Design Report, the Proposed Development forms the west half of a potential master-planned City block. Street B functions as a gateway to the Proposed Development and forms the beginnings of a vehicular loop that would extend from Sydney Street, through the block, ultimately connecting to the east end of Mill Street.

## **Service Areas**

The Proposed Development includes indoor service areas for each building away from public streets and amenity areas. Loading and garbage functions are programmed within dedicated service rooms located on the ground floor of each building podium. Rooms are accessible by garage doors from Streets A and B.

## **3.1 Community Benefits**

The Proposed Development integrates a number of features that will benefit the community at large. The following will be provided by the Owner as part of the development, as proposed.

### **Public Amenity Areas**

As outlined in Section 3.0 of this report, the Proposed Development includes extensive public amenity areas in the form of Privately Owned Public Spaces (POPS). The Proposed Development is centred around the Station Plaza and Promenade located at the south end of the Mill ION station. The plaza is anticipated to provide approximately 1,150 m<sup>2</sup> of programmed public space. While detailed designs have yet to be completed, initial concepts have contemplated features such as public art, a fountain, a skating rink, landscaping and seating opportunities. The Station Plaza will be flanked by retail and commercial space, ensuring an active plaza edge and providing opportunity for outdoor patios.

The Proposed Development is serviced via a private street that loops from Mill Street, through the Site, and connects with Sydney Street. The proposed street includes oversized sidewalks, providing additional opportunity for landscaping, seating and outdoor patios or retail spaces in the form of a Promenade.

A 560 m<sup>2</sup> park, framed by the podium of Tower B, abuts the internal street. The internal park provides an opportunity for outdoor play areas, passive recreational seating areas and additional landscaped spaces.

The proposed public amenities spaces offer an opportunity to contribute to public open spaces within an area of the City currently facing a shortage. These spaces will provide high-quality, comfortable spaces that serve both the residents within the Proposed Development, as well as the surrounding community.

## Entry Plaza

The lands located at the intersection of Mill and Ottawa Streets form a natural gateway to the Mill ION station and city block, as a whole. While the lands are currently owned by the Region of Waterloo, the Owner has initiated discussions with Regional and City staff to propose the conveyance of these lands to the City of Kitchener. Should the proposal be accepted by the Region, the Owner has committed to constructing the surplus lands as a public plaza. A plaza on these lands provides an opportunity to create a prominent gateway to the Mill ION station and the Proposed Development.

Currently, 455 Mill Street abuts the lands proposed for the plaza and does not form part of the Site. In the future, this lot could form part of the proposed plaza as additional area, however, no plans to do so have been confirmed at this time.

## Affordable Housing

The Applicant will commit to providing a total of 50 affordable residential dwelling units within the project, as defined Regional and City Official Plans. Units will be available for rent and managed by the Applicant in partnership with a community partner. Dwellings will range in size and locations within the Proposed Development, including throughout towers and floors. Should the development be phased, affordable units will be included within each phase.

## Community Centre Space

The Applicant is proposing to dedicate approximately 2,000 square feet of space within the Proposed Development to be utilized as a community centre. It is intended that this space will be available for the public to utilize for meetings, events or other community uses. Beyond just dedicating the space, the Owner will make a commitment of \$25,000 for 10 years (total of \$250,000) to sponsor new community events and programs that directly benefit the residents within the community. Examples of community programming could include, but are not limited to:

- Art installations;
- Street fairs and special events;
- Children focused events; and/or,
- Holiday celebrations.

## Below-grade Parking Structure

The vast majority of the parking provided within the Proposed Development is provided within an underground parking facility. While costly, locating car parking within structures creates a pedestrian-centric space at-grade, leaving additional area to be programmed through landscaping, seating and other features. Some surface parking has been provided for short-term visits and drop-off.



## **ION Station Bicycle Parking**

A covered, outdoor linear cluster of Class B bicycle parking stalls are proposed adjacent the Mill ION Station and Station Plaza. Cluster bicycle parking adjacent the LRT station will provide convenient location for residents outside the Proposed Development to commute to the LRT station and store their bicycle.

## **Neighbourhood Commercial Node**

The Proposed Development provides an opportunity for neighbourhood commercial businesses to locate immediately adjacent the LRT station and within walking for the greater community. The Owner will venture to attract commercial enterprises that will satisfy daily needs for residents, offering an opportunity to shop locally and mitigate car dependency.

## **Decoupled Parking**

Residential units will be decoupled from parking spaces, allowing the opportunity for purchasers to decide whether a space is necessary.

## **On-site Car Share**

The Owner will dedicate space to a community car share partner.

## **3.2 Conceptual Master Plan**

The Site forms the majority of the triangular city block bordered by Mill Street to the north, the CN Rail corridor to the south, and the Rockway Golf course to the east. While the Site is being developed independently, consideration has been given to the future development of the block as a whole through the creation of a block Master Plan (see Figure 20). Considering the City block as a whole will ensure that the remaining lands can be optimized for efficiency and that the design of the Proposed Development does not have a negative impact on their future development.

The lands to the east of the Site comprise approximately 1.7 hectares of land. The Master Plan includes two towers on these lands, with heights of 65 and 85 meters. The towers and their respective podiums include approximately 500-700 residential units.

Circulation through the block is provided by a shared street that loops through the Proposed Development the remnant lands. Street A has been designed to extend beyond the Site to the southeast through the adjacent lands, curving north to meet with Mill Street between Sydney Street South and Courtland Avenue East. This would complete the loop of Street A and provide continuous access through the Site and adjacent lands.

The parking structures within the Proposed Development have contemplated future development to the east. The Building E parking podium abuts the eastern property line with the intent that an addition to the structure could be added in the future. Ramps have been located on the east side of the garage with the anticipation that such an addition will be added and would utilize the same. Should this occur, the ramps will be centrally located within the tower structure.

A series of park spaces could be placed throughout these lands, providing a network of green space through the block, providing additional recreational opportunities for new residents and the broader community.

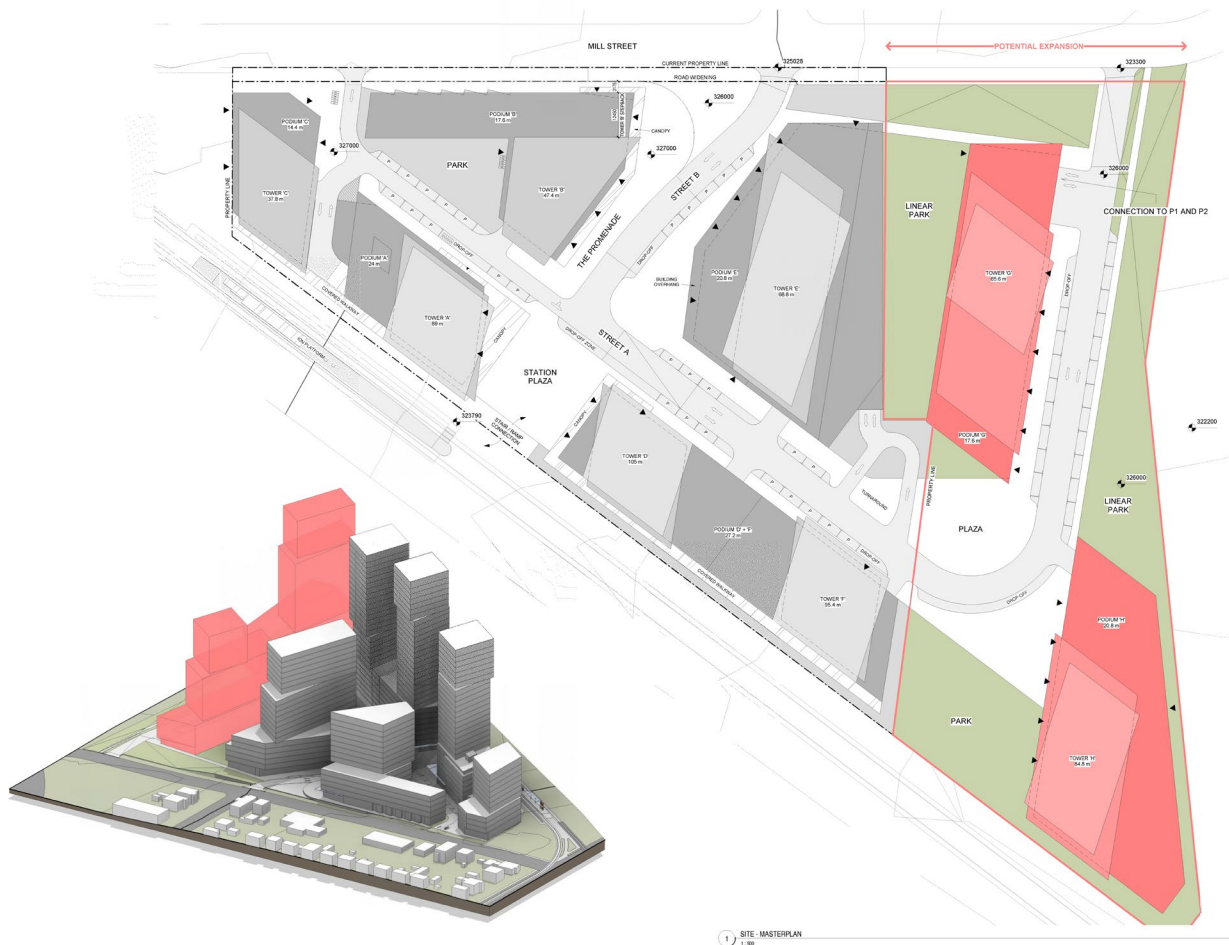


Figure 20: Master plan for remainder of block to the east

## 4.0 PROPOSED APPLICATIONS

### 4.1 Proposed Official Plan Amendment

The proposed Official Plan Amendment redesignates the Site from General Industrial Employment, as identified on Map 3 of the Official Plan, to Mixed Use with a Special Policy Area (see Figure 21). The Special Policy Area facilitates an increase to the permitted Floor Space Ratio. The proposed amendment proposes a maximum FSR of 7.0 whereas the existing maximum FSR is 5.0, per policy 15.D.4.20.

The proposed Special Policy Area for the Site reads as follows:

**15.D.12.X      459, 469, 473, 477, 481 and 509 Mill Street**

Notwithstanding the Mixed Use land use designation on the lands municipally known as 459, 469, 473, 477, 481 and 509 Mill Street, the maximum Floor Space Ratio is 7.0.

A draft Official Plan Amendment has been provided as Appendix A.

The proposed increase to the permitted FSR is consistent with Section 15.D.4.20 and provides additional community benefits, detailed in Section 3.1 of this report. Community benefits include:

- Construction of public amenity areas including improved access and to the Mill ION Station;
- Construction of Entry Plaza (subject to conveyance of lands);
- Affordable Housing (50 units);
- Community Centre Space dedicated fund of \$250,000 over 10 years;
- Publicly accessible ION station bicycle parking cluster; and,
- Below-grade Parking Structure.

The proposed Official Plan Amendment and Floor Space Ratio is appropriate given its location within a Major Transit Station Area and immediate proximity to the ION LRT Mill Street Station. The proposed amendment implements relevant Provincial, Regional and City policy pertaining to development within MTSA's, the diversification of housing opportunities within the community, optimization of existing municipal infrastructure and enhancement of public spaces. The Proposed Amendment aligns recent high-density applications throughout the City, particularly those within MTSA's and the Urban Growth Centre.

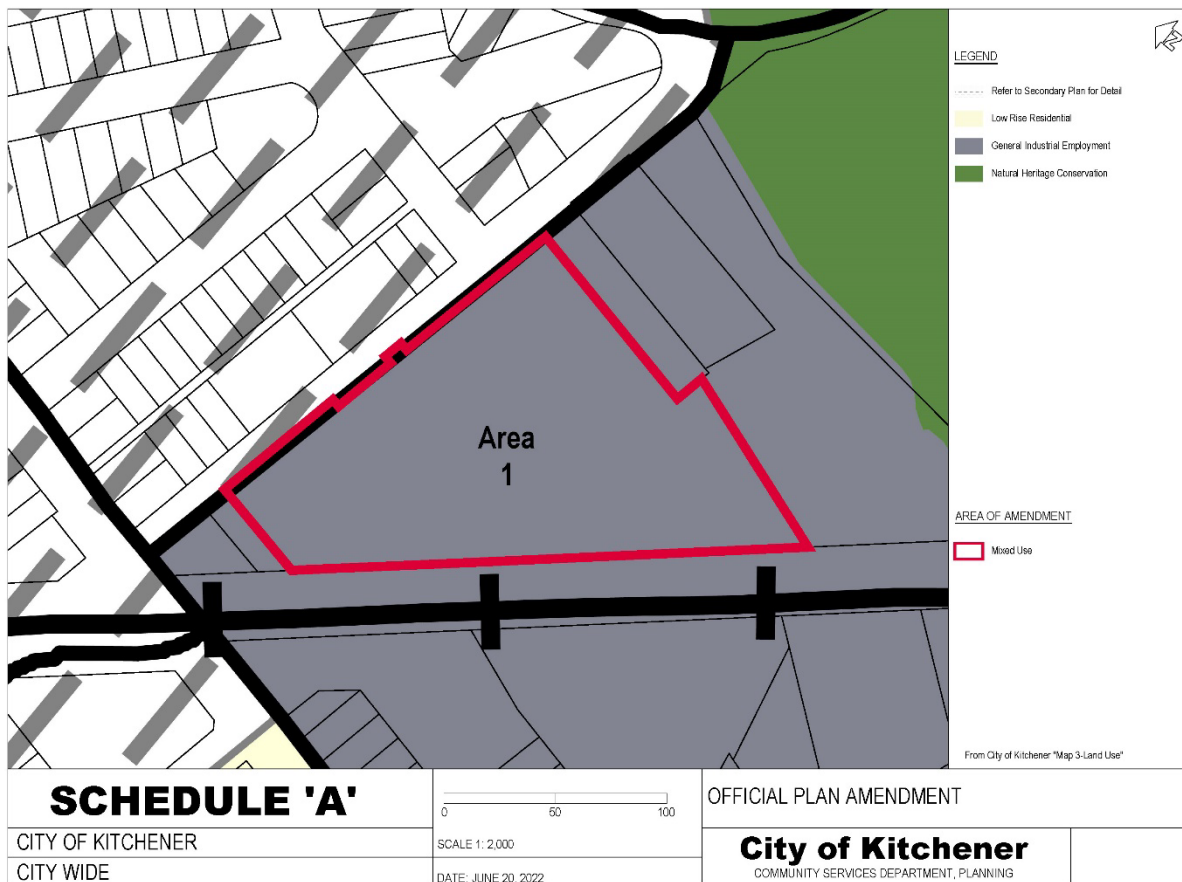


Figure 21: Proposed Official Plan Amendment Schedule 'A'

## 4.2 Zoning By-law Amendment

The proposed Zoning By-law Amendment will remove the Site from Zoning By-law 85-1 and add it to Zoning By-law 2019-051 as a "Mixed Use Three (MIX-3) Zone" with special regulations and a holding provision (see Figure 22). The proposed Zoning By-law Amendment seeks to, effectively, implement the MIX-4 Zone proposed for the Site within the Neighbourhood Planning Review draft of Zoning By-law 2019-051, as per the Record of Pre-consultation issued June 9, 2022. The MIX-4 Zone is being implemented by modifying the MIX-3 Zone. The site-specific considerations are guided by the provisions put forth by the "Mixed Use Four (MIX-4) Zone".

The proposed Zoning By-law Amendment includes:

- A reduction to minimum rear yard from 7.5 metres to 5.5 metres for the building podium;
- A reduction to minimum rear yard from 7.5 metres to 2.5 metres for the building tower;
- A reduction to minimum interior side yard from 4.0 metres to 0 metres for the building podium;

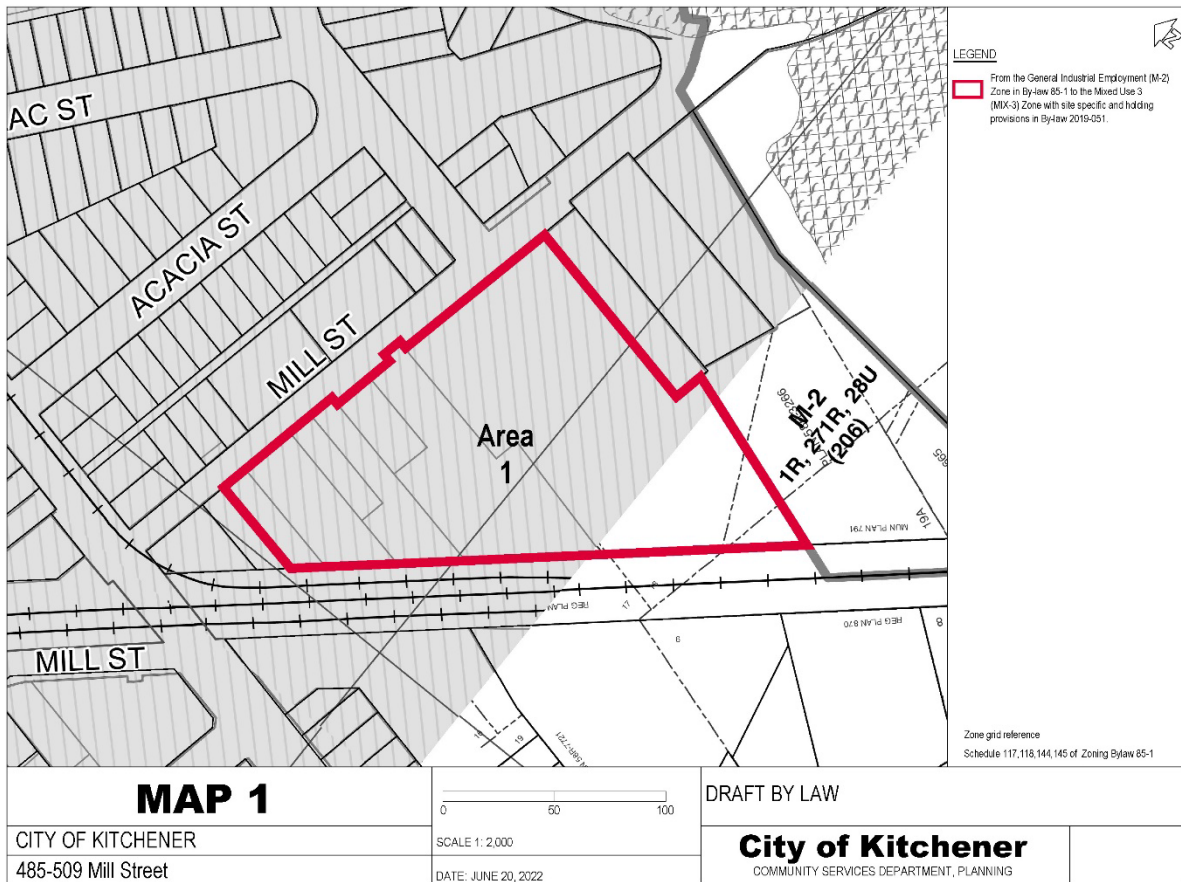


Figure 22: Proposed Zoning By-law Amendment Map

- A reduction to minimum interior side yard from 4.0 metres to 1.7 metres for the building tower;
- An increase to maximum building height from 32 metres to 105 metres;
- An increase to the maximum storeys from 10 storeys to 32 storeys;
- An increase to the maximum number of storeys in the base of a mid-rise building or tall building from 6 storeys to 8 storeys;
- An increase to the maximum Floor Space Ratio from 2.0 to 7.0;
- A reduction to the minimum percent of non-residential gross floor area from 20% to 1.4%; and,
- The prohibition of closed loop geothermal energy systems.

The proposed Zoning By-law Amendment also contemplates minimum parking requirements, including:

- Minimum parking spaces shall be 0.55 spaces per dwelling unit, plus 0.05 visitor spaces per dwelling unit;
- Visitor parking spaces shall be shared between uses and unassigned.

A Holding provision is proposed to be applied to the Site, the removal of which is conditional upon the acceptance of a Record of Site Condition for the Site.

Table 1 below provides a summary of zoning of the applicable zoning regulations and compliance.

<b>Table 1: Zoning Compliance</b>			
<i>Regulation</i>	<i>Required</i>	<i>Provided</i>	<i>Conforms</i>
<i>Section 8.3 Regulations (MIX-3 Zone)</i>			
<i>Min Lot Width</i>	15m	183.3	Yes
<i>Min Front Yard Setback</i>	1.5m	3.3 m	Yes
<i>Min. Exterior Side Yard Setback</i>	1.5m	N/A	Yes
<i>Min. Rear Yard Setback (Podium)</i>	7.5m	5.5 m	No
<i>Min. Rear Yard Setback (Tower)</i>	7.5m	2.5 m	No
<i>Min. Interior Side Yard Setback (Podium)</i>	4m	0 m	No
<i>Min. Interior Side Yard Setback (Tower)</i>	4m	1.7 m	No
<i>Min. Yard setback abutting a residential zone</i>	4.5	N/A	Yes
<i>Min. Ground floor building height for any building with street line facade</i>	4.5 m	4.8 m	Yes
<i>Min. Building Height</i>	11m	37.8 m	Yes
<i>Max. Building Height</i>	32 m	105 m	No
<i>Max. Number of storeys</i>	10 storeys	32 storeys	No
<i>Min. Number of storeys in the base of a mid-rise building or tall building</i>	3 storeys	4 storeys	Yes
<i>Max. Number of storeys in the base of a mid-rise building or tall building</i>	6 storeys	8 storeys	No
<i>Min. street line step back for mid-rise building and tall buildings</i>	3 m	3 m	Yes
<i>Min Floor space ratio</i>	0.6	7.0	Yes
<i>Max floor space ratio</i>	2	7.0	No

<i>Max total retail gross floor area within a multi-unit building, multi-unit development, mixed-use building, or mixed-use development</i>	10,000 m <sup>2</sup>	2,,013 m2	Yes
<i>Min percent of non-residential gross floor area</i>	20%	1.4% (Commercial)	No
<i>Min ground floor street line façade width as a percent of the width of the abutting street line</i>	50%	61.2%	Yes
<i>Min percent street line façade openings</i>	50%	50%	Yes
<i>Min landscaped area</i>	15%	33%	Yes
<i>Section 5.6 Regulations (Parking), Table 5-5 Multiple Residential Buildings</i>			
<i>Minimum Parking Spaces</i>	0.9 per dwelling unit (1,350 spaces)	0.55 spaces per dwelling unit, plus 0.05 visitor spaces per dwelling unit (900 spaces + 26 surplus = 926 spaces) (1)	No
<i>Minimum Visitor Parking spaces</i>	0.1 per dwelling unit (150 spaces)		No
<i>Max parking spaces (incl visitor)</i>	1.3 per dwelling unit (1,950 spaces)		Yes
<i>Min. Class A Bicycle Parking Stalls</i>	0.5 per dwelling unit (750 stalls)	0.5 per dwelling unit (1,184 stalls)	Yes
<i>Min. Class B Bicycle Parking stalls</i>	6 where more than 20 dwelling units are on a lot	6 where more than 20 dwelling units are on a lot (Approx. 116 stalls)	Yes
(1) Visitor parking spaces shall be shared between uses and unassigned.			

The proposed Zoning By-law Amendment (ZBA) will implement the higher-level planning policy directives described within Section 6.0 of this report. Planning policy directs the Site to be redesignated, and rezoned, as high-density Mixed Use through a comprehensive Official Plan and Zoning By-law Amendment process, informed by the Planning Around Station Areas Study and implemented through the Neighbourhood Planning Review process. The Proposed Applications, including the ZBA, implement the anticipated recommendations of these processes.

Given the Site’s shape, its current and future urban context situated adjacent the ION LRT corridor, and the proposed buildings unique architectural massing, special zoning considerations are required. The site-specific provisions, proposed by the ZBA, are appropriate for the Site, based on the following:

## Yard Setbacks

Two separate setbacks have been proposed to accommodate the building podium and tower. This is a result of the unique massing of the building, in which the tower sits askew from the podium resulting in a slight overhang. The proposed rear yard setbacks are appropriate given the Site's location abutting the ION LRT rail corridor and the absence of adjacent sensitive land uses. The proposed 5.5 metre setback for the building podium will accommodate a covered pedestrian walkway, a switchback ramp down from the Station Plaza to the ION Mill station, as well as a covered cluster of 80 community bicycle parking stalls immediately adjacent the station platform. The proposed 2.5 metre setback for the building tower reflects Tower A sitting askew from the building podium. As this setback will only be present beginning at the 8<sup>th</sup> storey, it will pose no constraint on the adjacent lands.

The Interior Side Yard setbacks are typical within an urban high density context (MTSA), which the proposal should be considered within. The building setback of 0.0 metres accommodates the siting of Towers C and E podiums. The west setback, adjacent 455 Mill Street, is appropriate as negotiations are currently underway to potentially the parcel. Should this come to fruition, the lands on 455 Mill Street will be constructed as an Entry Plaza and, ultimately, conveyed to the City. If the lands are not acquired, while they currently contain a residential use, they are not designated or zoned as such, and are anticipated to be redeveloped in another form in the future. It would be inconsistent with planning policy and legislation to dictate the permanent form of future development on the Site in response to a legal non-conforming adjacent use. As such, a 0.0 metre setback is appropriate regardless of whether the Owner ultimate acquires the lands or not. The building tower setback of 1.7 metres provides an appropriate setback to distinctly articulate the buildings base and create a pedestrian scale, abutting the potential Entry Plaza.

Similarly, the eastern interior side yard abuts lands that are anticipated to be redeveloped in the future. The current use is employment and less sensitive to building proximity. As such, a 0.0 metre setback for the building podium is appropriate. The tower setback along the western interior side yard is a minimum of 6.5 metres and reflects the setback of Tower F.

## Building Height

The proposed maximum building height of 32 storeys, or 105 metres, reflects the height of Tower D. The proposed building height is appropriate for a high-density use immediately abutting a high-order transit station and aligns with similar projects within the Urban Growth Centre and other MTSA's within Ontario. The proposed maximum building height is capped by the Region of Waterloo International Airport as the Site lies within the approach to Runway 8. As the buildings articulate in height and massing across the Site, peaking with Tower F, the Proposed Development will provide an attractive skyline within the Rockway neighbourhood.

The proposed increase to the maximum number of storeys within the base of a building to 8 storeys reflect Towers D and F. The increased height facilitates additional gross floor area within



the building podiums, rather than additional building height distributed throughout other towers on the Site. Towers D and F are located along the rear of the property and reflect podium height articulations that generally tier up from Mill Street toward the back of the Site. The proposed podium height maintains a pedestrian scale, forms part of a comprehensive Site design and is in keeping with City design policies.

Please see Urban Design Report, analysis and rationale. Angular plane analysis, shadow studies and other compatibility assessment with respect to the lower density residential neighbourhood located to the north of the Site is examined more fully. Based on all of this review and analysis in conjunction with the project team, it is concluded that the proposed building heights are appropriate.

## **Floor Space Ratio**

The Mixed Use designation within the Official Plan permits a maximum FSR of 5.0, and the draft MIX-4 Zone – to which the proposed zoning is based from – also permits a maximum FSR of 5.0. The proposed Zoning By-law Amendment proposes a maximum FSR of 7.0. The proposed FSR is appropriate for the Site given its proximity to the Mill ION LRT station and its function as a high-density node within the MTSA. The proposed FSR will facilitate addition floor area and, as such, additional dwelling units and commercial space. Given the low-density residential character of much of the Rockway MTSA area, there are limited opportunities to attain the growth targets within the community. The Proposed Development offers a significant opportunity to contribute to the ultimate goal of 160 people and jobs per hectare within MTSA's. As such, the proposed FSR is appropriate.

## **Non-residential Gross Floor Area**

The zoning amendment proposes a reduction in the minimum required non-residential gross floor area from 20% to 1.4%. Given the scale of the overall development, 20% non-residential use would result in far too much commercial floor area for the market to absorb. As such, a total of 1.4%, reflecting a total non-residential area of 2,103 square metres, is proposed. The proposed non-residential gross floor area provides sufficient space on grade to activate key building edges without over supplying the market demand. As such, the proposed rate is appropriate.

## **Geothermal Energy Systems**

A prohibition on Geothermal Energy Systems has been requested by Regional staff.

## **Parking**

Given the Site's location immediately abutting the ION Mill Station, the Region of Waterloo has determined that a 50% modal share is expected. As such, reliance on private automobiles is expected to be lower within the Proposed Development. This is consistent with policy directives from the Province, the Region and the City of Kitchener. As such, a proposed parking rate of 0.55

spaces per unit plus 0.05 visitor spaces per unit is proposed. Visitor parking is to be shared between commercial and residential uses and are to be unassigned. A Parking Justification Report has been prepared by Paradigm Transportation Solutions Ltd supporting the proposed rate and is summarized in Section 5.4 of this report. As such, the proposed parking rate is appropriate for the Site.

## **Holding Provision**

Contamination of the Site has been identified on a portion of the Site through a Phase II Environmental Site Assessment. As such, a holding provision has been proposed for the Site, the lifting of which is conditional upon a Record of Site Condition being accepted by the Ministry of Environment and Climate Change.

## 5.0 OVERVIEW OF SUPPORTING REPORTS

A number of required studies were identified through the Pre-submission Consultation process to address the feasibility of the Proposed Development. The following studies and reports have been submitted as part of a complete application. A summary of each has been provided, however, for a complete analysis and recommendations, the respective documents should be consulted.

### 5.1 Urban Design Report

An *Urban Design Report*, dated July 2022, was prepared by Michael Spaziani Architect Inc. in support of the Proposed Development. The report's purpose is to review the proposed design elements of the Site to ensure compatibility with the surrounding neighbourhood and summarize how the proposed design responds to the City of Kitchener's Urban Design policies. The report concludes that the Proposed Development has integrated urban design principles through the following:

- High quality urban design and architectural finishes;
- High quality and vibrant streetscapes;
- Consideration of skyline views;
- Consideration of safety and emergency access through the placement of buildings, streets and walkways;
- Ensuring barrier-free and universal accessibility by all citizens;
- Integration of public art and high quality public spaces;
- Consideration of priority building locations along Mill Street and at Site entrances (Mill & Ottawa Streets and Mill & Sydney Streets);
- Designing for year-round use and consideration for protection from sun, snow, heat and other environmental elements; and,
- Consideration of land use compatibility within surrounding neighbourhood.

The Urban Design Report and Planning Justification Report are intended as complimentary documents and should be reviewed in conjunction.

### 5.2 Functional Servicing & SWM Report

A *Functional Servicing & SWM Report*, dated June 24, 2022, was prepared by JPE Engineering in support of the Proposed Development. The report's purpose is to demonstrate the Site's development potential from an engineering perspective, identify general design criteria and constraints, and propose a functional site grading design and servicing to obtain preliminary acceptance on the design direction. The report offers the following summary:

- The functional site grading demonstrates that gentle gradients for all vehicular and pedestrian areas can be achieved, and that stormwater can be conveyed to the Site's stormwater outlet in the southeastern corner of the Site.
- During construction, erosion and sediment controls will be implemented to control offsite migration of sediment.
- SWM quantity control will be achieved with the construction of an underground storage tank located in the southeastern corner of the Site. The tank would have outlet controls ensuring the peak discharge of the design storm events is under the required municipal criteria's rate, as well as within the design capacity of the receiving ditch.
- SWM quality control will be achieved with the installation of an oil grit separator (OGS) at the outlet of the Site's proposed SWM tank.
- Stormwater infiltration onsite is not feasible given the form of development, the tight soils, and the high existing groundwater table. Onsite usage of retained stormwater will be explored at the final design stage (i.e., for irrigation, greywater, etc.), and the cash-in-lieu option implemented should onsite usage be insufficient to meet municipal requirements.
- The existing 200mm diameter sanitary sewer on Mill Street will be used for the sanitary outlet of the Site. The proposed connection location will be to the existing sanitary manhole at the Site's eastern driveway (i.e., at the Sydney Street South intersection).
- It is calculated that the conveyance capacity of the municipal local sanitary system appears adequate for the predicted Site flows.
- As is typical practice, the City of Kitchener should add the proposed development's sanitary flows to their sanitary model and confirm capacity is not an issue.
- The existing municipal water system on Mill Street will be used to provide potable water and fire protection for the Site. Adequate fire flow supply was demonstrated by field testing and calculations.
- Proposed municipal hydrants within the development, and the existing hydrants external to the Site on Mill Street will provide fire protection for the Site. During final design, onsite hydrants will be located to ensure adequate coverage.
- Given the proposed high building heights (some exceed 100m), the need for booster pumps should be explored during the final design stage.

The report concludes that the Proposed Development can be serviced from a site civil engineering perspective.

## 5.4 Transportation Impact Study and Parking Justification Report

Paradigm Transportation Solutions was retained by Polocorp Inc to prepare a *Transportation Impact Study and Parking Justification Report* for the Proposed Development. The report analyzes the traffic forecasts and anticipated impacts on the traffic network following completion of the Proposed Development. Given the Site's location immediately adjacent the Mill ION Station, a

transportation modal share of 50% is anticipated for residents of the community. With this, a review of the existing traffic within the surrounding community, and the levels anticipated to be generated from the Proposed Development, were assessed. The report concluded that:

- No additional traffic signals are forecasted to be warranted;
- No additional left-turn lanes are forecast to be warranted;
- The Courtland-Ottawa intersection will experience high-delays, however, this deficiency is present without the Proposed Development;
- A parking rate of 0.55 residential parking spaces per unit will adequately accommodate the anticipated demand.
- A visitor parking rate of 0.05 spaces per unit, shared between residential and commercial uses, is appropriate;

The report outlines Transportation Demand Management measures that are to be considered including unbundled parking, additional bicycle parking and the participation in a car-share program through the provision of dedicated parking spaces.

## 5.5 Preliminary Geotechnical and Hydrogeological Investigation

*A Preliminary Geotechnical and Hydrogeological Investigation*, dated March 28, 2022, was prepared by Chung & Vander Doelen in support of the Proposed Development. The investigation advanced seven widely-spaced boreholes to determine subsurface conditions and their suitability to host the Proposed Development. The investigation found that the native soil deposits are suitable to support the Proposed Development, subject to the design of the footing/raft foundation and associated settlements. In light of the relatively shallow groundwater table, the Proposed Development will require construction dewatering and the construction of a water-proofed foundation and basement floor slab. Disposal of groundwater (which is impacted by petroleum hydrocarbon) from the dewatering system will need to be treated. Raft foundations will be required to support 30-35 storey buildings. The report recommends additional boreholes be advanced at each building area to confirm conditions prior to finalizing foundation design.

## 5.6 Stage I and II Environmental Site Assessments

A series of Stage I and II Environmental Site Assessments (ESA) was completed for the Site by Chung & Vender Doelen, dated July 12, 2013 (509 Mill Street), January 6, 2017 (477-485 Mill Street), and July 12, 2022 (455-473 Mill Street). Potentially contaminating activities were identified on the Site and surrounding properties due to historical fuel storage and the generation of hazardous wastes. Collectively, the assessments advanced boreholes and analysed soil and water samples for potential contaminants. Petroleum hydrocarbon impacts on soil and ground water were identified

at 477-485 Mill Street. No contaminants or significant environmental concerns were found at the remaining properties. Monitoring wells were installed at all borehole locations.

## 5.7 Tree Inventory and Preservation Plan Report

Kuntz Forestry Consulting Inc was retained by Land Art Design Landscape Architects Inc to complete a *Tree Inventory and Preservation Plan* report for the Site. The tree inventory documented a total of 80 trees and 2 tree polygons on and within six metres of the Site. Trees were comprised of a mix of species. Based on the Proposed Development, the report concluded that the removal of 79 trees and 2 tree polygons will be required. The remaining tree can be preserved with the use of appropriate tree protection measures. Please see Tree Inventory and Preservation Plan Report for recommendations related to the preservation and protection of the resource.

## 5.8 Noise and Vibration Feasibility Study

A *Noise and Vibration Feasibility Study*, dated July 13, 2022, was prepared by HGC Engineering to assess the impacts of environmental and stationary noise sources on the Proposed Development. The predicted sound levels from road and rail traffic will exceed MECP guidelines during the day and night hours. To mitigate these conditions, mitigation measures such as air conditioning and glazing are required. No mitigation measures are recommended for ground-borne vibrations. Sound emissions from neighbouring commercial and residential buildings were investigated and determined to be within acceptable sound level limits. Warning clauses are also recommended for future residents to address sound level excesses and the adjacent employment uses.

## 5.9 Pedestrian Wind Assessment

A *Pedestrian Wind Assessment*, dated June 22, 2022, was prepared by RWDI to assess the potential wind conditions at pedestrian levels on and around the Site. Wind conditions on most surrounding sidewalks are expected to be appropriate for the intended usage throughout the year. The proposed buildings will also provide some sheltering for the neighbouring areas to the east and west. Without wind control strategies, such as massing refinements (increased separation distances, stepped podiums, canopies, and street trees) and the addition of vertical porous wind screens, uncomfortable and potentially unsafe wind conditions are expected in the Station Plaza and area between towers A and C. Wind tunnel testing is recommended at a future stage of design.

## 5.10 Sustainability Statement

A *Sustainability Statement*, dated July 2022, was prepared by The Butler Group Consultants Inc. in collaboration with the project team to demonstrate the Proposed Development's conformity with the sustainable development policies of the Kitchener Official Plan, including Policy 7.C.4.4. The report concludes that the Proposed Development includes and has considered numerous elements to encourage environmental sustainability, including proximity to amenities, encouraging a variety

of transportation options, and construction that will meet or exceed contemporary energy-efficiency and waste diversion standards. Further investigation of the Proposed Development's sustainability initiatives will be conducted during detailed design.

# 6.0 PLANNING CONTROLS

## 6.1 Overview

The Proposed Applications have been reviewed through the lens of the governing policy provisions set out in the Planning Act, Provincial Policy Statement (2020), Growth Plan for the Greater Golden Horseshoe (2020), Region of Waterloo Official Plan, City of Kitchener Official Plan, and City of Kitchener Zoning By-laws (No. 85-1 and 2019-051).

In addition to these in-force documents, the City is currently undertaking a Neighbourhood Planning Review (NPR) to implement the policy direction of the Planning Around Rapid Transit Stations (PARTS) studies through the Official Plan and related Secondary Plans. The update has not been approved by Council; however, the proposed policies and designations are indicative of the City’s vision for development near rapid transit stations and are relevant for these applications. The Proposed Development will be reviewed in the context of each document in the following pages. This review will demonstrate that the Proposed Development is supportive of the policy direction set out in these Plans, all of which promote the efficient use of land and infrastructure within built-up areas and encourage intensification in proximity to higher order transit.

## 6.2 Planning Act

The Planning Act R.S.O. 1990, c. P.13 (‘the Act’) provides for a land use planning system led by provincial policy, integrating matters of provincial interest into provincial and municipal planning decisions and statutory planning processes in Ontario. Section 2 of the Act sets out matters of Provincial Interest that municipalities must “have regard for” when drafting and implementing planning policy and approving development applications. The following table provides an analysis of the Proposed Development in response to the items described in Section 2.

<b>Section</b>	<b>Provincial Interest</b>	<b>Response</b>
(a)	The protection of ecological systems, including natural areas, features and functions;	Not applicable
(b)	The protection of the agricultural resources of the Province;	Not applicable
(c)	The conservation and management of natural resources and the mineral resource base;	The Proposed Development will protect groundwater resources by removing existing contaminants and constructing a non-industrial use within a Wellhead Protection Sensitivity Area.



(d)	The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	The Proposed Development has no impact on the adjacent CN Rail Corridor Cultural Heritage Landscape.
(e)	The supply, efficient use and conservation of energy and water;	Energy and water conservation measures will be explored during detailed design, as outlined in the Sustainability Statement
(f)	The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;	The Proposed Development will be serviced by existing communication, transportation, sewage and water services and waste management systems.
(g)	The minimization of waste;	The Proposed Development is required to adhere to the Resource Recovery and Circular Economy Act, S.O. 2016, Chapter 12, Schedule 1 with respect to waste diversion and management.
(h)	The orderly development of safe and healthy communities;	The Proposed Development represents orderly development as it is intensification adjacent to an LRT stop.
(h.1)	The accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;	The Proposed Development will be designed and constructed in accordance with the Access for Ontarians with Disability Act, 2005, S.O. 2005, c. 11.
(i)	The adequate provision and distribution of educational, health, social, cultural and recreational facilities;	The Proposed Development is within an existing residential neighbourhood containing educational, health, social, cultural and recreational facilities. Additional parkland created by the development will positively contribute to the provision and distribution of recreational facilities.
(j)	The adequate provision of a full range of housing, including affordable housing;	The Proposed Development provides a range of unit sizes and types, including 1, 2, and 3 bedroom units, including affordable units.
(k)	The adequate provision of employment opportunities;	The Proposed Development will include commercial spaces that will create long-term employment, as well as short-term employment created through the construction process.

(l)	The protection of the financial and economic well-being of the Province and its municipalities;	The Proposed Development does not require additional infrastructure from the Province or municipalities and takes advantage of the previous investments in the ION LRT.
(m)	The co-ordination of planning activities of public bodies;	The applications for Official Plan Amendment and Zoning By-law Amendment will be circulated to all commenting agencies and public bodies by the City.
(n)	The resolution of planning conflicts involving public and private interests;	The resolution of planning conflicts, if applicable, will be addressed as part of circulation and review process.
(o)	The protection of public health and safety;	The Proposed Development provides safe access to the ION LRT and encourages active transportation.
(p)	The appropriate location of growth and development;	The Proposed Development represents intensification within a Major Transit Station Area.
(q)	The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	The Proposed Development provides direct access to the ION LRT and other Grand River Transit services. The Site is designed to be pedestrian-oriented and is adjacent to the City's multi-use trail and bike lane network. New commercial uses will promote active transportation within the surrounding community.
(r)	The promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;	The Proposed Development provides high quality urban design that will create a landmark at the Mill ION LRT station, as per the Urban Design Report. Building massing and streetscapes are designed to be compatible with the existing community and transition in height between the rail corridor and nearby low-rise community. The integrated public spaces and active frontages will create a vibrant pedestrian realm.
(s)	The mitigation of greenhouse gas emissions and adaptation to a changing climate.	The Proposed Development includes Transportation Demand Management strategies to reduce vehicle related greenhouse gas emissions. Building related adaptation measures will be explored through detailed design, as per the Sustainability Statement.

**In our professional planning opinion, the Proposed Applications have regard for matters of Provincial interest under the Planning Act.**

## 6.3 Provincial Policy Statement

The Provincial Policy Statement ('PPS'), issued under Section 3 of the Planning Act, came into effect on May 1, 2020. The PPS provides direction on matters of provincial interest related to land use planning. The Planning Act requires that, "decisions affecting planning matters shall be consistent with" the PPS.

While we have reviewed all of the policies of the PPS, this report highlights those policies most relevant to these applications and those identified by the City and Regional staff as part of the Pre-submission Consultation process.

### Guiding Principles

Section 1.1.1 of the PPS directs the creation of "healthy, liveable and safe communities" through the following:

Section	Policy	Response
a)	Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;	The Proposed Development provides efficient intensification of the Site and creates opportunity for further revitalization of the Rockway neighbourhood.
b)	Accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;	The Proposed Development includes a mix of market-based and affordable units with a range of unit sizes, as well as commercial and park uses to meet the needs of the surrounding community.

c)	Avoiding development and land use patterns which may cause environmental or public health and safety concerns;	The Proposed Development will remediate existing contaminated conditions and has been design to consider public health and safety.
d)	Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;	The Proposed Development provides intensification within Kitchener’s settlement area and, as such, does not require the expansion thereof.
e)	Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;	The Proposed Development provides intensification and transit-supportive development within a Major Transit Station Area. The Proposed Development has been integrated with the existing ION LRT station. The Proposed Development will utilized existing municipal infrastructure available to the Site.
f)	Improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;	The Proposed Development provides barrier-free access throughout the Site. The Proposed Development will be designed to meet the applicable accessibility policies.
g)	Ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;	The Proposed Development is serviced by existing municipal water, wastewater, and stormwater infrastructure and is within available capacity limits.
h)	Promoting development and land use patterns that conserve biodiversity; and	Given the existing conditions of the Site, limited natural features are located on the property, however, opportunities to conserve biodiversity will be explored through the detailed design of the Proposed Development.

i)	Preparing for the regional and local impacts of a changing climate.	The Proposed Development reduces potential vehicle-related carbon emissions through Transportation Demand Management strategies and will investigate other climate adaptation measures through the detailed design phase.
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Section 1.1.3 directs growth and development to settlement areas (1.1.3.1). Within settlement areas, land use patterns are to be based on a mix of uses and densities, efficient use of land, infrastructure and public facilities, be transit-supportive and supportive of active transportation, be appropriate for the available and planned infrastructure, minimize negative impacts to air quality and climate change, and promote energy efficiency (1.1.3.2).

Municipalities are required to identify locations and opportunities for intensification and transit-supportive development. Additionally, a significant supply and range of housing must be accommodated through intensification (1.1.3.3). Compact forms of intensification should be promoted which avoid and mitigate risks to public health and safety (1.1.3.4).

**Response:** The Proposed Development is located within the Kitchener settlement area and will provide a range of additional housing through intensification. The Proposed Development represents a compact, transit-supportive design that provides high density development adjacent to an LRT station. The Proposed Development integrates a network of high-quality public spaces that emphasize the pedestrian realm and encourage active transportation.

The PPS promotes standards that avoid or mitigate the risks of development on public health and safety, in particular for sensitive land uses (1.1.3.4, 1.2.6.1). The long-term viability of existing or planned industrial uses shall be protected and adjacent sensitive land uses are only permitted if:

- a) there is an identified need for the proposed use;
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated." (1.2.6.2)

**Response:** The Proposed Development will have no impact on the overall long-term viability of the adjacent industrial uses and the addition of future alternative employment jobs. Adverse effects on the Proposed Development will be limited through separation distances, Site design features (such as air conditioning and glazing), and warning clauses, where necessary. Further detail can be found in the Noise and Vibration Feasibility Study prepared by HGC Engineering, dated July 13, 2022.

An appropriate range and mix of housing is to be provided by planning authorities through the allowance of all types of housing and intensification, ensuring development is located to efficiently use available land, infrastructure, and public services, prioritizing transit-supportive intensification, and facilitating a compact form that minimizes the cost of housing while maintaining public health and safety (1.4.3). Healthy, active communities should be supported by a full range, and equitable distribution of, recreational settings (1.5.1).

**Response:** The Proposed Development introduces new high-density residential units, commercial space, and parks and open spaces to the Rockway area. The Proposed Development will diversify the housing mix within the community by providing a range of unit sizes and levels of affordability. The built form is compact and supports transit through increased density and direct connection to the LRT.

The PPS requires that the Proposed Development have regard for efficient use of available infrastructure and public service facilities. Section 1.6.6 of the PPS requires that stormwater management be integrated with sewage and water services, prevent increases in contaminant loads, minimize erosion and the impacts of changing climate, mitigate health and safety risks, maximize pervious and vegetation cover, and promote stormwater management best practices (1.6.6.7). Further, development is not permitted where it may negatively affect or preclude the use of an existing or planned transportation corridor. Development proposed adjacent to such corridors shall ensure that corridors remain viable, and protected for the long-term and that uses be compatible with and supportive of the purpose of the corridor (1.6.8).

**Response:** The Proposed Development utilizes and ensures the efficient use and protection of existing infrastructure and public services facilities. The Proposed Development integrates stormwater management facilities into the design and utilizes existing water and sewage services available to the Site. The development supports the purpose of the existing rail corridor by providing transit-supportive development adjacent the ION rail line, while ensuring no negative impacts on the existing and planned use of the CN Rail corridor. Mitigation measures will be explored through detailed design to ensure compatibility between the rail corridor and the Proposed Development's sensitive uses.

Section 1.7 of the PPS states that long-term economic prosperity should be supported by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce; optimizing the long-term availability and use of land, resources, infrastructure and public service facilities; encouraging a sense of place, by promoting well-designed built form.

**Response:** The Proposed Development encourages long-term economic prosperity by increasing the housing supply and diversity available within the City and Region and optimizes the use of land and infrastructure through intensification where services and facilities already exist. The Proposed Development further supports the direction of Section 1.7 by providing development immediately

adjacent the ION LRT, thereby encouraging a multi-modal transportation system. The Proposed Development has integrated a high-level of urban design and architectural consideration into preliminary plans and, as such, encourages a sense of place.

Section 1.8 of the PPS directs planning authorities to support energy conservation, improved air quality, reduced greenhouse gas emissions, and to prepare for the impacts of climate change through land use and development patterns which: promote compact form and a structure of nodes and corridors; promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas; encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion; promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and maximize vegetation within settlement areas, where feasible.

**Response:** As demonstrated by the Sustainability Statement, the Proposed Development promotes sustainable development through the Site's proximity to local amenities, by encouraging a variety of transportation options, building design and construction methods that meet or exceed energy-efficiency standards and ensure waste diversion, where feasible.

**In our professional planning opinion, the Proposed Applications are consistent with the Provincial Policy Statement with regard to land use, compatibility, housing, transit-supportive development, public spaces, infrastructure, economic prosperity, and climate change.**

## 6.4 Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (the 'Growth Plan') provides policy guidance regarding growth management, transportation, intensification, greenfield development, and protection of employment lands within the Greater Golden Horseshoe and surrounding municipalities. The current version came into effect on May 16, 2019, and we have reviewed the most recent consolidated version dated August 2020.

While we have reviewed all of the policies of the Growth Plan, this report highlights those policies most relevant to these applications and those identified by the City and Regional staff as part of the Pre-Submission Consultation process.

### Guiding Principles

The Growth Plan sets out Guiding Principles in Section 1.2.1 to ensure the successful realization of the vision for the Greater Golden Horseshoe. The following table provides an analysis of the Proposed Development and its consistency with the guiding principles.

<b>Table 3: Section 1.2.1 Guiding Principles</b>	
<b>Policy</b>	<b>Response</b>
Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.	The Proposed Development provides a mixed-use development including spaces to live, work and play. The proposed compact form adjacent to rapid transit and multi-modal trails encourages the use of public and active transportation and provides for daily needs.
Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.	The Proposed Development achieves high density intensification and is appropriately located within an MTSA with existing available infrastructure.
Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.	Not applicable
Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.	The Proposed Development includes a mix of unit sizes and levels of affordability, including one, two, and three bedroom, thereby diversifying the housing mix within the Rockway neighbourhood.
Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government.	The Proposed Development makes efficient use of investments in rapid transit and servicing infrastructure due to its location within an MTSA.
Provide for different approaches to manage growth that recognize the diversity of communities in the GGH.	The Proposed Development diversifies opportunities available within the Rockway community by providing intensification in a transit-oriented location. The Proposed Development contributes to Provincial and Municipal growth targets.
Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.	The Proposed Development will remediate the underlying soil and protect the City's groundwater resources.
Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network.	Not applicable



Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.	The Proposed Development has no impact on the adjacent CN Rail Cultural Heritage Landscape.
Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate –and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.	The Proposed Development is compact in form that integrates landscaping and active transportation opportunities. Further measures to improve sustainability will be investigated during detailed design.

The Site is located within the delineated built-up area of Kitchener as well as within a Major Transit Station Area (MTSA). Section 2.2 contains specific policies that direct growth to areas that support complete communities, including delineated built-up areas and strategic growth areas with public service facilities (2.2.1.2). Complete communities can be achieved through by including diversity in the mix of land uses and housing options available, the improvement of social equity and quality of life, and the development of a compact built form with a vibrant public realm (2.2.1.4). Delineated built-up areas are to accommodate a minimum of 50 percent of all residential development within the City of Kitchener (2.2.2). The Growth Plan promotes development within strategic growth areas (such as Major Transit Station Areas) and requires municipalities to “identify the appropriate type and scale of development” and the “transition of built form to adjacent areas” (2.2.2.3).

**Response:** The Proposed Development contributes to a complete community by providing residential, commercial, and open space uses and a mix of residential unit sizes within a compact, high-density built form. The public realm is designed with high quality streetscapes and open spaces, and the massing has been designed to transition to the nearby residential neighbourhood, as demonstrated by the Urban Design Report. The Site is located within a strategic growth area and contributes to the City’s 50% intensification goal.

Priority will be placed on locations on higher order transit corridors, with areas served by light rail transit planned for a minimum density of 160 people and jobs per hectare (2.2.4). Development will be further support by prohibiting land uses and a built form that could impact the achievement of density targets and transit-supportive forms (2.2.4.6, 2.2.4.9). Major transit station areas are to be transit-supportive and provide multi-modal access to stations and nearby trip generators (2.2.4.8). Development will be supported through a mix of uses, collaboration between the public and private sectors, and alternative development standards, such as reduced parking rates (2.2.4.9).

**Response:** The Proposed Development is located on a higher order transit corridor is directly integrated with the adjoining LRT station and provides improved connectivity between the LRT and

surrounding community. Based on Table 4 below, the Proposed Development achieves a density of approximately 1,287 people and jobs per hectare, vastly exceeding the minimum density target of 160 people and jobs per hectare. It should also be noted that the Proposed Development also includes commercial space, further increasing the total jobs per hectare provided. Transit will be further supported through a mix residential and commercial uses and a reduced parking rate of 0.6 spaces per unit.

<b>Table 4: Residents and Jobs Per Hectare</b>			
<b>2021 Region of Waterloo Averages</b>			
(Based on Water and Wastewater Monitoring Report, Jun 2021)			
<b>Structure Type</b>	<b>Persons Per Unit (PPU)</b>		
Apartment	1.77		
Percentage of Work at Home Residents	2.80%		
<b>Residents</b>			
<b>Block Type</b>	<b>No. Unit</b>	<b>Regional Average</b>	<b>No. Residents</b>
Multiple Unit Types (Apartment)	1,500	1.77	2,655
<b>Total</b>	<b>1,500</b>		<b>2,655</b>
<b>Jobs</b>			
<b>Job Type</b>	<b>No. Residents</b>	<b>Work at Home Percentage</b>	<b>No. Jobs</b>
Work at Home	2,655	2.80%	74
<b>Total</b>	<b>2,655</b>		<b>74</b>
<b>Block Type</b>	<b>No. Persons</b>		
Residents	2,655		
Jobs	74		
Residents & Jobs	2,729		
Net Total Area (ha)*	2.12		
R & J per Hectare	1,287		
<b>Approximate Residents and Jobs Per Hectare</b>			<b>1,287</b>

An appropriate interface between employment areas and non-employment uses is to be established to ensure compatibility (2.2.5.7). Any new sensitive land uses will avoid, minimize, or mitigate any impacts on industrial lands (2.2.5.8). Policy 2.2.5.9 limits the conversion of lands within employment areas to non-employment uses through a municipal comprehensive review where it is demonstrated that:

- a) *there is a need for the conversion;*
- b) *the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;*

- c) *the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;*
- d) *the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and*
- e) *there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.*

**Response:** The conversion of the Site from an employment use to a non-employment use is supported by the PARTS and NPR processes, which constitute a municipal comprehensive review. PARTS Rockway and the resulting proposed Rockway Secondary Plan demonstrate the need to convert the Site and surrounding lands to the Mixed Use designation to support the ION LRT and surrounding MTSA. The PARTS Rockway Plan describes the study area as transitioning away from employment uses and recommends maintaining the employment areas to the south of the CN Rail corridor only. The location of the Proposed Development will not adversely impact the viability of the nearby employment area, as demonstrated in the Noise and Vibration Feasibility Study, prepared by HGC Engineering and dated July 13, 2022. Where appropriate separation distances can not be maintained, the Proposed Development will employ mitigation measures such as air conditioning and glazing, which will be determined through detailed design. In addition, the Proposed Development's high-density and compact form will support the achievement of the density targets included in the Growth Plan. The Proposed Development will be serviced by existing municipal infrastructure, including water, sanitary, stormwater and other public service facilities. Thus, the conversion of the Site to non-employment uses is appropriate and conforms to the above-mentioned policies. Further discussion of the conformity with the PARTS Rockway Plan can be found in Section 6.7 of this report.

Section 2.2.6 directs municipalities to support housing choice through the achievement of the minimum intensification and density targets by identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing (2.2.6.1). Policy 2.2.6.2 requires municipalities to support the achievement of complete communities by planning to achieve the minimum intensification and density targets in this Plan, considering the range and mix of housing options and densities of the existing housing stock, and planning to diversify their overall housing stock across the municipality.

**Response:** The Proposed Development supports housing choice by providing a mix of unit sizes, including one, two, and three-bedroom units, and diversifying the housing options within the Rockway neighbourhood. A total of 50 affordable rental units will also be provided within the Proposed Development, distributed between the proposed buildings. The proposed density of 1,287 people and jobs per hectare exceeds the minimum density target of 160 people and jobs per hectare established by Policy 2.2.4.

In our professional planning opinion, the Proposed Applications conform with the Growth Plan for the Greater Golden Horseshoe with regard to urban structure, intensification, transit-supportive development, employment land conversion, and complete communities.

## 6.5 Region of Waterloo Official Plan

The 2015 Region of Waterloo Official Plan (“ROP”) is the guiding document for directing growth and change within the Region until 2031. The ROP provides a framework for growth in the Region and directs local municipalities to establish specific policies for development.

While we have reviewed all of the policies of the Regional Official Plan, this report highlights those policies most relevant to these applications and those identified by the City and Regional staff as part of the Pre-submission Consultation process. It is noted that the Urban Design Report also contains a review of relevant urban design policies and should be read together with this report.

The Site is located within the Built-Up Area and is adjacent to a Rapid Transit Station, as shown on Map 3a (see Figure 23). This area is intended to accommodate the majority of the Region’s growth (2.B.2). The ROP directs local municipalities to ensure 45 percent of all new residential development occurs within the Built-Up Area by 2015 (2.C.2).

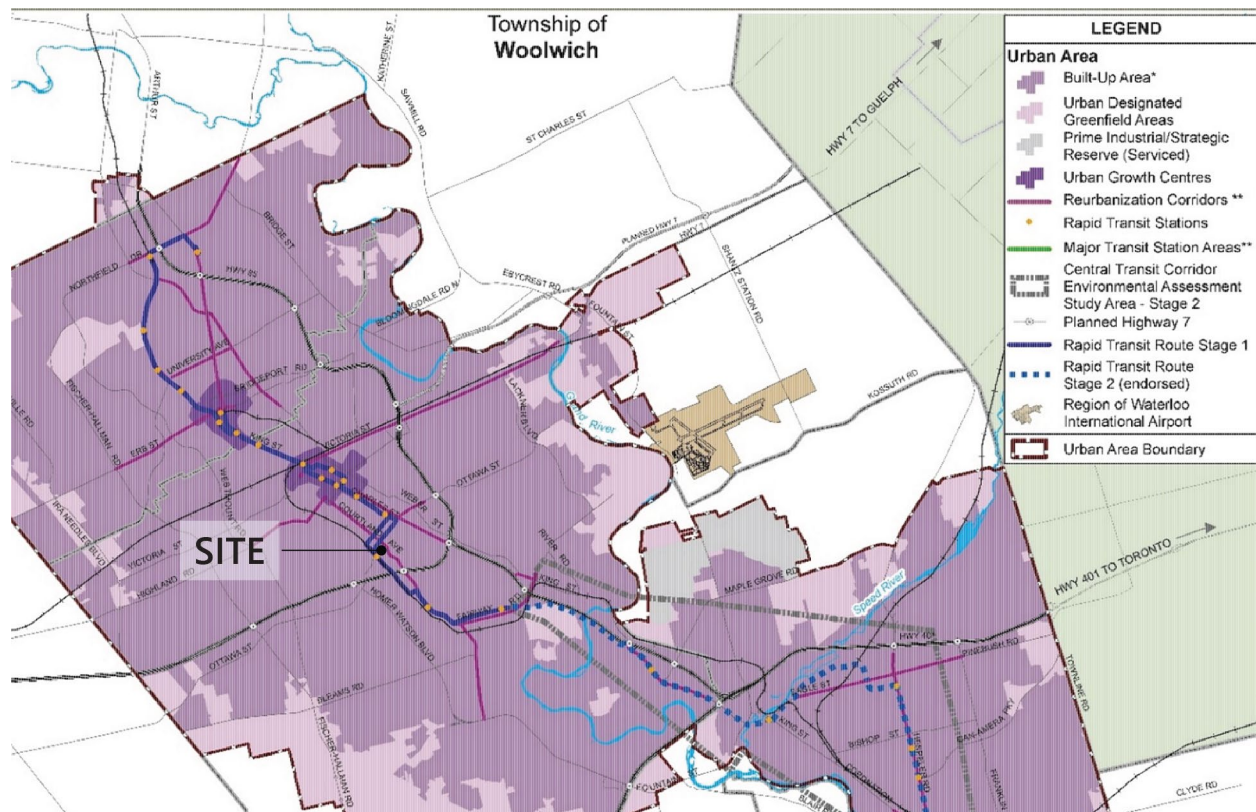


Figure 23: Region of Waterloo Official Plan Map 3a, Urban Area (ROPA 5)

**Response:** The Proposed Development supports the Region’s intensification goals by creating 1,500 units and 2.013 square metres of commercial adjacent to a Rapid Transit Station. The establishment of a community at this location will utilize the public investment in the transit infrastructure and efficiently redevelop underutilized lands in this area. The Proposed Development will contribute to attaining the goal of 45 percent of new development being within the Built-Up Area.

The ROP sets out the following general provision for reviewing development applications in Policy 2.D.1:

- a) supports the Planned Community Structure described in this Plan;*
- b) is serviced by a municipal drinking-water supply system and a municipal wastewater system;*
- 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 reurbanization 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.*

Policy 2.D.2 sets out the following additional policies related to Transit Oriented Development, which are to be applied when reviewing development applications near rapid transit:

- a) creates an interconnected and multi-modal street pattern that encourages walking, cycling or the use of transit and supports mixed-use development;*
- b) supports a more compact urban form that locates the majority of transit supportive uses within a comfortable walking distance of the transit stop or Major Transit Station Area;*
- c) provides an appropriate mix of land uses, including a range of food destinations, that allows people to walk or take transit to work, and also provides for a variety of services and amenities that foster vibrant, transit-supportive neighbourhoods;*
- d) promotes medium and higher density development as close as possible to the transit stop to support higher frequency transit service and optimize transit rider convenience;*
- e) fosters walkability by creating pedestrian-friendly environments that allow walking to be a safe, comfortable, barrier-free and convenient form of urban travel;*
- f) supports a high quality public realm to enhance the identity of the area and create gathering points for social interaction, community events and other activities; and*

- g) *provides access from various transportation modes to the transit facility, including consideration of pedestrian, bicycle parking, and where applicable, passenger transfer and commuter pick-up/drop off areas.*

Major Transit Station Areas form part of the community structure that are planned for increased density and a mix of residential, office, institutional, and commercial uses to support rapid transit (2.D.6). In addition, plans for individual station areas will include minimum density requirements, transit-oriented design guidelines, and strategies to minimize surface parking and auto-oriented uses (2.D.7-8). Area municipalities are encouraged to apply flexible regulations and incentives to facilitate Transit Oriented Development in these locations and existing developments within MTSAs will be encouraged to redevelop where appropriate to be consistent with these policies (2.D.9-10).

**Response:** The Proposed Development will support the creation of a complete community at the Mill ION Stop by locating a compact, high-density, mixed-use development adjacent to rapid transit. The Proposed Development will be transit-supportive through the creation of a fine-grained, pedestrian-friendly street network that provides direct connection between the ION station and surrounding neighbourhood. The proposed massing and built form respect the character of the nearby low-rise residential by concentrating height and density along the rail corridor, locating ground-oriented residential and commercial uses along Mill Street, with minimal intrusion into the 45-degree angular plane from Mill Street. The Proposed Applications support the planned function of the MTSAs in terms of density, land use mix, and transit-supportive development. Together with other urban design considerations, it is our opinion that the Proposed Development will be compatible with abutting and surrounding land uses.

Policy 3.A.2 directs area municipalities to plan for an appropriate range of housing forms, tenures, densities, and affordability levels to satisfy the needs of current and future residents. The Region encourages area municipalities to offer density bonuses and other incentives to support the creation of affordable housing (3.A.6).

Opportunities for walking and cycling are encouraged through Policy 3.B.3 by integrating pedestrian and cycling facilities into existing, expanded and new development areas; and providing pedestrian and cyclist connections to transit stops.

Energy conservation is supported through compact, mixed-use development, active transportation and transit use, the use of vegetation and green roofs to reduce urban heat island effects, optimizing the use of physical infrastructure, water efficiency measures, building designs that incorporate energy conservation, sourcing local materials to reduce transportation costs (3.D.1).

**Response:** The Proposed Development will provide a range of residential unit sizes, including one, two, and three-bedroom units. The Proposed Development will offer varying levels of affordability including 50 affordable rental units. Walking and cycling will be encouraged through a new network of pedestrian-friendly streets that provide a direct connection to the ION LRT. In addition, bicycle parking and related facilities will be included throughout the development including a covered,

outdoor cluster of bicycle parking immediately adjacent the ION station. The Proposed Development will support energy conservation through its high-density, compact form and integrated landscape features. Additional measures will be explored through subsequent detailed design.

The Site is currently designated as an employment area in the Kitchener OP (see Section 6.6 below). Section 4.A.5 of the ROP allows for the redesignation of employment lands to non-employment uses where it has been demonstrated that:

- a) *there is a need for the redesignation;*
- b) *the Area Municipality will meet the employment forecast allocated to it pursuant to this Plan;*
- c) *the redesignation will not adversely affect the viability of the subject employment area, and achievement of the reurbanization target, density targets and other policies in this Plan;*
- d) *there is existing or planned infrastructure to accommodate the proposed redesignation;*
- e) *the lands are not required over the long-term for the employment purposes for which they are currently designated; and*
- f) *cross-jurisdictional issues have been considered.*

**Response:** The redesignation of the Site from General Industrial Employment to Mixed Use is appropriate and is supported by the PARTS and NPR planning processes. The PARTS Rockway Plan has demonstrated a need for the conversion of the Site to Mixed Use to support the ION LRT and the City's intensification goals. The viability of the surrounding employment lands will not be impacted by the development of a sensitive use on the Site, as demonstrated in the Noise and Vibration Feasibility Study prepared by HGC Engineering and dated July 13, 2022. The Site is fully serviced by municipal water, sanitary, and stormwater infrastructure. Further, the proposed Official Plan Amendment meets the tests for employment conversion in the Kitchener OP, as demonstrated in Section 6.6 of this report.

The Site is adjacent to a Planned Transit Corridor on Map 5A, and near Existing Regional Roads on Map 5B and Existing and Planning Cycling Routes on Map 5C (see Figures 24, 25, and 26). Policy 5.A.3 states that the Region and area municipalities will support the operation of Regional transit and roads through the provision of transit and cycling amenities and through Site design that supports transit and active transportation. Where a development is likely to generate significant traffic, a Transportation Impact Study (TIS) may be required. The TIS will assess the impact on the regional transportation system and encourage transit use and active transportation (5.A.25).

Regarding Regional servicing infrastructure, Policies 5.D.3 and 5.F.5 require the commitment of servicing and utility capacity to be confirmed through the development review process and time-based agreements.



Figure 24: Region of Waterloo Official Plan Map 5A, Regional Transit Network

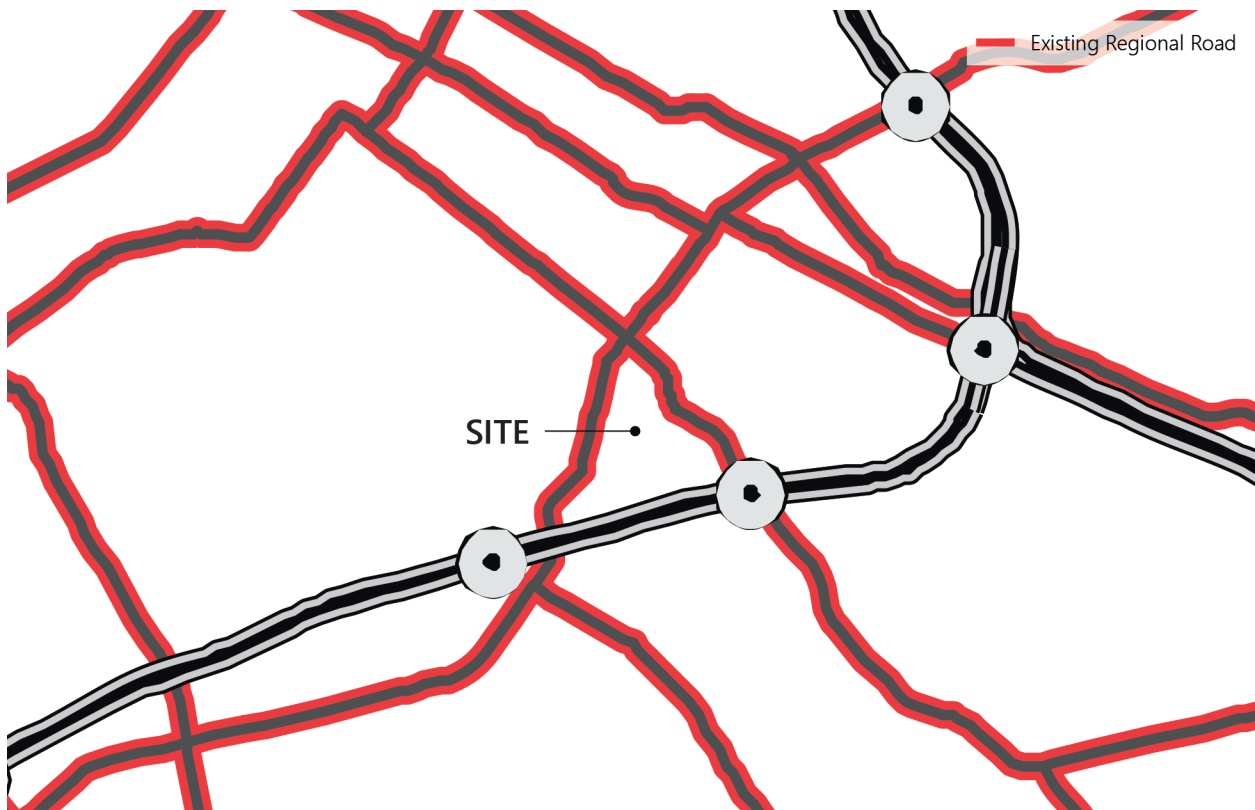


Figure 25: Region of Waterloo Official Plan Map 5B, Existing, Planned and Proposed Roads and Corridors



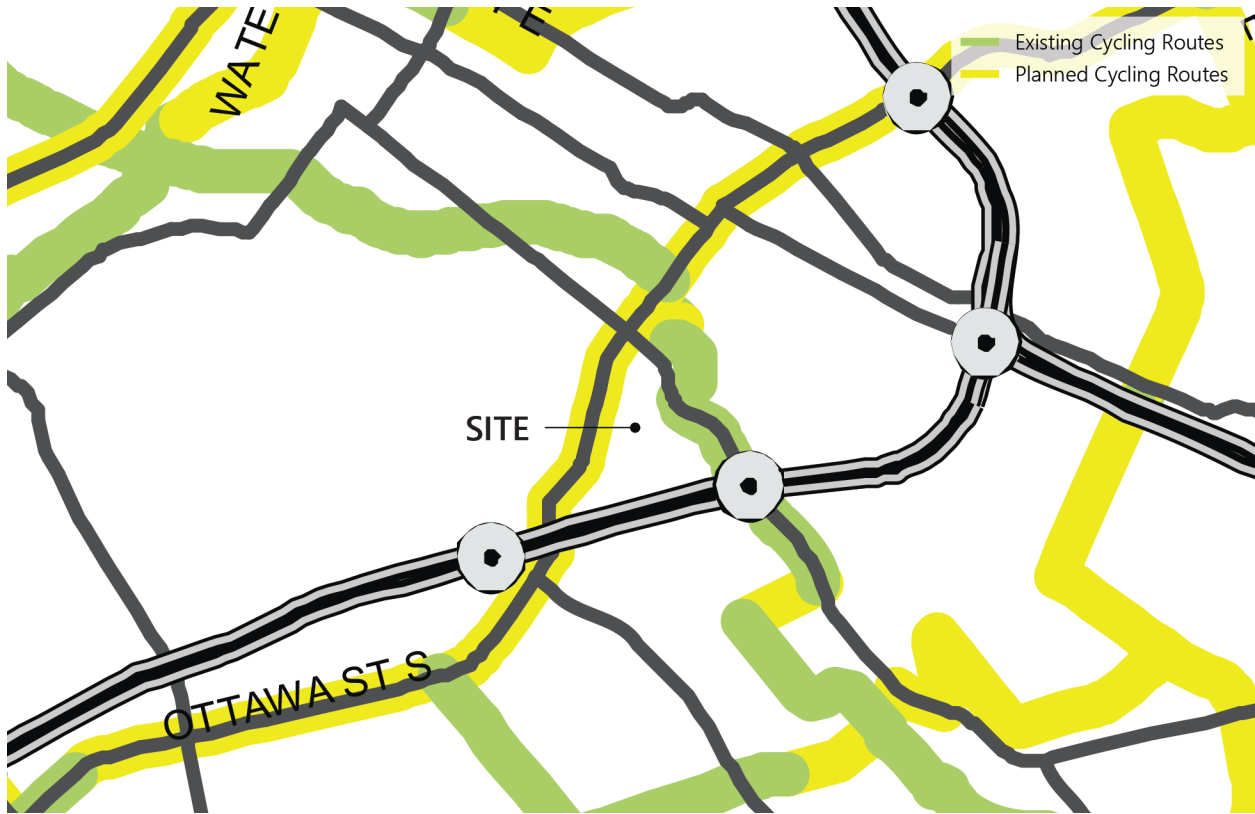


Figure 26: Region of Waterloo Official Plan Map 5C, Regional Cycling Routes

**Response:** The Proposed Development supports the operation of Regional transit by providing a direct connection to the ION LRT and providing additional residential and commercial uses immediately adjacent to the LRT and other Grand River Transit services. Active transportation is supported through a pedestrian-focused, high-quality public realm that includes minimal surface parking. Public and private bicycle parking will be included throughout the Site including a cluster of community bicycle parking immediately adjacent the ION station. The Functional Servicing Report, prepared by JPE Engineering, confirms that adequate municipal servicing capacity is available for the Proposed Development.

The Site is located within the WPSA 8 designation on Map 6A and is subject to management to protect the underlying groundwater (see Figure 27). Category 'A' uses will not be permitted within the WPSA 8 boundary, which include waste treatment and disposal facilities, salvage yards, and bulk storage of hazardous chemicals and substances. Geothermal wells may be permitted subject to further study (8.A.18).

**Response:** The Proposed Development protects the underlying groundwater resources by replacing the employment designation with a mix of residential and commercial uses and preventing the construction of Category 'A' uses. A Notice of Source Protection Plan Compliance (Section 59 Notice) has been included with the application submission. A Holding Provision has been applied to the Site

requiring that existing contamination on-site be remediated prior to development occurring on the Site, therein further protecting the groundwater resources.



Figure 27: Region of Waterloo Official Plan Map 6A, Urban Area Source Water Protection Areas

**In our professional planning opinion, the Proposed Applications conform to the Region of Waterloo Official Plan with regard to Planned Community Structure, municipal servicing, complete communities, reurbanization, transit-supportive development and compatibility with existing employment areas and residential neighbourhoods.**

## 6.6 City of Kitchener Official Plan

The 2014 City of Kitchener Official Plan ('Kitchener OP') is a long-range, comprehensive land use strategy for the City. All decisions related to land use within the City must conform to the policies of the Kitchener OP. In addition to the existing Kitchener OP policies, the City is currently undertaking a Neighbourhood Planning Review (NPR) to implement the PARTS plans through various Amendments to the Kitchener OP, associated Secondary Plans, and the Zoning By-law. The NPR is currently on-going and is not council-approved, however, draft land use designations and policies have been proposed. This analysis will address both the existing Kitchener OP as well as the changes to the OP proposed through the NPR to demonstrate conformity with the existing framework and future vision for the City. Changes proposed by the NPR to the Rockway Secondary Plan and Zoning By-law will be addressed in subsequent sections.

While we have reviewed all of the policies of the City’s Official Plan, this report highlights those policies most relevant to these applications and those identified by the City and Regional staff as part of the Pre-submission Consultation process. It is noted that the Urban Design Report also contains a comprehensive review of all relevant City urban design related policies and these two reports should be considered together in assessing conformity with the City’s Official Plan.

### Intensification and Major Transit Station Areas

The Site is located within the Built-Up Area on Map 1 (see Figure 28) of the Kitchener Official Plan. This area is to be the focus of development through intensification and development within it will contribute toward the City’s goal of 45% intensification (3.C.1.4-5).

The Site is also located within a Major Transit Station Area (MTSA) on Map 2 (see Figure 29). Intensification Areas, including MTSA, are to accommodate the majority of intensification and commercial growth within the City (3.C.1.10, 3.C.2.3, 3.C.2.10). MTSA are centred around rapid transit stations (3.C.2.16) and are planned to support transit and rapid transit by:

- a) *providing a focus for accommodating growth through development to support existing and planned transit and rapid transit service levels;*
- b) *providing connectivity of various modes of transportation to the transit system;*

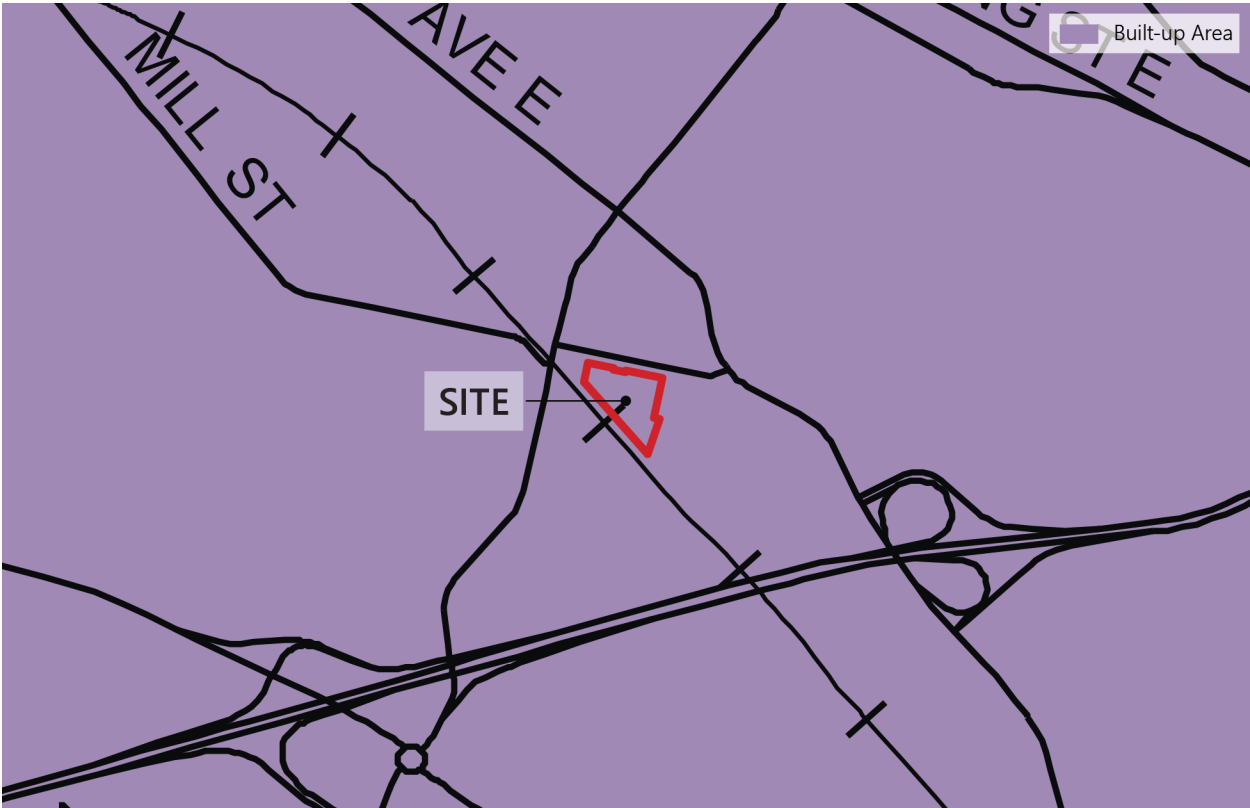


Figure 28: Kitchener Official Plan Map 1, Urban Area and Countryside

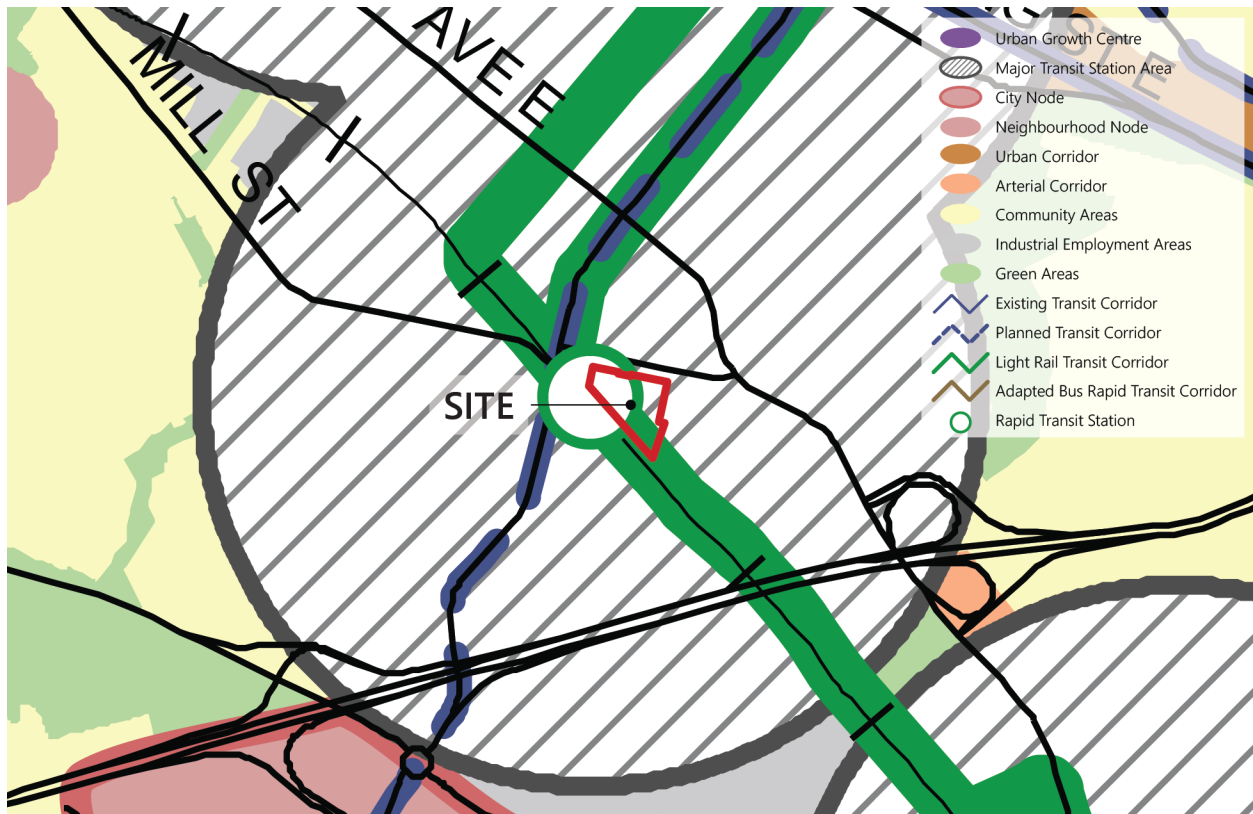


Figure 29: City of Kitchener Official Plan Map 2, Urban Structure

- c) achieving a mix of residential, office (including major office), institutional (including major institutional) and commercial development (including retail commercial centres), wherever appropriate; and,
- d) having streetscapes and a built form that is pedestrian-friendly and transit-oriented (3.C.2.17).

A high level of urban design is expected within Intensification Areas (3.C.2.9).

In addition, the NPR proposes to amend Policy 3.C.2.16 to include a minimum density target within MTSA's of 160 residents and jobs combined per hectare.

Policies 3.C.2.21 and 22 provide direction for MTSA's in advance of the implementation of the corresponding Station Area Plans. Development applications proposing the conversion of lands designated for industrial uses in MTSA's may be considered in advance of the implementation of approved Station Area Plans, subject to the completion of a comprehensive review and provided any proposal is in accordance with the Regional Official Plan and the Transit-Oriented Development Policies in Section 13.C.3 (3.C.2.21).

Per Policy 3.C.2.22, applications in advance of approved Station Area Plans are to be reviewed to be in general accordance with the Station Study Areas contained in the City's Planning Around Rapid Transit Station Areas (PARTS) Project Plan and Background Report and the following:

- a) *in areas that are intended to be the focus for intensification, development applications will support the planned function of Major Transit Station Areas and have regard for the following:*
- i. *the Regional Official Plan and the Transit-Oriented Development Policies included in Section 13.C.3;*
  - ii. *new non-transit-supportive uses such as low density uses and/or auto-oriented uses will be discouraged;*
  - iii. *appropriate pedestrian and public transit facilities may be required with all major development or redevelopment proposals;*
  - iv. *vehicular access points will be controlled to minimize disruption to traffic flow and new development may be required to share common driveways and provide for maneuverability between sites.*

**Response:** The Proposed Development supports the City's intensification goals by providing 1,500 units and 2,013 square meters of commercial space within an MTSA. The NPR's proposed density target of 160 people and jobs per hectare for MTSA's is also achieved, with a proposed density of 1,287 people and jobs per hectare.

The Proposed Development supports transit by focusing growth at the Mill ION station and providing a mix of residential and commercial uses. Transit, cycling, and pedestrian travel is encouraged through a direct connection with the LRT, pedestrian-friendly streetscapes that connect to the surrounding neighbourhood, and the inclusion of bicycle parking and connections to the multi-use trail on Mill Street.

The Proposed Development meets the test for employment land conversion as set out in Policy 3.C.2.21. The PARTS and NPR processes constitute a municipal comprehensive review and have determined that the conversion of the Site from employment to Mixed Use is appropriate given its proximity to the Mill ION stop. It is intended that these applications will also contribute to the provision of new jobs and services that are appropriate to serve this development and the surrounding community. The Proposed Development meets the policies of the ROP and Section 13.C.3 of the Kitchener OP, as demonstrated in Sections 6.5 and 6.6 of this report, respectively. In addition, the Proposed Development meets Policy 3.C.2.22 and supports the function of the MTSA through its density, mix of uses, compact form, connectivity to the ION station, control of vehicular circulation, and provision of a high-quality public realm. A further review of the Proposed Development's conformity with the PARTS Rockway Plan will be undertaken in Section 6.7.

## Housing

Policy 4.C.1.3 directs the majority of new residential growth in Built-Up Areas to Intensification Areas. The City encourages residential intensification to respond to changing housing needs and to minimize land consumption by making better use of existing community infrastructure as a cost-effective means to reduce infrastructure and servicing costs (4.C.1.6).

In order to address compatibility with the existing built form and minimize adverse impacts, the City may require detailed drawings in support of a development’s built form, architectural design, landscaping, screening and/or buffering (4.C.1.7). Requests for special zoning regulations will be reviewed for conformity with Policy 4.C.1.8. Further, development and intensification with existing neighbourhoods will be designed to respect existing character and a high degree of sensitivity to the surrounding context will be considered regarding compatibility.

Policy 4.C.1.12 encourages a land use pattern that mixes and disperses a full range of housing types and style within neighbourhoods. The City also encourages a range of housing types and tenures to increase choice and diversity, including rental, freehold, and condominium (4.C.1.22), and allow residents to age in place (4.C.1.21). Policy 4.C.1.19 supports affordable housing in close proximity to public transit, commercial uses, parks, and community facilities and services.

**Response:** The Proposed Development supports the City’s intensification goals and responds to local housing needs by providing a mix of residential unit sizes and levels of affordability that are appropriately located next to rapid transit. By doing so, the Proposed Developments makes efficient use of the available infrastructure and land resources and supports a diverse economic community.

The Proposed Development is compatible with the surrounding neighbourhood according to the provisions of Policy 4.C.1.8, as described in Table 5 below. The massing and scale are appropriate for lands directly adjacent to an ION LRT station and within a Major Transit Station Area, where high-density, mixed-use development is to be located. The Proposed Development has been designed to consider the future uses and form of the surrounding MTSA, including the drafting of a master plan for the remainder of the block between Ottawa Street South and Rockway Golf Course. Adverse impacts have been minimized through the provision of underground parking and the inclusion of a network of public and private amenity spaces throughout the Site. Detailed shadow studies and angular plane studies have been prepared which demonstrate that a transition of building heights and set-backs reduce the impact on properties located north of Mill Street. The requested site-specific Zoning By-Law provisions allow for a design that is appropriate for its location and represent the implementation of the PARTS and NPR processes (as will be discussed in Section 6.10 below).

<b>Policy</b>	<b>Response</b>
a) Any new buildings and any additions and/or modifications to existing buildings are appropriate in massing and scale and are compatible with the built form and the community character of the established neighbourhood.	<i>The proposed massing and scale is appropriate for a site immediately adjacent a high-order transit station, within a MTSA. The building height and massing has been configured to maximize sunlight penetration, avoid overlook with adjacent buildings and provide an appropriate transition to adjacent lands.</i>
b) Where front yard setback reductions are proposed for new buildings in established neighbourhoods, the requested front yard	<i>The Proposed Development forms the majority of the City block and will establish a new street line. The proposed setbacks provide appropriate</i>

setback should be similar to adjacent properties and supports and maintain the character of the streetscape and the neighbourhood.	<i>space to accommodate landscaping, private amenity spaces and wide sidewalks.</i>
c) New additions and modifications to existing buildings are to be directed to the rear yard and are to be discouraged in the front yard and side yard abutting a street, except where it can be demonstrated that the addition and/or modification is compatible in scale, massing, design and character of adjacent properties and is in keeping with the character of the streetscape.	<i>Not applicable.</i>
d) New buildings, additions, modifications and conversions are sensitive to the exterior areas of adjacent properties and that the appropriate screening and/or buffering is provided to mitigate any adverse impacts, particularly with respect to privacy.	<i>Appropriate considerations have been made to ensure privacy and avoid overlook between new and existing buildings.</i>
e) The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the Site.	<i>The Proposed Development will accommodate parking demand on-site through the provision of structured parking. Significant public and private amenity areas are proposed throughout the Site.</i>
f) The impact of each special zoning regulation or variance will be reviewed prior to formulating a recommendation to ensure that a deficiency in the one zoning requirement does not compromise the site in achieving objectives of compatible and appropriate site and neighbourhood design and does not create further zoning deficiencies.	<i>The proposed Zoning By-law Amendment has considered all applicable regulations.</i>

**Public Health and Safety**

The policies of Chapter 6 address public health and safety matters, which are relevant due to the Site’s proximity to existing employment uses and the CN Rail corridor.

Sensitive land uses in proximity to industrial uses will have regard for Provincial guidelines regarding noise, vibration, odour, particulate matter, and separation distances (6.C.3.1, 6.C.3.5). The minimization and mitigation of noise levels in encouraged near sensitive land uses through building orientation, open spaces, and other internal and external measures (6.C.3.9). Noise studies, where required, will be undertaken by a qualified professional, in consultation with affected railways as required, and will avoid or minimize noise barriers (6.C.3.14). The City will also prohibit any structure, which may impact operations of the Region of Waterloo International Airport (6.C.3.17). The Site is located within the approach surface of the Region of Waterloo International Airport's Runway 8 the building height is restricted to 105m (assuming a ground floor elevation of 326m).

A Record of Site Conditions and Environmental Site Assessment are required when development or a change in land use is proposed on, or adjacent to, a known or potentially contaminated site (6.C.4.2-3). Where such studies are required, the City will defer development decisions until the Province or Region deems the studies satisfactory. Final planning approvals will be withheld until any required site clean-up is performed and confirmed by the Province (6.C.4.4).

**Response:** The sensitive land uses contained within the Proposed Development are effectively protected from surrounding noise and vibration, as demonstrated in the Noise and Vibration Feasibility Study prepared by HGC Engineering and dated July 13, 2022. The noise and vibration from the surrounding roads, adjacent CN Rail corridor, and nearby employment uses will be mitigated through measures such as separation distance, air conditioning, glazing, and building orientation, where applicable.

The maximum building height of 105m (Tower D) is located within the height restrictions and will have no impact on the operations of the Region of Waterloo International Airport.

A series of Stage I and II Environmental Impact Assessments were completed for the Site by Chung & Vender Doelen, dated July 12, 2013 (509 Mill Street), January 6, 2017 (477-485 Mill Street), and July 12, 2022 (455-473 Mill Street). The assessments found contamination impacts in the underlying soil and groundwater. Any required remediation and the submission of a Record of Site Conditions will be undertaken in support of a future Site Plan Approval application.

## Natural Heritage & Sustainable Development

The Site is located within the WPSA 8 designation on Map 8 and must be in conformity with the ROP Policy 7.C.1.3 (see Figure 30).

The City requires, where appropriate, that development be sustainable through compact form, responsible design and construction practices, the integration of landscapes and natural features, the reduction of resource consumption, supporting transit and active transportation, and incorporating renewable or alternative energy systems (7.C.4.1, 7.C.4.5). Development applications





Figure 30: City of Kitchener Official Plan Map 8, Source Water Protection Areas

are required to complete a Sustainability Report to demonstrate its conformity with the Kitchener OP and sustainable design standards (7.C.4.4, 7.C.6.8).

New development is encouraged to orient streets and buildings to optimize southern exposure (7.C.6.4), and to include the necessary infrastructure for district energy where the potential exists. (7.C.6.27).

**Response:** The Proposed Development conforms to Policy 7.C.1.3 of the ROP, as demonstrated in Section 6.5 of this report, and will not cause impacts to groundwater resources. A Notice of Source Protection Plan Compliance (Section 59 Notice) has been included with the application submission. The Proposed Development also includes elements that encourage environmental sustainability, as demonstrated in the Sustainability Statement prepared by The Butler Group Consultants Inc. These include proximity to recreation, a variety of transportation options, construction that will meet or exceed contemporary energy-efficiency standards, and the inclusion of waste diversion and recycling, where feasible.

## Parks and Open Space

The City supports the provision of an appropriate mix and range of community infrastructure to meet resident needs and foster a complete community (8.C.1.3). Parkland will be expanded through direct provision and partnership agreements (8.C.1.8). New development will require on-site

recreation facilities and useable greenspace and may consider other forms of parkland provisions for intensification projects (8.C.1.21-22). The provision of semi-public spaces will be encouraged in private developments, including indoor and outdoor amenity, community rooms, rooftop gardens, and active transportation linkages (8.C.1.23).

Urban Greens and Urban Plazas are part of the parks hierarchy used by the City (8.C.1.25). Urban Greens are smaller greenspace for rest and shade, with playground facilities or passive spaces for social gathering. Urban Plazas provide a diversity of opportunities within the public realm, including social interaction and public gathering.

The City requires parkland dedication for developments, at a rate of 5 percent or one hectare per 300 dwelling units for residential, 2 percent for commercial development, or a combination of the two for mixed use development (8.C.1.29). Cash-in-lieu of parkland may be accepted where the size, shape, or location of lands are unsuitable or would be detrimental to the development of the Site, where surrounding park facilities are adequate for project populations, or where funds are required for the upgrade or expansion of existing parks and facilities (8.C.1.32).

**Response:** The Proposed Development includes an integrated network of privately-owned publicly accessible open spaces (POPS) to meet the needs of residents and the surrounding community. These include the Station Plaza, Promenade, and internal park/playground. Additional private amenity spaces will be provided for building residents through building rooftops and indoor amenity spaces. Further to these spaces on the Site, a new public park is proposed for the Regionally and privately-owned lands at the corner of Mill Street and Ottawa Street South, should the acquisition of the required lands be feasible. This new park could provide a gateway feature for the Site and MILLION LRT station and increase the public parkland within an underserved community. Specific parkland dedication requirements will be determined through negotiations with City Staff and may include the construction of POPS spaces and cash-in-lieu of parkland, as required by the City.

The Proposed Development will provide parkland dedication as prescribed above.

## Urban Design

Section 11 of the Kitchener OP provides guidance on urban design, requiring a high quality of design for all development applications.

**Response:** The Urban Design Report, prepared by Michael Spaziani Architects Inc. and submitted with these applications, provides a detailed analysis of the Proposed Development in the context of the Urban Design Policies of the Kitchener OP. The report concludes that the Proposed Development conforms with the policies of Section 11, specifically regarding streetscapes, skyline, safety, universal design, priority locations, shade, site design, and building design, and represents a high-quality of urban design.

## Transportation

Regarding active transportation, the Kitchener OP encourages a mix of land uses to ensure access to services and amenities without the use of a car (13.C.1.6). Pedestrian connectivity will be reviewed in development applications with the goal of minimizing travel distances and providing clearly demarcated routes (13.C.1.7). Secure bicycle parking must be provided in new multi-unit developments and shower/change facilities are encouraged (13.C.1.13). New developments are also encouraged to connect to existing multi-use pathways and provide related facilities, such as benches and waste receptacles (13.C.2.11).

Public transit is to be supported through all developments (13.C.3.1). Lands for high rise residential and other trip generators are to be located in close proximity to existing transit services (11.C.3.6). Policy 13.C.3.12 reiterates the ROP policy regarding Transit-Oriented Development (2.D.2), including interconnected street patterns, a compact, medium and high-density urban form with an appropriate mix of land uses and destinations, a high-quality public realm that creates an environment for active transportation and social interaction, and the provision of connections between various transportation modes.

Mill Street is designated as a City Arterial Street on Map 11 of the Kitchener OP (see Figure 31). These corridors generally distribute traffic between Regional Roads and other City arterials and collectors, with the primary purpose of providing mobility for people and goods. Accesses from

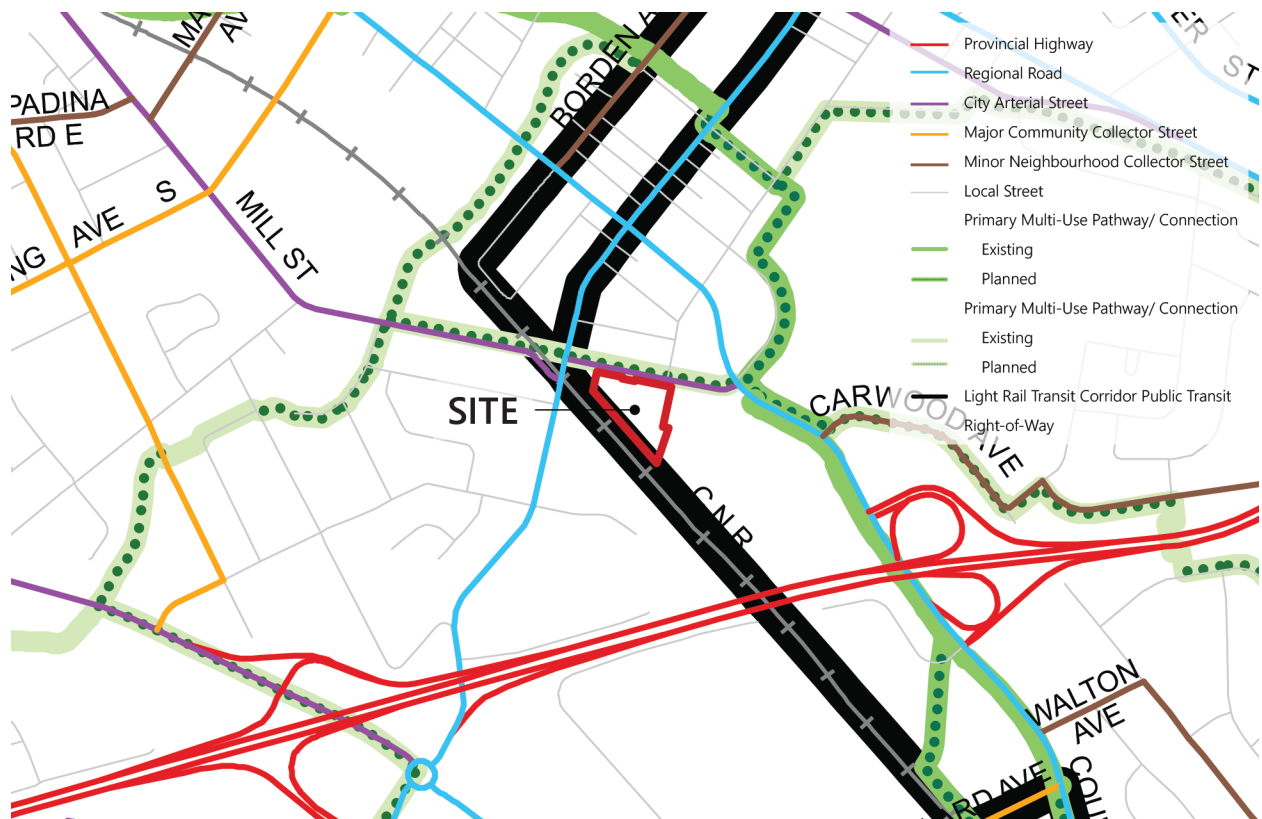


Figure 31: City of Kitchener Official Plan Map 11, Integrated Transportation System

abutting lands will be controlled. Sidewalks and dedicated cycling facilities are to be provided, where appropriate, with safe crossings (13.C.4.1).

Reduced parking requirements for developments may be considered through Transportation Demand Management (TDM) measures, subject to the submission of a TDM report (13.C.7.4, 13.C.8.2). Parking facilities will be designed for safe, efficient movement, with appropriate drainage that minimizes environmental impacts, to provide barrier-free spaces, and to be aesthetically acceptable within the surrounding context (13.C.8.4).

**Response:** The Proposed Development provides a mix of land uses, including commercial, which will improve access to services and amenities within walking distance of the surrounding community. The proposed street network will connect to the multi-use trail on Mill Street and the Mill ION LRT platform, improving pedestrian connectivity and minimizing travel distances. Secure bicycle parking (Class A) will be provided within all building podiums at a rate of 0.79 spaces per unit. Additional outdoor bicycle parking (Class B) will be provided throughout the Site, including a cluster of approximately 80 spaces immediately adjacent the ION station and Station Plaza.

Transit will be supported through the addition of high-density residential adjacent to the ION LRT, as well as a fine-grained street network that connects the ION LRT to the surrounding community. The design of the streets and public spaces will encourage active transportation and discourage automobile use and provide spaces for social gathering.

The Proposed Development supports the function of Mill Street by constraining vehicle access to two locations (including a one-way access) and linking with the end of Sydney Street South. The existing multi-use trail will be maintained, with appropriate buffering and greening provided between the trail and the adjacent building frontages.

Additional Transportation Demand Management measures will be implemented including the unbundling of parking spaces from residential units and the participation in a community care share program through the provision of dedicated parking spaces. Please see Transportation Impact Study and Parking Justification Report prepared by Paradigm Transportation Solutions Ltd for additional information. A summary is provided in Section 5.4 of this report.

## Servicing and Utilities

Priority will be given to developments, which have existing services, including municipal water, and the City must be satisfied that adequate services are available (14.C.1.10-11, 14.C.1.15). Development that efficiently uses water and sanitary services will be promoted (14.C.1.14, 14.C.1.18). On-site stormwater management systems will be encouraged to use maximum available infiltration where soil permits (14.C.1.28).

**Response:** The Site is fully serviced with municipal water, sanitary and stormwater infrastructure and will not require the extension or expansion of municipal services, as demonstrated by the Functional Servicing Report prepared by JPE Engineering. On-site stormwater infiltration is not feasible given

the form of development, soil conditions, and existing groundwater table, therefore quantity control will be achieved through underground storage.

## Land Use Designations

The Site is currently designated General Industrial Employment on Map 3 (see Figure 32). The NPR process has proposed a redesignation of the Site and surrounding employment lands to Mixed Use and Open Space, as well as the inclusion of the Site within the proposed Rockway Secondary Plan (see Figure 33). As the Mixed Use designation within the Secondary Plan refers to the overarching land use policy within Section 15 of the Official Plan, the current and proposed designations will be addressed within this section. Additional policies related to The Rockway Secondary Plan will be addressed in Section 6.8.

Policy 15.D.6.2 protects General Industrial Employment lands to provide an adequate supply of industrial lands and provide long term employment opportunities. Additionally, Policy 15.D.6.3 supports industrial employment areas within central neighbourhoods to contribute to complete communities.

Proposed conversions to non-employment uses are only permitted through a municipal comprehensive review that demonstrates:

- a) *there is a need for the conversion;*

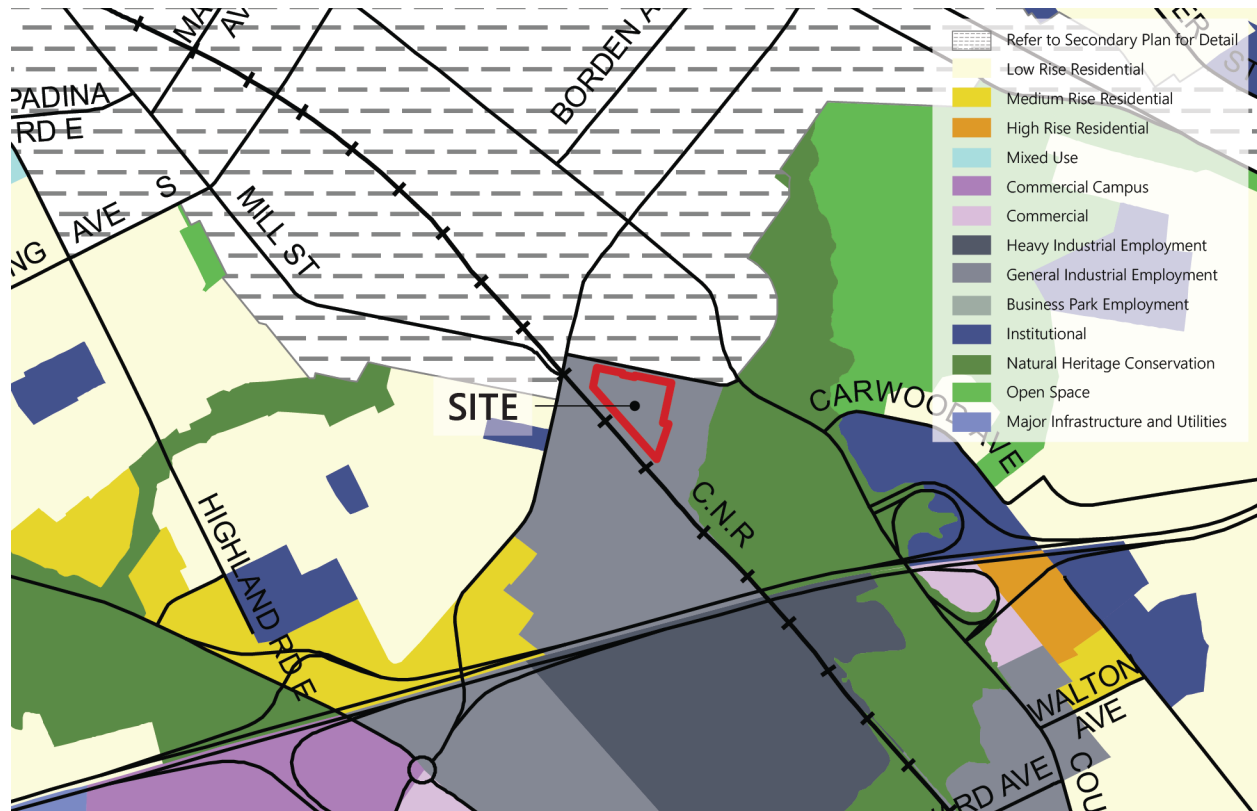


Figure 32: City of Kitchener Official Plan Map 3, Land Use

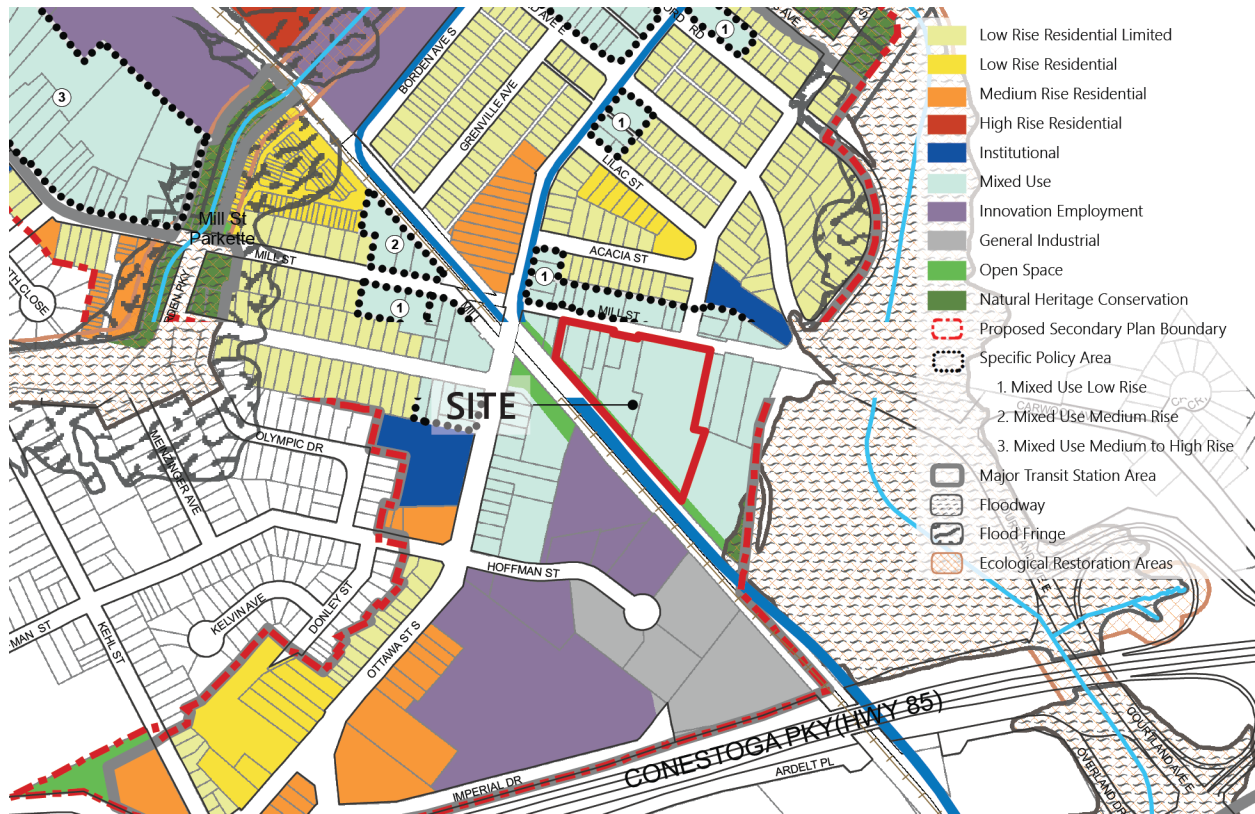


Figure 33: Rockway Secondary Plan, Proposed Land Use

- b) the conversion will not compromise the City's ability to meet the employment forecasts of this Plan as allocated by the Region and further defined in the City's Comprehensive Review of Employment Lands Study;
- c) the conversion will not adversely affect the overall viability of the industrial employment area and achievement of other density targets set out in this Plan and will not impact the ability of adjacent industrial employment areas to be used or continue to be used for employment purposes;
- d) there is existing or planned infrastructure to accommodate the proposed conversion;
- e) the lands are not required in the long term for the employment purposes for which they are currently designated; and,
- f) cross-jurisdictional issues have been considered (15.D.6.5).

**Response:** The PARTS and NPR processes constitute a municipal comprehensive review of the Rockway MTSA and have demonstrated the need for the conversion of the Site and surrounding lands to Mixed Use to support the ION LRT corridor. As demonstrated by the Noise and Vibration Feasibility Study prepared by HGC Engineering and dated July 13, 2022, there will be no adverse impacts on the Site from the surrounding employment uses and the conversion of the Site to Mixed Use will not impact the viability of the adjacent industrial employment area and existing employment uses therein. Potential future stationary noise impacts from neighbouring commercial buildings will be addressed through warning clauses. The Proposed Development will be connected to existing

municipal services and infrastructure, including water, sanitary, stormwater, roads, and transit, and there are no cross-jurisdictional issues affecting the Site.

The Mixed Use designation permits medium and high rise residential as well as compatible non-residential uses, including commercial, personal service, office, health-related, institutional, social service, and artisan studio (15.D.4.2-3). A mixture of uses within a building is encouraged (15.D.4.11).

Consistent with the Urban Design policies above, the City may:

- a) *require that a portion of the building mass as well as primary façades and building entrances be oriented towards the public realm by imposing maximum front yard setbacks and façade design policies, guidelines and zoning regulations;*
- b) *encourage the location of active uses such as retail, service shops and restaurants at the street level by imposing locational criteria and zoning regulations for specific uses;*
- c) *limit vehicular parking between the building façade and the street by imposing parking setbacks and parking design policies, guidelines and zoning regulations; and,*
- d) *require that buildings maintain a human-scaled form of development along the street by imposing façade and building height regulations in the Zoning By-law and the City's Urban Design Manual and Urban Design Briefs (15.D.4.12).*

Mixed use developments within MTSAs must have a Floor Space Ratio (FSR) between 0.6 and 4.0, (15.D.4.17). Notwithstanding the above, the City may consider an increased FSR of 5.0 where a development:

- a) *is designed to LEED certification standard or equivalent building rating system;*
- b) *incorporates a below-grade parking structure, public amenity area, cultural heritage resource and/or public art; and/or,*
- c) *contains a food store located internal to a mixed use development. (15.D.4.20).*

The NPR proposes an amendment to Policy 15.D.4.17 to allow an a maximum FSR of 5.0 as of right. The Site is adjacent to the CN Rail Cultural Heritage Landscape, as described in the City's Cultural Heritage Landscape Study (see Figure 34).

**Response:** The Proposed Development provides medium and high-rise residential with ground-floor commercial uses located along primary facades, including Mill Street, the proposed park at Mill Street and Ottawa, and the central Promenade. Building entrances and ground-oriented residential uses provide further activation where appropriate. Vehicle parking is located underground and in the podium of Building E, with a limited amount of surface parking internal to the Site along Streets A and B. The height along Mill Street is limited to 5 storeys, creating a human-scaled environment. The street is further supported by commercial and ground-oriented residential uses and a high-quality of public realm design.

The proposed Official Plan Amendment and Zoning By-law Amendment applications request an increased FSR of 7.0. The increased FSR is appropriate for the Site's location within an MTSA and

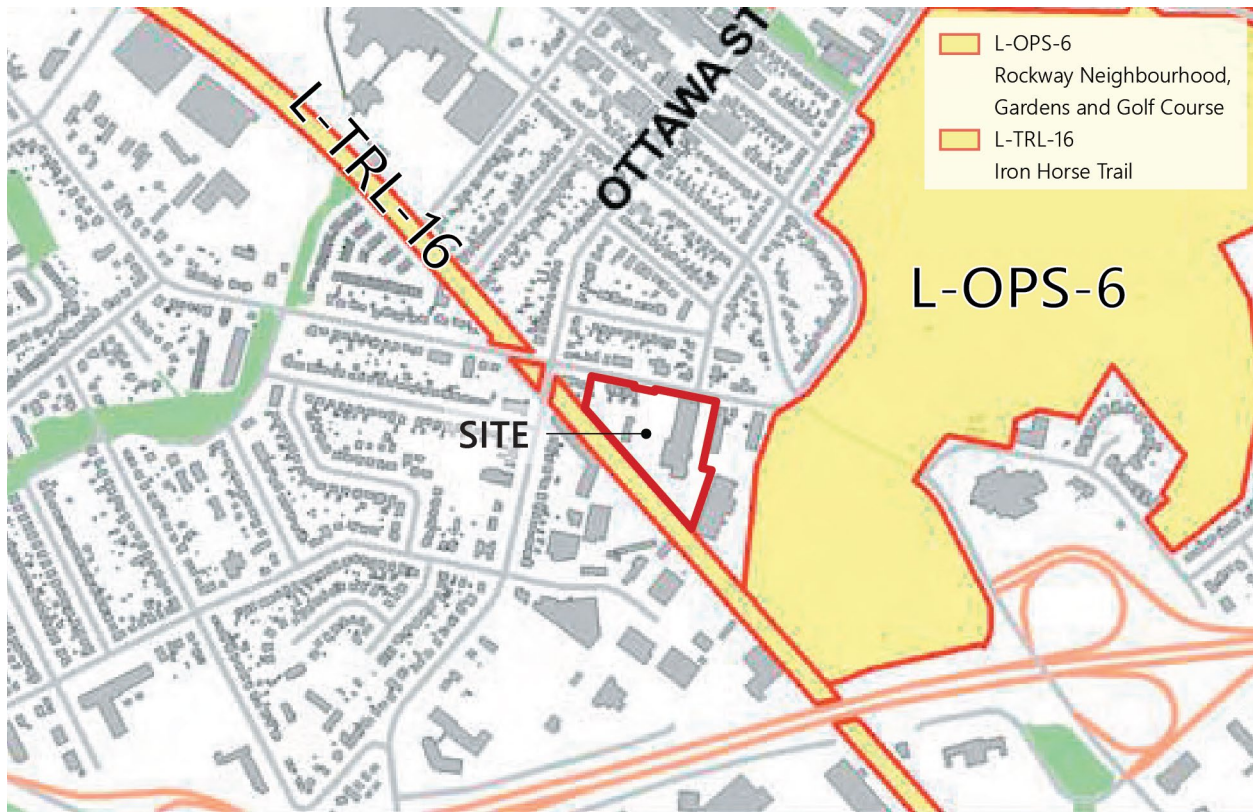


Figure 34: Cultural Heritage Landscapes in Central Neighbourhoods

adjacent to an ION LRT station. Further, the Proposed Development meets the bonusing provisions of 15.D.4.17 as it provides below-grade parking, substantial publicly accessible amenity area, and the protection of the CN Rail cultural heritage resource. The inclusion of public art, a food store within the commercial space, and a sustainable building design will be explored through detailed design to improve the Proposed Development’s community benefit.

Policy 15.D.6.11 recognizes that existing industrial uses in older neighbourhoods may contain operations or be in close proximity to residential uses. The policy encourages their retention and allows for their expansion, despite the possibility that this may be prohibited by current regulations.

The City also ensures visual and physical separation of industrial employment areas and sensitive land uses to protect industrial employment areas and minimize impacts on sensitive land uses (15.D.6.14).

The NPR process proposed an additional policy allowing the City to regulate building heights on lands designated as Mixed Use, and require minimum setbacks and building setbacks from lot lines abutting cultural heritage resources, and comply with Canadian Aviation Regulations (15.D.4.21).

Additionally, a proposed NPR policy allows the City to regulate maximum building heights within MTSA to comply with Canadian Aviation Regulations (15.D.4.21). Per comments from Regional staff,



the Site is located within the approach surface of the Region of Waterloo International Airport's Runway 8 the building height is restricted to 105m (assuming a ground floor elevation of 326m).

**Response:** As demonstrated by the Noise and Feasibility Study prepared by HGC Engineering, dated July 13, 2022, the rail right-of-way acts as a buffer between the Site and the employment lands to the south. No mitigation is recommended for the employment lands abutting the Site to the east, although warning clauses are recommended for future occupants. These lands will be converted to Mixed Use through the NPR process and the noise sources are expected to be eliminated.

The Proposed Development includes a maximum building height of 105m (Tower D) and will have no impact on the operation of the Region of Waterloo International Airport.

**In our professional planning opinion, the Proposed Applications conform to the City of Kitchener Official Plan with regard to intensification and planning for MTSAs, housing, public health and safety, natural heritage and sustainable development, parks and open space, urban design, transportation, servicing and utilities and land use designations.**

## 6.7 Planning Around Rapid Transit Stations

The City of Kitchener undertook a study to guide development around ION LRT stations, resulting in the Planning Around Rapid Transit Station (PARTS) plans in 2017. These plans provide detailed direction and strategies for their respective station areas, including land use, mobility, and the public realm. With the approval of the PARTS plans, the City began the Neighbourhood Planning Review (NPR) to update the Kitchener OP and Zoning By-law and formally implement the PARTS directives. Until the NPR is complete, the PARTS plan informs policy direction within the station areas. The Site is located within the PARTS Rockway Plan (see Figure 35).

### Land Use & Built Form

Section 5.0 includes policies relating to land use and built form key directions providing guidance for the design of Proposed Development. Key Direction #1 supports the conservation of the character of established neighbourhoods by focusing major redevelopment towards LRT stations, ensuring a sensitive transition in massing and scale to lower density residential neighbourhoods, and providing for adaptability in the housing stock to meet long-term demand.

Key Direction #11 establishes a focus area around the Mill ION Station by:

- introducing minimum density targets and/or prohibiting uses and forms that would impact the area's abilities to achieve these targets;
- introducing mixed-use permissions immediately surrounding the station, maintaining some employment uses and evolving existing uses to innovation employment;
- introducing active uses at grade with minimum ground floor heights of 4.5m, designing new development to interface with the station and adjacent public realm;

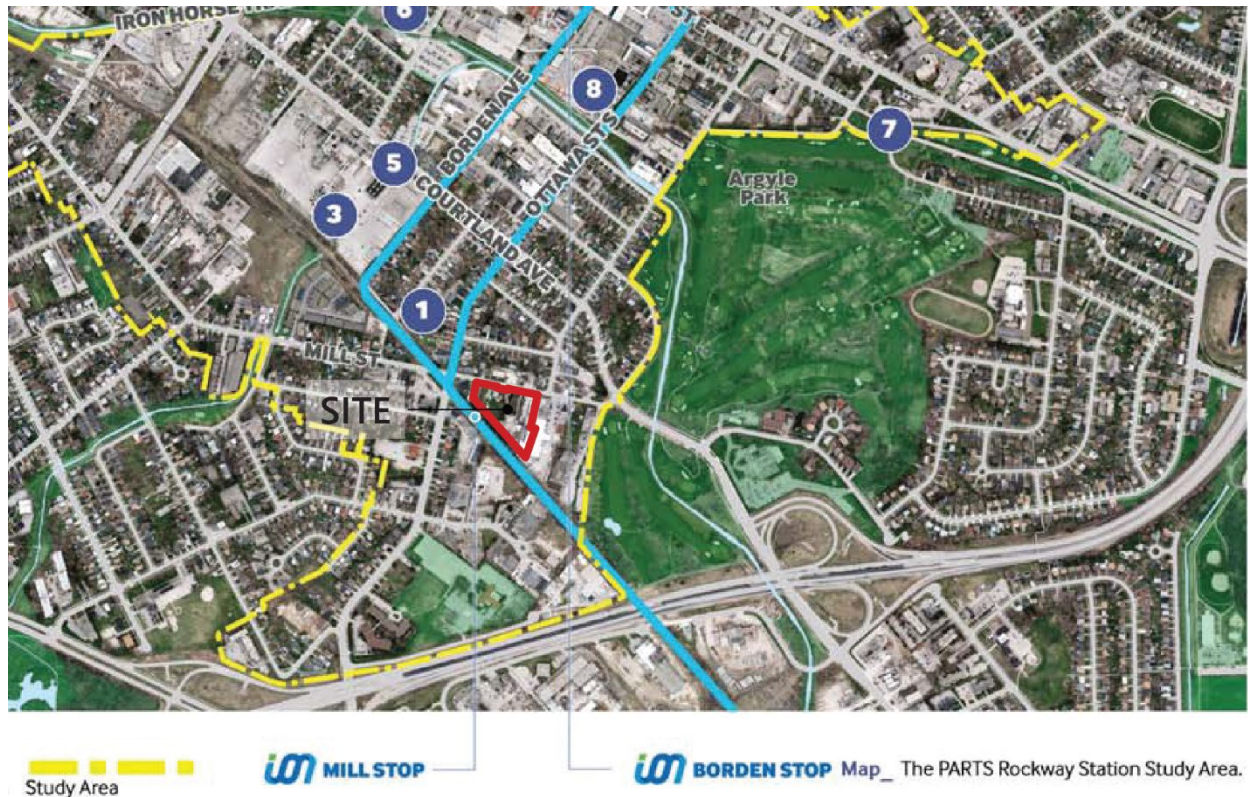


Figure 35: PARTS Rockway study area

- considering lower minimum parking rates along with shared parking and transportation demand strategies;
- improving connectivity through new streets and blocks;
- securing public realm enhancements such as public or private park space, seating, weather protection, and bike related infrastructure; and,
- introducing a minimum affordable housing target of 20%.

**Response:** The Proposed Development supports Key Direction 1 by providing a high-density development adjacent to the Mill ION station. The massing is designed to concentrate height towards the LRT corridor, with 4 – 6 storey podiums along Mill Street and minimal intrusions to the 45-degree angular plane. Future development along the north side of Mill Street, as envisioned by the PARTS plan, will provide an additional transition to the existing low-rise residential beyond. A mix of unit sizes, including one, two, and three-bedroom units, at varying levels of affordability – including 50 affordable units - will provide additional housing opportunities within the Rockway community.

The Proposed Development contributes to the focus area proposed by Key Direction #11 by creating a mixed-use node next to the Mill ION station. Active uses are provided on ground floors where possible to create interaction with the station and public realm. The proposed Zoning By-law Amendment includes a reduced parking rate and shared visitor and commercial parking, with appropriate TDM measures including the participation in a car share program, enhanced pedestrian

realm features, additional supply of Class A and Class B bicycle parking and the unbundling of parking from residential units to encourage active transportation. Connectivity is improved through a fine-grained street network that will encourage active transportation.

## Circulation

Key directions related to Mobility are included in Section 6.0. Key Direction #1 requires developments to introduce a fine-grained street and block network to break up large sites, either as public streets or private streets with public access. Key Direction 2 relates to the extension of the Iron Horse Trail network, including a connection between Courtland Avenue East and Ottawa Street South along Mill Street.

**Response:** The Proposed Development creates a new network of private streets that link the terminus of Sydney Street South to the LRT platform and provide the opportunity for connections to the remainder of the block to the east. The streets and building entrances connect to and enhance the existing multi-use trail connection along Mill Street. As described in Section 3.2 of this report, an overall master plan has been prepared to demonstrate how other lands contiguous to this Site can be integrated into the redevelopment plan for this MTSA.

## Public Realm

Section 7.0 of the PARTS Rockway Plan contains policies related to the public realm. Key Direction #2 envisions a new park space or urban plaza at the Mill Stop, supporting safe pedestrian and cycling access to the LRT platform. The space should have an urban, hardscaped form with plantings and greenery and should incorporate features such as seating, pedestrian lighting, wayfinding signage, and bike parking. Key Direction #3 requires new parks and open spaces as a component of all large-scale developments with a range of amenities, and active street level uses to provide animation and surveillance. Key Direction #4 directs large developments to create opportunities for green infrastructure, including green roofs, permeable paving, and visible stormwater management.

**Response:** The Proposed Development provides the opportunity for three new publicly-accessible spaces at the Mill Stop: the Entry Plaza at Mill Street and Ottawa Street South (on Regionally and privately-owned lands), as well as the Station Plaza and Promenade at the centre of the Site. All three are planned with an urban form and incorporate landscaping, furniture, and lighting. The edges of the spaces and street frontages include active uses at grade. Opportunities for green infrastructure will be explored through detailed design.

## The Preferred Plan

The Site is designated as Mixed-Use High Density and Mixed-Use Medium Density in Section 8.0 (see Figure 36). Both designations allow for a mix of office, residential, and retail uses with active

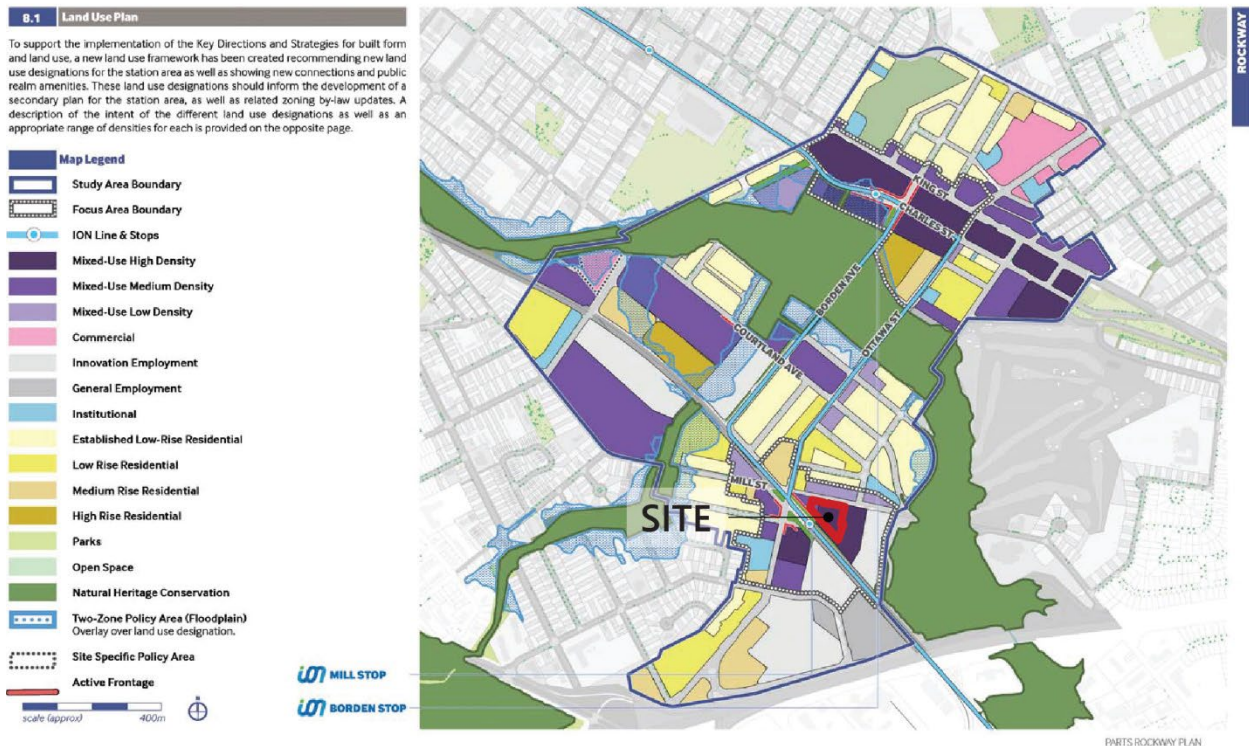


Figure 36: PARTS Rockway Land Use Plan

uses at street level and parking accommodated underground. The Mixed-Use High Density designations sets an FSR of 2.0-4.0 and a minimum building height of 4 storeys. The Mixed-Use Medium Density designation sets an FSR of 1.0-2.0 and maximum building height of 8 storeys.

**Response:** The Proposed Development includes a mix of residential and commercial uses with parking provided underground and in the podium of Building E. An FSR of 7.0 is proposed with building heights between 4 and 32 storeys. The increased FSR further supports the goal of concentrating development around ION stations. Given the limited opportunity for infill development within the Rockway MTSA, the Proposed Development offers an opportunity to meet its density targets without encroaching into the surrounding low-rise neighbourhood. The additional units will allow the delivery of a substantial community benefits package, including high-quality public spaces, a direct connection to the LRT, and the provision of 50 on-site affordable housing units and other necessary infrastructure.

In our professional planning opinion, the Proposed Applications conform to the Planning Around Rapid Transit Stations Rockway Plan with regard to land use, built form, circulation, and the public realm.

## 6.8 Proposed Rockway Secondary Plan

The Secondary Plans within the Kitchener OP provide fine-grained land use direction on a neighbourhood scale. The NPR proposed an amendment to the existing Mill Courtland Woodside Park Secondary Plan to further implement the policy direction set out in the PARTS Rockway Plan. The resulting Rockway Secondary Plan would include revised land use designations, policy, and boundary to better reflect its position within, and adjacent to, an MTSA. The Site is not included in the existing Mill Courtland Woodside Park Secondary Plan but is included in the proposed Rockway Secondary Plan following a boundary realignment. The NPR is on-going and the Rockway Secondary Plan has not been adopted by Council, however, this report will include an analysis of its policies to demonstrate alignment with the City's anticipated vision for the Rockway area.

The Site is designated as Mixed Use and Open Space and located within a Major Transit Station Area (MTSA) in the proposed Rockway Secondary Plan (see Figure 37). MTSA's are planned for intensification to provide a range and mix of uses while protecting the established character of existing neighbourhoods (16.D.7.4). Policy 16.D.7.6 allows for policies and regulations of the applicable land use designations and implementing zoning to be more restrictive to ensure compatibility with adjacent established neighbourhoods. The Urban Structure Policies in Section 3.C.2 and Mixed Use and Open Space designations from Section 15 of the Kitchener OP are applicable to lands designated as such in the Rockway Secondary Plan (16.D.7.13).

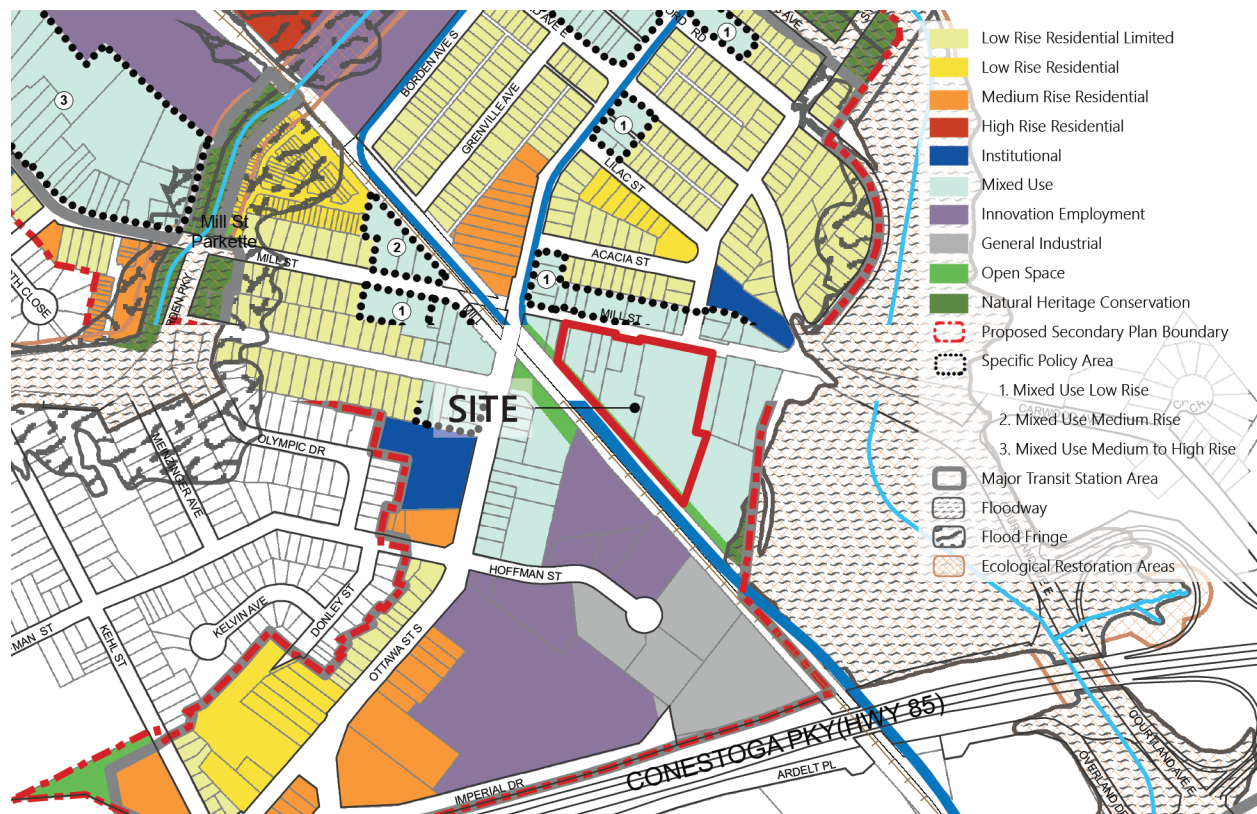


Figure 37: Rockway Secondary Plan Map 15, Proposed Land Use

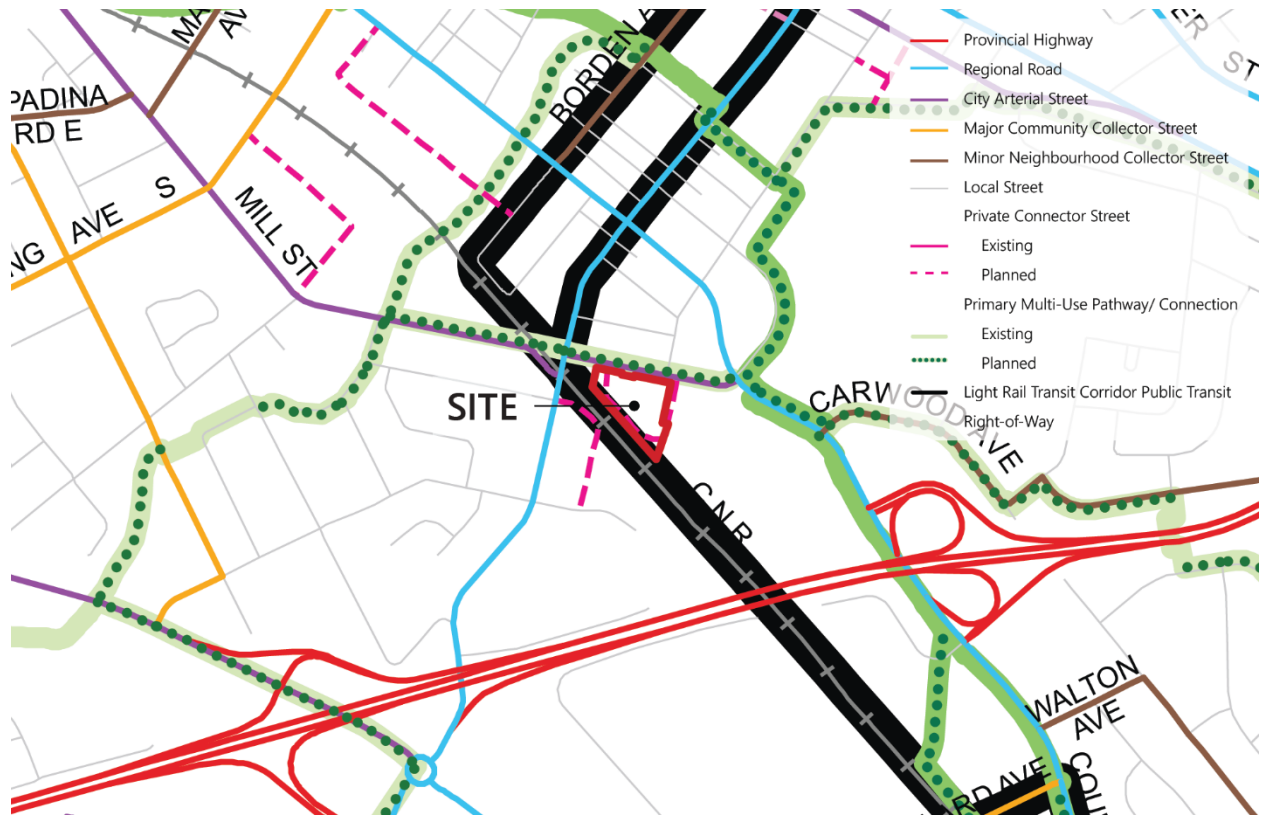


Figure 38: Proposed Kitchener Official Plan Map 11, Integrated Transportation System (NPR)

The City is actively searching for new parks in the Rockway Secondary Plan area, in particular within the context of development applications (16.D.7.9).

Policy 16.D.7.2 encourages the development of private streets, as shown on the proposed Map 11, including private roadways with active transportation linkages in the vicinity of the Mill ION Stop (see Figure 38).

**Response:** The Proposed Development conforms with the Mixed Use policies of Section 15, as demonstrated in Section 6.6 of this report. The Proposed Development provides medium and high-rise residential with ground floor commercial and active uses along primary facades. A network of open spaces connects the Site with the Mill ION stop and the surrounding neighbourhood and prioritizes transit and active transportation over private vehicles. A human-scaled environment that is compatible with the existing neighbourhood is provided along Mill Street.

The increased FSR of 7.0 requested by the Official Plan Amendment and Zoning By-law Amendment applications is appropriate for the Site's location within an MTSA and adjacent to an ION LRT station. In addition, the Proposed Development fulfills the bonusing provisions provided for Mixed Use designations through below-grade parking, the inclusion of publicly accessible amenity spaces, and the protection of the CN Rail cultural heritage landscape, as well as other potential community benefits, such as public art, a food store, and sustainable building design.

While not included as a stand-alone designation in the proposed Official Plan Amendment, the Proposed Development includes a variety of open spaces throughout, including the Entry Plaza, Station Plaza, Promenade, Park, and connecting corridors and streetscapes. These spaces will be publicly accessible and will improve the provision of parkland within the surrounding neighbourhood. A network of private streets will provide connections to the existing streets and trails and allow for extension into the adjacent properties should they be redeveloped in the future.

These measures will provide substantial improvements for the surrounding community and create a mixed-use node at the Mill ION stop, as envisioned by the Rockway Secondary Plan and PARTS Rockway Plan.

**In our planning opinion, the Proposed Applications conform to the proposed Rockway Secondary Plan with regard to land use, park provision, and connectivity.**

## 6.9 MECP D-6 Series Guidelines

The D-6 Series Guidelines provide guidance on appropriate land uses near industrial areas. Due to the Site's proximity to existing employment lands, the compatibility between the Site and these existing uses will be analyzed.

The D-6 Series Guidelines determine buffering, setback, and mitigation requirements between industrial land uses (those that produce noise, vibration, odour, dust, and other emissions) and sensitive land uses (residential, recreational, and amenity uses) (1.2.1, 1.2.2). The guidelines recommend potential influence areas of 70m and minimum separation distances of 20m for Class I industrial uses (4.1, 4.3). Detailed study is to be carried out when a change of land use is proposed to determine actual influence areas and recommended mitigation measures (4.5.1). The guidelines also recognize that recommended distances may not be achievable in redevelopment or infilling scenario and recommends detailed study, public consultation, and warning clauses be employed to minimize and mitigate impacts (4.10).

**Response:** The Noise and Vibration Feasibility Study prepared by HGC Engineering, dated July 13, 2022, includes an assessment of stationary noise impacts from the adjacent employment lands in accordance with the D-6 Series Guidelines. The report finds that the commercial uses to the south and east of the Site are considered Class I uses, and that the existing CN Rail corridor provides a buffer of at least 25m, in excess of the 20m separation distance required by the D-6 guidelines. The employment uses to the east are directly adjacent to the Site, however, the future conversion of these lands to Mixed Use, as proposed by the NPR and Rockway Secondary Plan, will eliminate the need for separation and mitigation. In the interim, a warning clause is recommended to address any noise caused by these employment uses.

**In our professional planning opinion, the Proposed Applications are consistent with the MECP D-6 Series Guidelines regarding compatibility between industrial and sensitive uses.**

## **6.10 Kitchener Zoning By-laws (85-1 and 2019-051)**

The City of Kitchener is currently regulated by two Zoning By-Laws, with the existing Zoning By-law 85-1 being replaced in stages through the enactment of Zoning By-law 2019-051. The Site is currently zoned M-2 under Zoning By-law 85-1, however the NPR process proposes to bring the Site into the MIX-4 zone under Zoning By-law 2019-051 (see Figures 39 and 40). The MIX-4 Zone and associated regulations are proposed to be created as part of the NPR process and do not exist under the current regulations of Zoning By-law 2019-051.

The Proposed Development does not conform to the existing M-2 zone, therefore the proposed Zoning By-law Amendment application seeks to rezone the Site as MIX-3 with site-specific provisions. As the MIX-4 Zone does not yet exist, City staff recommended that site-specific provisions will be guided by those of the proposed MIX-4 Zone. The resulting site-specific zoning regulations have been detailed Section 4.2 of this report. These regulations will allow for an appropriate form of development within the Rockway MTSA and will implement Provincial, Regional, and City planning policies as reviewed throughout this section of the report.



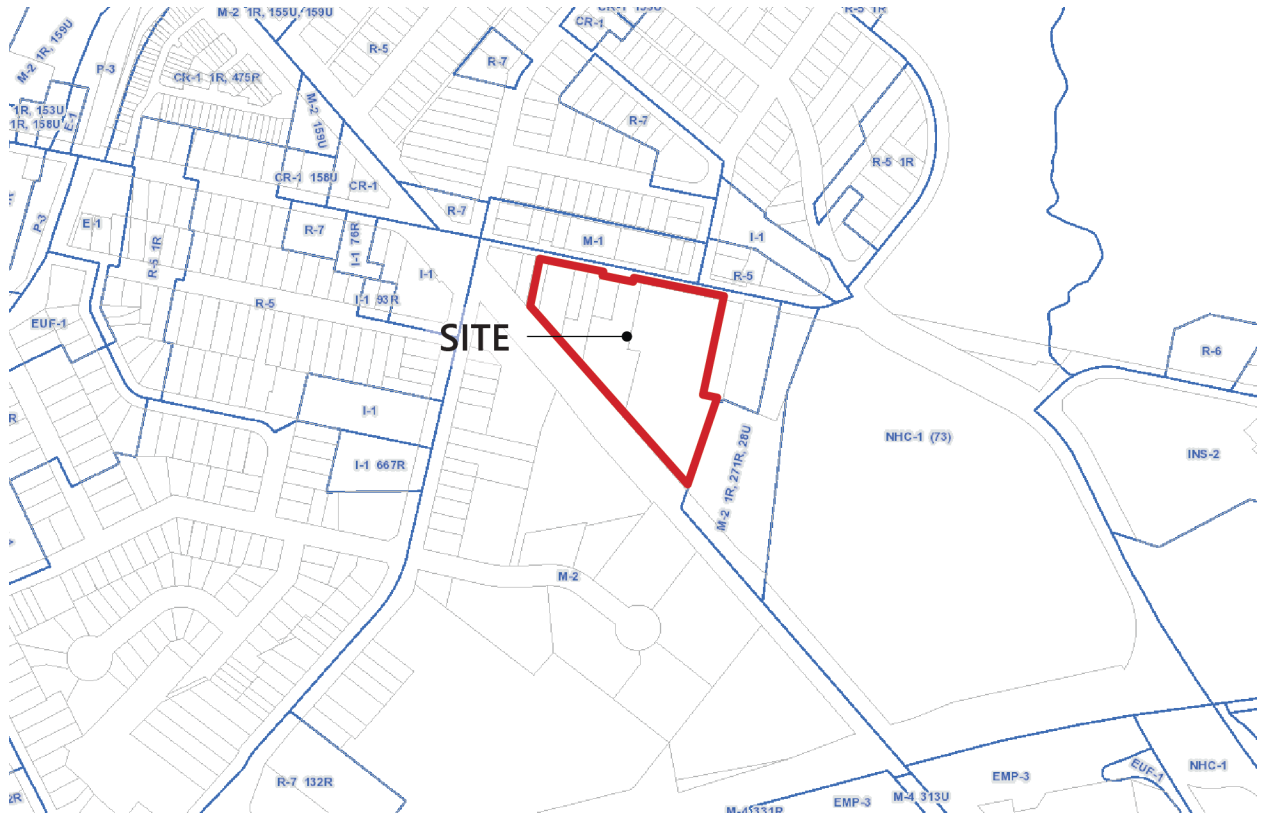


Figure 39: City of Kitchener Zoning By-law 85-1

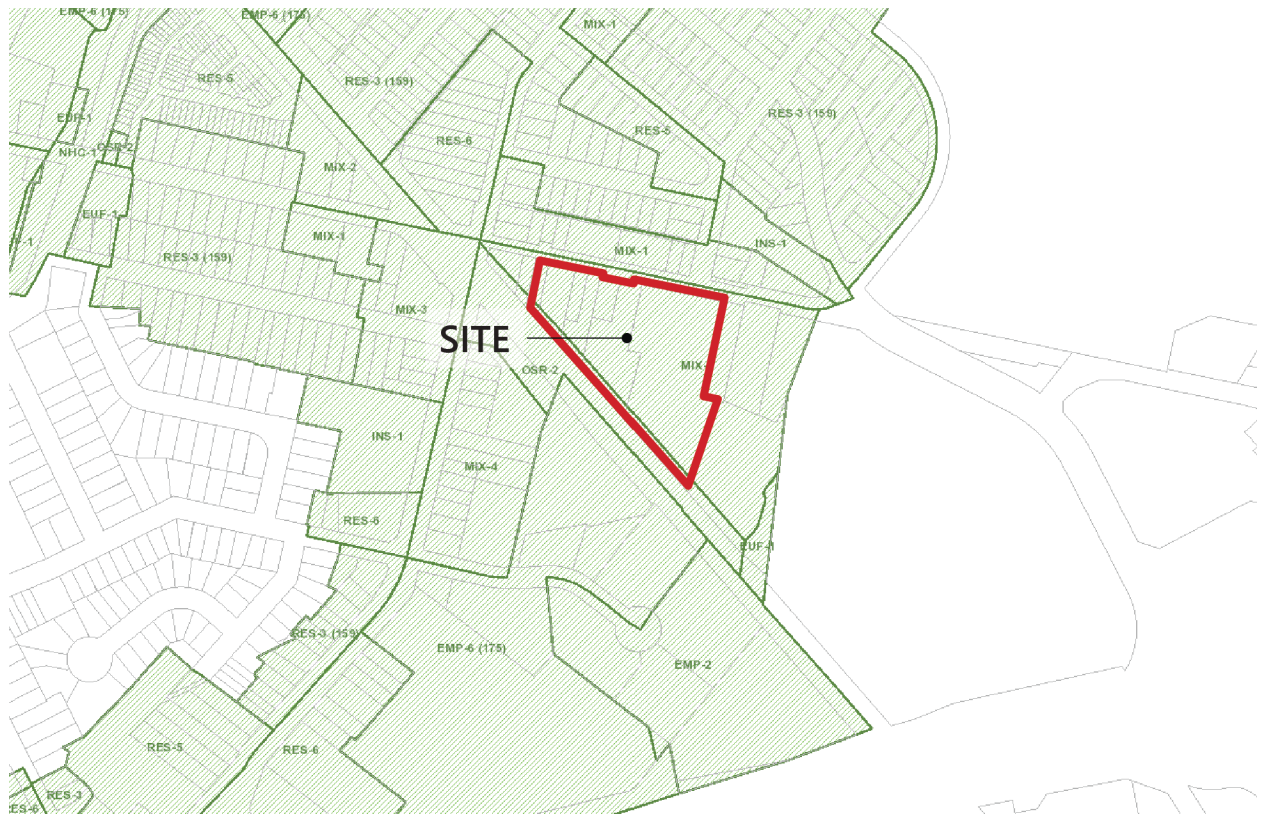


Figure 40: Proposed City of Kitchener Zoning By-law 2019-051 (NPR)

## 7.0 CONCLUSION

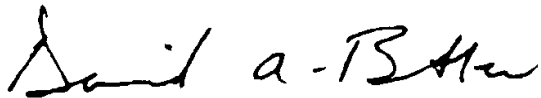
This Planning Justification Report concludes that the proposed Official Plan Amendment and Zoning By-law Amendment applications for the lands municipally known as 459-509 Mill Street are appropriate and desirable and represent good planning for the following reasons:

- The Proposed Development has regard for matters of Provincial Interest under the Planning Act, is consistent with the policies of the Provincial Policy Statement (2020), and conforms with the Growth Plan for the Greater Golden Horseshoe (2020). Furthermore, the development conforms to the policies contained within the Region of Waterloo Official Plan (2015), and City of Kitchener Official Plan (2014);
- The Proposed Development provides residential and commercial land uses within the Built-Up Area and a Major Transit Station Area, and helps achieve local intensification goals, as identified by the Province, Region, and City;
- The Proposed Development supports the creation of a complete community through a range of housing types, a mix of land uses, a compact and transit-supportive form, the integration of transit and active transportation, and a high-quality of urban design;
- The Proposed Development implements the planning vision for this MTSA as originally established through the comprehensive City-initiated land use study of this specific area as part of the PARTS Plan (Rockway);
- A proposed master plan has been formulated by the multi-disciplinary team retained by Polocorp Inc. that demonstrates how other contiguous lands can be redeveloped in accordance with this vision to provide other redevelopment opportunities at this MTSA;
- The Proposed Development provides an opportunity to establish a gateway node within the Rockway community through intensification including significant new infrastructure in the form of new streets, parks, public realm improvements and urban plazas that will enhance and promote accessibility to the Ion LRT and planning in general at this MTSA;
- The above-noted built form and overall density proposed at 7.0 FSR optimizes the redevelopment opportunity at this MTSA and is supported by these new improvements and other community benefits for the benefit of this development and the neighbourhood at large;
- The redesignation of the Site from employment uses to non-employment uses meets the requirements of Provincial, Regional, and City policy and aligns with the direction for the Rockway MTSA as set out in the Rockway PARTS Plan;
- The Proposed Development is compatible with the surrounding community through its massing, built form, and angular plane, and is comparable to other mixed-use redevelopments in MTSA's across the Province;
- The Proposed Development provides a sustainable form with a network of integrated open spaces and serves to protect the underlying ground water resources as well as optimize existing municipal services;

- The Proposed Development is supported through a series of technical reports that have been submitted as part of the Proposed Applications.

Based on the above, the Proposed Development offers an opportunity to provide intensification within an MTSA, encourage multi-modal transportation network, contributes to the diversification of housing opportunities within the Rockway community and is appropriate for the Site. As such, it is our professional planning opinion that the Proposed Applications are consistent with Provincial, Regional and City planning policy, represent good planning and are in the public interest.

Respectfully submitted,

A handwritten signature in black ink that reads "David A. Butler". The signature is written in a cursive, flowing style.

David A. Butler, MCIP, RPP

**APPENDIX A:  
OFFICIAL PLAN AMENDMENT**

AMENDMENT NO. \_\_\_\_\_ TO THE OFFICIAL PLAN  
OF THE CITY OF KITCHENER

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CITY OF KITCHENER

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SECTION 2	PURPOSE OF THE AMENDMENT
SECTION 3	BASIS OF THE AMENDMENT
SECTION 4	THE AMENDMENT

APPENDICES

APPENDIX 1	OFFICIAL PLAN AMENDMENT SCHEDULE A
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## **SECTION 1 – TITLE AND COMPONENTS**

This amendment shall be referred to as Amendment No. \_\_\_\_\_ to the Official Plan of the City of Kitchener. This amendment comprises of Section 1 to 4 inclusive.

## **SECTION 2 – PURPOSE OF THE AMENDMENT**

The purpose of the Official Plan Amendment is to change the land use designation on the lands municipally addressed as 459, 469, 473, 477, 481 and 509 Mill Street by amending the ‘General Industrial Employment’ designation to ‘Mixed Use’ site-specific policy area, as shown on Map 3 – Land Use.

## **SECTION 3 – BASIS OF THE AMENDMENT**

The effect of the amendment will be to facilitate the development of the lands as a high-density mixed-use community within the Rockway Major Transit Station Area. The amendment will redesignate the lands as Mixed Use and increase the maximum Floor Space Ratio to 7.0 in an effort to contribute to Provincial and Regional growth targets.

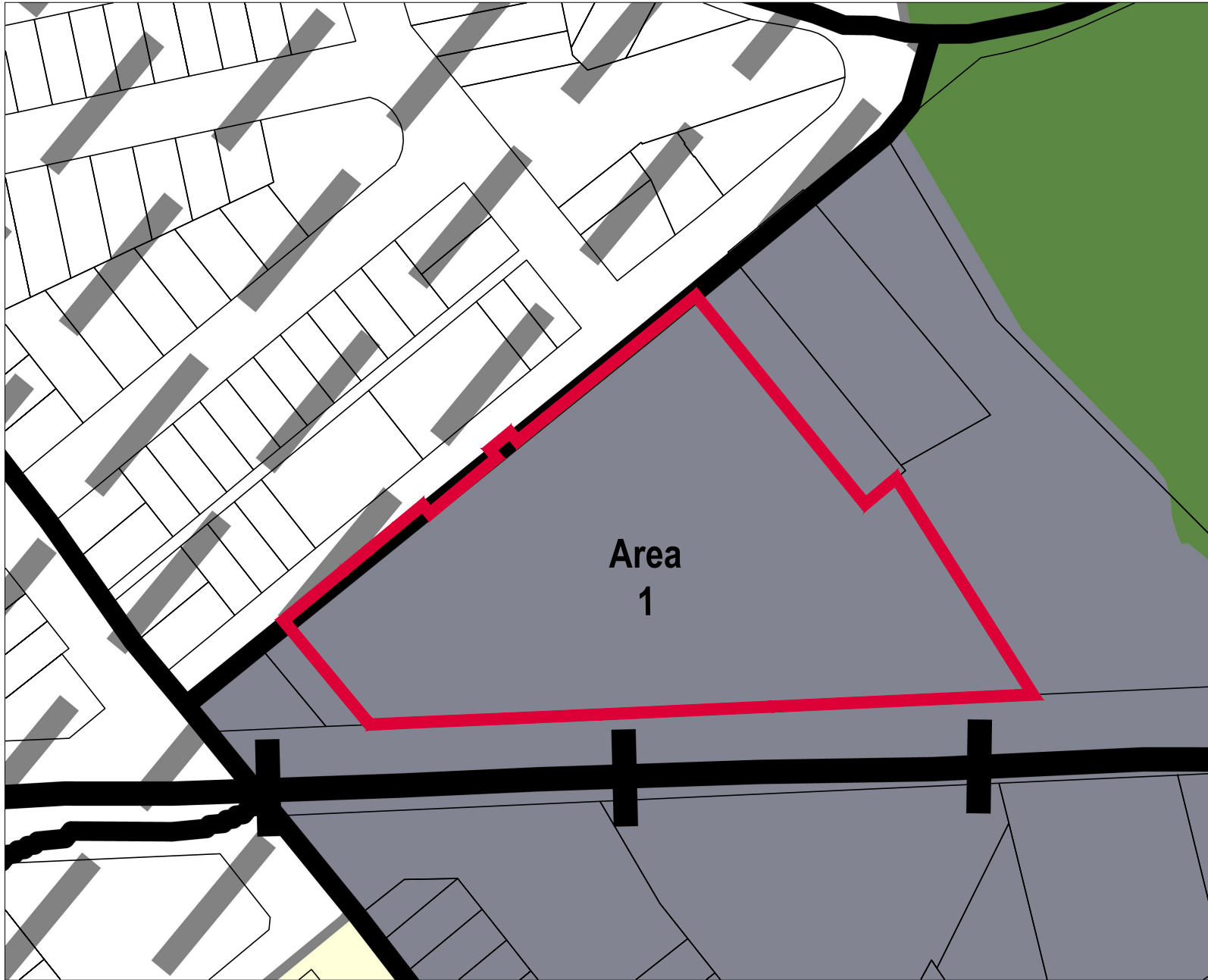
This Official Plan amendment is consistent with and conforms to the Provincial Policy Statement, the provincial Places to Grow Act and Growth Plan for the Greater Golden Horseshoe and the Regional Official Plan.

## **SECTION 4 – THE AMENDMENT**





1. The City of Kitchener Official Plan is hereby amended as follows:
  - a. Amend Map 3 – Land Use by:
    - i. Designating the lands identified as Area 1, as shown on Schedule ‘A’, from General Industrial Employment to Mixed Use.
  - b. Amend Map 5 – Specific Policy Area by:
    - i. Identifying the lands identified as Area 1, as shown on Schedule ‘A’, as ‘##. 459, 469, 473, 477, 481 and 509 Mill Street’
  - c. Amend Section 15.D.12, as follows:

15.D.12.X      459, 469, 473, 477, 481 and 509 Mill Street

Notwithstanding the Mixed Use land use designation on the lands municipally known as 459, 469, 473, 477, 481 and 509 Mill Street, the maximum Floor Space Ratio is 7.0.



**LEGEND**

-  Refer to Secondary Plan for Detail
-  Low Rise Residential
-  General Industrial Employment
-  Natural Heritage Conservation



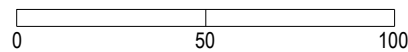
**AREA OF AMENDMENT**

-  Mixed Use

From City of Kitchener "Map 3-Land Use"

**SCHEDULE 'A'**

CITY OF KITCHENER  
CITY WIDE



SCALE 1: 2,000

DATE: JUNE 20, 2022

OFFICIAL PLAN AMENDMENT

**City of Kitchener**  
COMMUNITY SERVICES DEPARTMENT, PLANNING

**APPENDIX B:  
ZONING BY-LAW AMENDMENT**



PROPOSED BY – LAW  
\_\_\_\_\_ 2022  
BY-LAW NUMBER \_\_\_\_  
OF THE  
CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 85-1, as amended and By-law 2019-051, as amended, known as the Zoning By-laws for the City of Kitchener – 459 – 509 Mill Street, Kitchener)

WHEREAS it is deemed expedient to amend By-law 85-1 and By-law 2019-051 for the lands specified above;

NOW THEREFORE the Council of the Corporation of the City of Kitchener enacts as follows:

1. Schedule Number 118 of Appendix “A” to By-law Number 85-1 is hereby amended by removing the zoning applicable to the parcel of land specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto.
2. Schedule Number 144 of Appendix “A” to By-law Number 85-1 is hereby amended by removing the zoning applicable to the parcel of land specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto.
3. Schedule Number 145 of Appendix “A” to By-law Number 85-1 is hereby amended by removing the zoning applicable to the parcel of land specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto.
4. Schedule Number 118 of Appendix “A” to By-law Number 2019-051 is hereby amended by adding thereto the lands specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto, and by zoning the Area 1 lands thereafter as Mixed Use 3 (MIX-3) Zone with site specific and holding provisions.

5. Schedule Number 144 of Appendix "A" to By-law Number 2019-051 is hereby amended by adding thereto the lands specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto, and by zoning the Area 1 lands thereafter as Mixed Use 3 (MIX-3) Zone with site specific and holding provisions.
6. Schedule Number 145 of Appendix "A" to By-law Number 2019-051 is hereby amended by adding thereto the lands specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto, and by zoning the Area 1 lands thereafter as Mixed Use 3 (MIX-3) Zone with site specific and holding provisions.
7. Section 19 to By-law 2019-051 is hereby amended by adding Section 19 (X) thereto as follows:
  - "(X). Notwithstanding Section 8.3, Table 8 – 2 of this By-law within the lands zoned MIX-3 and shown as being affected by this subsection on Schedule Number 118, 144 and 145 of Appendix "A", the following special regulations shall apply:
    - a) Minimum Rear Yard setback to building podium shall be 5.5 metres;
    - b) Minimum Rear Yard setback to building tower shall be 2.5 metres;
    - c) Minimum Interior Side Yard setback to building podium shall be 0 metres;
    - d) Minimum Interior Side Yard setback to building tower shall be 1.7 metres;
    - e) Maximum Building Height shall be 105 metres;
    - f) Maximum number of Storeys shall be 32 storeys;
    - g) Maximum number of storeys in the base of a mid-rise building or tall building shall be 8 storeys;
    - h) Maximum Floor Space Ratio shall be 7.0;
    - i) Minimum percent of non-residential gross floor area shall be 1.5%;
    - j) Closed loop geothermal energy systems shall be prohibited.

Notwithstanding Section 5.6, Table 5 – 5 and Additional Regulation (3) to Table 5 – 5 of this By-law within the lands zoned MIX-3 and shown as being affected by this subsection on Schedule Number 118, 144 and 145 of Appendix "A", the following special regulations shall apply:

- a) Minimum required parking for Multiple Residential Buildings: Multiple Dwelling shall be 0.55 per dwelling unit plus 0.05 visitor parking spaces per dwelling unit;
- b) Visitor parking shall be shared between uses and unassigned.

Notwithstanding Section 20.0 of this By-law within the lands zoned MIX-3 and shown as being affected by this subsection on Schedule Number 118, 144 and 145 of Appendix "A", a Holding provision (XH) shall apply:

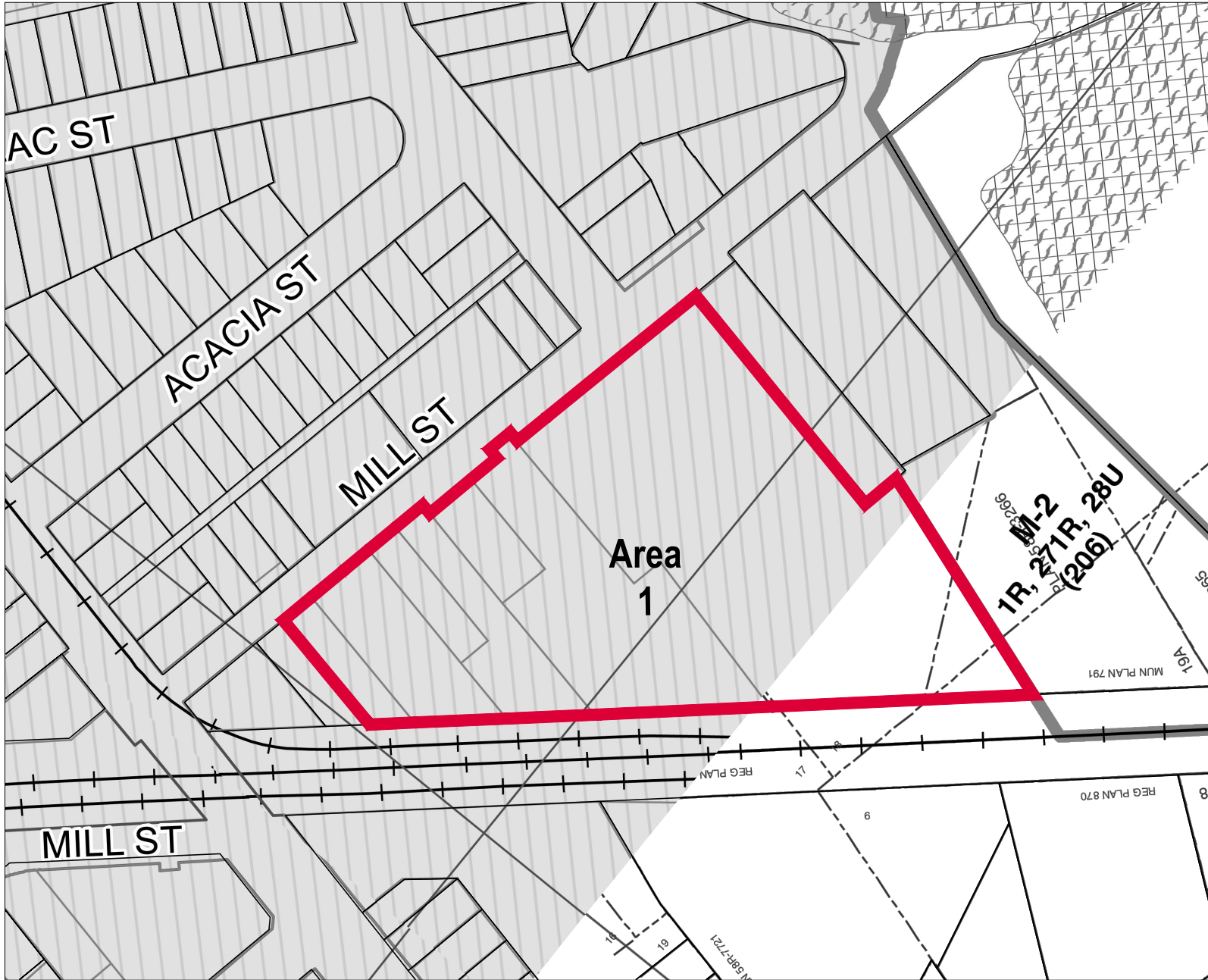
(XH) Within the lands zoned MIX-3 and shown as affected by this provision on Zoning Grid Schedule 118, 144 and 145 of Appendix A, the following shall apply:

- a. No uses shall be permitted until such time as the City and the Region are in receipt of a Record of Site Condition, prepared in accordance with O. Reg. 153/04, as amended, under the Environmental Protection Act and acknowledged by the Ministry of the Environment and Climate Change, confirming that the subject property is suitable for residential and other sensitive land uses, and this holding provision has been removed by by-law.

PASSED at the Council Chambers in the City of Kitchener this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

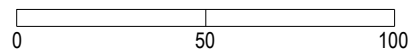


**LEGEND**

- From the General Industrial Employment (M-2) Zone in By-law 85-1 to the Mixed Use 3 (MIX-3) Zone with site specific and holding provisions in By-law 2019-051.

Zone grid reference  
Schedule 117,118,144,145 of Zoning Bylaw 85-1

# MAP 1



CITY OF KITCHENER  
485-509 Mill Street

SCALE 1: 2,000

DATE: JUNE 20, 2022

DRAFT BY LAW

**City of Kitchener**  
COMMUNITY SERVICES DEPARTMENT, PLANNING

**APPENDIX C:  
RECORD OF CONSULTATION**

# Record of Consultation

Development Services Department - Planning



**Project Address: 459-509 Mill Street**

**Application Types: Official Plan & Zoning By-law Amendment**

**Date of Pre-Submission Consultation Meeting: June 9, 2022**

**Applicant: Mike Puopolo, Polocorp Inc.**

**Agent: Mike Puopolo, Polocorp Inc.**

**File Planner: Craig Dumart 741-2200 x 7073 [craig.dumart@kitchener.ca](mailto:craig.dumart@kitchener.ca)**

**Meeting Attendees: Craig Dumart, Sandro Bassanese, Pegah Fahimian, Steven Ryder, Tina Malone-Wright, Lenore Ross, Melissa Mohr (Region), Mike Puopolo, Joe Puopolo, Paul Puopolo**

---

## **CONFIDENTIAL DOCUMENT**

The contents of this document are confidential and are not part of a Planning Act Application.

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The purpose of the Pre-Submission Consultation is to review a proposed development and identify the need for, and scope of, the *other information and materials* required as part of a complete application under the Planning Act. The City will not accept an application for a Plan of Subdivision, a Plan of Vacant Land Condominium, an Official Plan Amendment, a Zoning By-law Amendment, a Consent and/or Site Plan for processing unless such development application is considered to be a complete application and in accordance with section 17.E.10.1 of the Official Plan

This Record of Pre-Submission Consultation only applies to the proposal as described and/or as provided for in the attached concept plan (unless otherwise approved by the Director of Planning or his/her delegate), and shall be valid for one year from the date of the Pre-Submission Consultation Meeting.

*If you have any questions or concerns with this Record of Pre-Submission Consultation please contact the File Planner.*

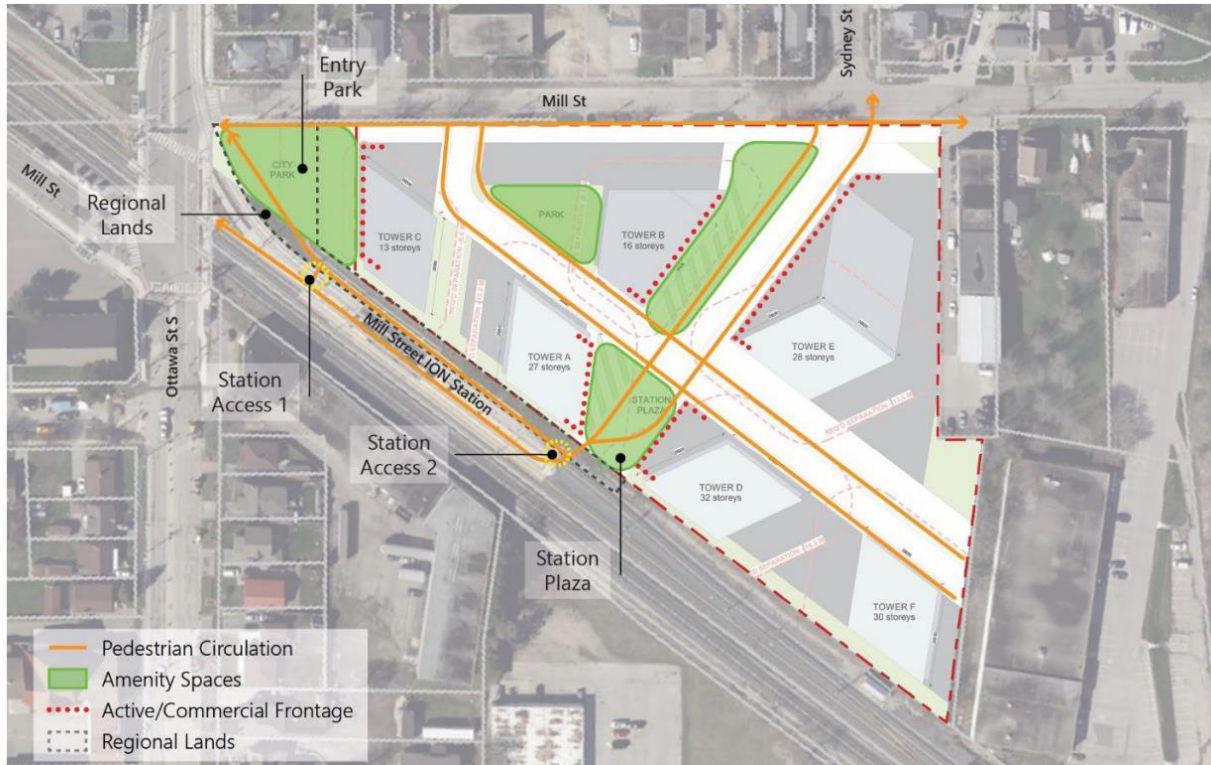
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**A City for Everyone**

Working Together – Growing Thoughtfully - Building Community

## PART 1 – DESCRIPTION OF DEVELOPMENT PROPOSAL

The applicant is proposing an Official Plan Amendment and Zoning By-law Amendment for the subject properties to allow for a mixed-use development with six towers to be built on the subject lands. The development proposal consists of six towers ranging in heights from 13 to 32 storeys in height. A total of FSR of 6.99 is proposed, with 6.3 FSR dedicated to Residential, 0.13 FSR dedicated to commercial, and 0.34 FSR dedicated to parking. The development will consist of 1473 residential units and approximately 2789 square metres (30,020 square feet) of commercial floor area. A total of 686 parking spaces are proposed based on a parking rate of 0.47 spaces per unit with 1 class A secured bicycle space per unit.



## PART 2 – OVERALL COMMENT SUMMARY

- The proposed development should include the lands addressed as 455 Mill Street. Without that property included with the proposed development, staff have concerns that the development will have compatibility issues and transition issues.
- The subject lands are located within the approach surface of Runway 8 and the building height is restricted in this area to 105m (crane cannot exceed this height during construction). Consultation with the Region on the proposed height of the towers and the proposed height of any cranes required during the construction may impact the proposed building heights.

- Any future development of the subject lands will have to be considered in the overall boarder concept of the adjacent lands. A conceptual master plan should be provided showing how this site could be integrated with adjacent lands. A Concept Master plan should be included as part of the urban design brief demonstrating how the proposed development will not limit the development of adjacent properties.
- Active use is to be provided along all podium facades that front onto amenity space, as well as public realm.
- The proposed development must meet City of Kitchener Tall Building Design Guidelines which are intended to guide and inform Official Plan and Zoning By-law Amendment applications.

### PART 3 – OTHER INFORMATION AND MATERIALS

The following is a list of other information and materials that will be required for the subject development application to be considered complete. Please note that following the acceptance of an application as “complete” additional information and materials may be required as a result of the detailed review, due to changes to the proposal, or changes to policy.

***Development applications submitted after January 1, 2023 may be subject to additional complete application requirements. Please contact the Manager of Development Review for additional information.***

<b>Other Information and Materials: OPA/ZBA</b>				
	<b>#</b>	<b>To the Satisfaction of:</b>	<b>Notes:</b>	<b>AODA: (Y/N)</b>
<b>Standard Requirements</b>				
Completed Application Form and Fee(s)	1	Planning		
<b>Digital Plans</b>				
PDF of all submission materials	1	Planning	Files may be provided through City's ShareFile or consultant's file sharing service.	
Site Plan in accordance with City Digital Submission Standards	1	Planning	It is recommended that the site plan be submitted concurrently with OPA/ZBA to help inform the Zoning	
<b>Other Required Plans and Studies</b>				
Planning Justification Report	*	Planning Region		Y
Urban Design Report	*	Planning	Terms of Reference to be established by staff (Include Master Plan for the entire block)	Y
Urban Design Scorecard	*	Planning		



Conceptual Site Plan and Elevations and floor plans	*	Planning		
3D Massing Model	*	Planning		
Sustainability Statement	*	Planning		Y
Shadow Study	*	Planning		
Wind Study	*	Planning		
Tall Building Guidelines Analysis	*	Planning		
Building Elevation Drawings	*	Planning		
Tree Management Plan	*	Planning		
General Vegetation Overview	*	Planning		
Water Distribution Report	*	Engineering Utilities		
Functional Servicing Report	*	Engineering Region		
Grading Plan	*	Engineering		
SWM Report	*	Region		
Parking Justification Statement	*	Transportation	For any parking reductions being sought	Y
Record of Site Condition	*	Region		
Phase 1 ESa for widening	*	Engineering		
Environmental Noise Assessment	*	Region		
Stationary Noise Report	*	Region		
Hydrogeology Report	*	Region		
Risk Management Plan	*	Region		
Valid Section 59 Notice	*	Region		

**\* unless otherwise noted, only digital plans and studies are required. However, please confirm with File Planner prior to submission to verify that submission standards have not changed.**

**NOTE RE: Accessibility for Ontarians with Disabilities Act, 2005 (AODA)**

In order to facilitate the City's compliance with O. Reg. 191/11 *Integrated Accessibility Standards* under the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11., the Consultant/Contractor shall provide any final report and any other document identified by the Project Manager/City Representative as intended City/Client website content in an accessible format that complies with the World Wide Web Consortium Web Content Accessibility Guidelines

2.0 AA [other than success criteria 1.2.4. Captions (Live) and success criteria 1.2.5 Audio Descriptions (Pre-Recorded)]. However, this requirement shall not apply to drawings, photos, maps, site plans, or other documents that the Project Manager/City Representative agrees cannot practicably be converted to an accessible format. For detailed information about AODA requirements and to find training resources, visit <https://aoda.ca/>.

**PART 4 – SIGNATURES**

This Record of Pre-Submission Consultation only applies to the proposal as described and/or as provided for in the attached concept plan. This Record of Pre-Submission Consultation documents the required *other information and materials* that must be submitted in support of a complete Application made under the Planning Act.

**If you have any concern with this Record of Pre-Submission Consultation please contact the File Planner immediately.**

Please note that the feedback provided at this Pre-Submission Consultation Meeting does not constitute a detailed review of the development application(s). Following the acceptance of an application as “complete” additional information and materials may be required as a result of the detailed review, or changes to the proposal, City policies, the zoning by-law, or standard City conditions of development.

**OPTION A. Approval of the Record of Pre-Submission Consultation**

These minutes shall be considered valid until June 9, 2023.



June 16, 2022

\_\_\_\_\_  
Craig Dumart, MCIP, RPP  
Senior Planner

\_\_\_\_\_  
Date



June 24, 2022  
Date

\_\_\_\_\_  
Garrett Stevenson, MCIP, RPP  
Manager of Development Review

## PART 5 – DETAILED COMMENTS

Notice of this Pre-Submission Consultation Meeting was provided to City Staff and Commenting Agencies. Detailed comments are attached to this Record of Consultation as indicated below.

Commenting Authority	Circulated?	No Concern or Comment	Comments Attached
Kitchener Planning	Y		Y
Planning	Y		Y
Urban Design	Y		Y
Heritage	Y		Y
Environment	Y		Y
Engineering Services	Y		Y
Building	Y		Y
Fire	Y		Y
Transportation Services	Y		Y
Parks	Y		Y
Kitchener Utilities	Y		N
Economic Development	Y		N
Region of Waterloo	Y		Y
Grand River Conservation Authority	Y		N
Canada Post	Y		N
KW Hydro	Y		N
Bell	Y		N
Rogers	Y		N
Hydro One	Y		N
Ministry of Transportation	N		N
CN Rail	Y		N
CP Rail	Y		Y
Goderich Exeter Rail	Y		N
Metrolinx/GO	Y		N
WRDSB	Y		N
WCDSB	Y		N

**City of Kitchener**  
**PRE-SUBMISSION CONSULTATION COMMENT FORM**

**Project Address:**459-509 Mill Street

**Date of Meeting:** June 9, 2022

**Application Type:** ZBA & OPA

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Comments Of:Planning

Commenter's Name:Craig Dumart, Senior Planner

Email: craig.dumart@kitchener.ca

Phone: 519-741-2200 x7073

Date of Comments:June 7, 2022

- I plan to attend the meeting (questions/concerns/comments for discussion)
- I do NOT plan to attend the meeting (no concerns)
- 

**1. Site Specific Comments & Issues:**

The proposed development should include the lands addressed as 455 Mill Street. Without the lands included with the proposed development, staff have major concerns that the development will have compatibility issues and transition issues.

Any future development of the subject lands will have to be considered in the overall boarder concept of the adjacent lands. A conceptual master plan should be provided showing how this site could be integrated with adjacent lands. A Master plan should be included as part of the urban design brief demonstrating how the proposed development will not limit the development of adjacent properties.

The properties are designated "General Industrial Employment" in the City's Official Plan (2014) and are zoned "General Industrial Zone (M-2)" in Zoning By-law 85-1.

The properties are located in a Major Transit Station Area (MTSA) as shown on Map 2 of the City's Official Plan (2014). The Official Plan identifies MTSA's as Primary Intensification Areas.

**Intensification Areas**

3.C.2.3. The city's Primary Intensification Areas include the Urban Growth Centre (Downtown), Major Transit Station Areas, City Nodes, Community Nodes, and Urban Corridors.

3.C.2.9. A high level of urban design will be expected of all new development and redevelopment within all primary Intensification Areas. In accordance with Section 11, the City may impose appropriate urban design requirements affecting, but not limited to,

site landscaping, the massing and placement of buildings and the provision of cycling and pedestrian facilities.

3.C.2.10. The intensification and development of mixed use and commercial lands within Intensification Areas will be the primary means of accommodating additional commercial development to meet future growth needs

### **Major Transit Station Area**

3.C.2.16. Major Transit Station Areas are designated in the Regional Official Plan, are identified on Map 2 and are a conceptual representation of the area of a ten-minute walking radius centered around the location of Rapid Transit Station Stops.

3.C.2.17. The planned function of Major Transit Station Areas, in order to support transit and rapid transit, is to:

- a) provide a focus for accommodating growth through development to support existing and planned transit and rapid transit service levels;
- b) provide connectivity of various modes of transportation to the transit system;
- c) achieve a mix of residential, office (including major office), institutional (including major institutional) and commercial development (including retail commercial centres), wherever appropriate; and,
- d) have streetscapes and a built form that is pedestrian-friendly and transit-oriented.

3.C.2.21. Development applications proposing the conversion of industrial employment areas, lands designated for industrial uses, to other employment and non-employment in Major Transit Station Areas may be considered in advance of the implementation of approved Station Area Plans, subject to the completion of a comprehensive review and provided any proposal is in accordance with the Regional Official Plan and the Transit-Oriented Development Policies in Section 13.C.3.

3.C.2.22. Until such time as Station Area Plans are completed and this Plan is amended accordingly, in the interim, any development application submitted within a Major Transit Station Area will be reviewed generally in accordance with the Station Study Areas contained in the City's Planning Around Rapid Transit Station Areas (PARTS) Project Plan and Background Report;

- a) in areas that are intended to be the focus for intensification, development applications will support the planned function of Major Transit Station Areas and have regard for the following:
  - i) the Regional Official Plan and the Transit-Oriented Development Policies included in Section 13.C.3;
  - ii) new non-transit-supportive uses such as low density uses and/or auto-oriented uses will be discouraged;
  - iii) appropriate pedestrian and public transit facilities may be required with all major development or redevelopment proposals; iv) vehicular access points will be

controlled to minimize disruption to traffic flow and new development may be required to share common driveways and provide for maneuverability between sites.

### **Neighbourhood Planning Review (NPR)**

The Secondary Plans were deferred from the review and approval of the City's new Official Plan 2014 to allow the City to review the land uses through the Planning Around Station Area Planning Process (PARTS).

One of the primary intents of the PARTS Planning Process was to support ION by determining the appropriate locations for intensification while protecting our stable established neighbourhoods.

The subject properties were reviewed as part of the development of the PARTS Rockway Plan which was approved by Council in December of 2017.

The recommendations for land use, as shown in the PARTS Rockway, and the removal of these lands from Map 3 and their proposed inclusion in the new Rockway Secondary Plan, were implemented in the most recent City initiated Official Plan Amendment which was considered at a Statutory Public Meeting on December 9, 2019.

The properties were proposed to be given a new OSR-2 zone at the rear and a new MIX-4 zone along the Mill Street frontage which would require a minimum Floor Space Ratio (FSR) of 1.0 and permit a maximum Floor Space Ratio (FSR) of 5.0.

The applicant provided a written submission, dated December 9, 2019, to which a preliminary staff response was provided (see Response No. 99) in a staff report considered at a Planning and Strategic Initiatives Committee Meeting on June 14, 2021.

[https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD\\_PLAN\\_DSD-2021-92\\_Appendix-B.pdf](https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_DSD-2021-92_Appendix-B.pdf)

### **Submission dated December 9, 2019**

"As the landowners of 459-485 Mill Street, Polocorp Inc. would like to provide comments on the proposed Rockway Secondary Plan in advance of the upcoming Statutory Public Meeting on Monday, December 9th, 2019. We have reviewed the documents titled 'Proposed Secondary Plan Policies' and 'Proposed Zoning'.

We are generally in support of the Secondary Plan designation of the lands as 'Mixed Use' and the proposed zoning category of 'MIX-4', with the following amendment requests:

- On Map 15 – Proposed Land Use for the Rockway Secondary Plan, the southern portion of the lands include a strip designated as 'Open Space'. We would request this designation be removed, as it will limit the opportunities for future development to integrate with the adjacent LRT stop. If 'Open Space' areas are intended for this area, it should be included within the rail line right-of-way. Furthermore, we are working with the Region of Waterloo to either acquire part of the lands adjacent to ours and adjacent to the LRT, or coordinate a seamless design that would integrate our site with the LRT.
- Within the Proposed Zoning for the lands, we would request that the non-residential gross floor area be reduced to 5-10%. As the site is identified for high-density development, the

proposed non-residential GFA would limit the feasibility for development adjacent to an LRT station. Even the residential towers in the core (see 1 Victoria & City Centre) do not have this much commercial as a percentage of the building. While we understand the intent to make this a truly mixed-use site, this increase will not be sustainable, and there will be vacant commercial space throughout the mixed-use sites.

- Within the Proposed Zoning for the lands, it is identified that 70% of the street floor façade is required, which would significantly restrain the ultimate built form for the site and minimize the potential for a variety in massing along the street. We would request that the City remove provisions for minimum street floor facades within the zoning and address it through urban design comments at the site plan stage.

In summary, we generally support the proposed designation and zoning, understanding that there are some further modifications required within the proposed land use designations and zoning to address appropriate urban design principles. We look forward to working with you through this secondary process and welcome any questions you may have.”

**Preliminary Staff Response**

The PARTS Rockway Plan, which was approved in December of 2017, recommended that the properties addressed as 459-485 Mill Street be designated “Medium and High-Density Mixed Use” and “Open Space/Parks”. This recommendation was reflected in the OPA/ZBA considered at the Statutory Public Meeting that was held on December 9, 2019.

Over the next 18 months, Parks Planning will be coordinating and leading engagement on several high-profile parks and open space projects in our neighbourhoods. Parks Planning is looking to ensure the Kitchener’s growing and changing community continues to have access to high quality and local parks and open spaces. This is particularly important in the Neighbourhood Planning Review areas which are experiencing change, and which would benefit from new and/or enlarged high quality parks, open spaces, and open space/trail connections. Further discussion will be had for the lands that were shown as proposed Open Space.

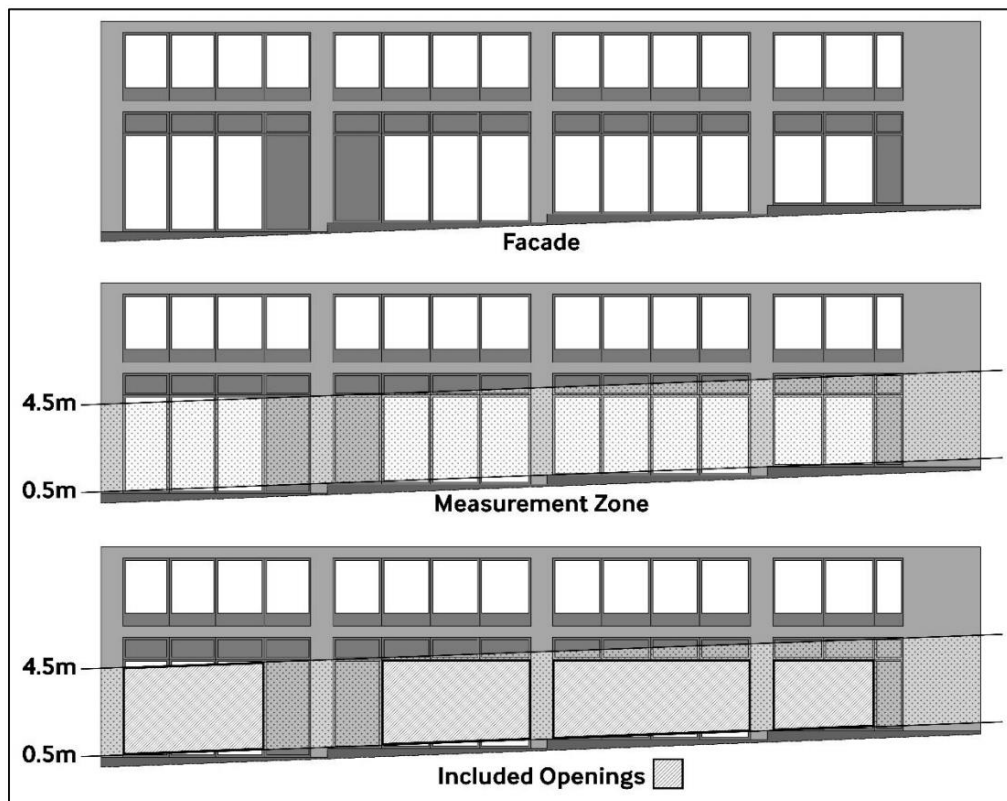
With respect to the comment on the minimum required percentage of non-residential gross floor area, Planning staff are reviewing this regulation. Planning staff agree that, depending on the size of the lot, this minimum percentage of 20% could require an amount of non-residential building floor area not in keeping with the urban structure and other zoning regulations. Planning staff are considering a couple of approaches including regulating the location of the non-residential and residential uses on a lot. i.e. residential uses not be permitted on the ground floor or first storey of a building and/or within a certain distance of the street line.

With respect to the requirement for Minimum Ground Floor Street Line Façade Width and Façade Openings, staff offers the following comments:

<b>Regulation</b>	<b>MIX-1</b>	<b>MIX-2</b>	<b>MIX-3</b>	<b>MIX-4 (NEW)</b>
Minimum ground floor street line façade width as a percent of the width of the abutting street line	50%	50%	50%	70%
Minimum percent street line façade openings (4)(5)	50%	50%	50%	65%



- The minimum ground floor street line façade and openings is currently 50% in the MIX-1, MIX-2 and MIX-3 zones.
- Planning staff are of the opinion that it is appropriate to carry this regulation forward in the new MIX-4 zone.
- A minimum 70% minimum ground floor street line façade and that a minimum of 65% of the façade is open is appropriate for the MIX-4 zone which zone is located in higher order transit areas. The intent behind this regulation is to provide a visible street presence and a frontage which is semi-transparent, allowing active uses to be seen from the street and to provide the same effect for pedestrians. Having two-way vision from retail or similar active uses, enhances safety and interest in these areas. In extensive consultation with the industry the following regulations were added to ensure only useful space is considered as part of the calculation. This provides more flexibility in design for meeting the regulation.
- As per the diagram below the measurement zone will be between 0.5m and 4.5m above exterior finished grade along the entire width of the street line façade. The maximum distance between street line façade openings and between exterior walls and street line façade openings shall be 8 metres.



Planning staff will review and give further consideration to the requirement for the 70% minimum ground floor street line façade width as a percent of the width of the abutting street line in the MIX-4 zone.

Planning staff also propose to add a policy to require a Holding provision for lands currently designated for industrial uses proposed to be redesignated to permit sensitive uses, such as residential uses.”

Further, with respect to the minimum parking requirements in an MTSA:

- Except for the downtown, the draft parking rates proposed in the Major Transit Station Areas (MTSA) are generally lower than lands in the rest of the city on account of their proximity to transit and future anticipated growth. Upon staff consideration of comments and trends since the time these rates were first proposed, the MTSA parking rates for residential and non-residential uses will be further reduced. The proposed rates will be finalized in the coming months. With respect to residential, staff anticipate a reduced residential parking rate of 0.7 parking spaces per unit (0.6 parking space per unit and 0.1 visitor parking spaces per unit) and may consider further reductions.

Consideration should be given to the following:

- The Planning Justification Report will need to address the previous studies and work that have been completed to support the proposed land use and zoning that was considered at the Statutory Public Meeting on December 9, 2019.
- Consideration should be given to the acquisition, consolidation and redesignation of the properties addressed as 451 and 455 Mill Street to facilitate a more comprehensive redevelopment of this corner.
- Given the properties location in an MTSA and proximity to the ION stop, a high level of urban design is expected and required.
- The need for Open Space/Amenity Area on site.
- Until the MIX-4 zone is approved as part of new Zoning By-law 2019-051, the application of a MIX-3 zone with site-specifics, will need to be considered.
- The provision of parking in close proximity to the ION stop.
- The need for a 'Holding' provision in advance of any Record of Site Condition.
- Consultation with the Region on the proposed height of the towers and the proposed height of any cranes required during the construction.

Owner-initiated applications which are requesting site-specifics, or a different land use designation and zone category, with respect to a particular proposal are not being reviewed through the Neighbourhood Planning Review (NPR) Process. They are being processed independently of the NPR Process wherein the planning justification, supporting technical studies and impacts of the proposal can be evaluated appropriately.

Depending on the timing of the NPR Project and the timing of the decision on the owner-initiated planning applications (OPA/ZBA), the final land use and zoning of these properties in the Rockway Secondary Plan will either reflect the decision of the owner-initiated applications or be deferred from consideration of the NPR Project until such time as a decision is made on the owner-initiated OPA/ZBA applications.

## 2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

Planning Justification Report to justify the densities being proposed together with a Tall Building Guideline analysis in support of the proposed Official Plan Amendment and Zoning By-law Amendment . A terms of reference can be provided upon request.

Revised Conceptual Site Plan and Elevations

Sustainability Statement

Urban Design Brief (include master plan for the entire block)

3. Policies, Standards and Resources:

The applicant should have regard to the City's "Tall Building Guidelines".

Proposed Official Plan and Zoning By-law changes for these properties as part of the NPR Project (including updated land use maps and policies, permitted uses and associated regulations) as well as urban design guidelines were released in October 2019 and a statutory public meeting to receive community input and comments was held on December 9, 2019. Reference should also be had to the Background Information contained in the Appendix Document supporting the Secondary Plan.

[https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD\\_PLAN\\_Appendix\\_D.pdf](https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_Appendix_D.pdf)

Reference should also be had to the Staff Response Document contained in Appendix B to the Staff Report considered at the June 14th, 2021 meeting of the Planning and Strategic Initiatives Committee.

[https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD\\_PLAN\\_DSD-2021-92\\_Appendix-B.pdf](https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_DSD-2021-92_Appendix-B.pdf)

4. Anticipated Fees:

Please see [Official Plan](#) and [Zoning By-law Amendment](#) application forms and fees

**City of Kitchener**  
**PRE-SUBMISSION CONSULTATION COMMENT FORM**

**Project Address:**459-509 Mill Street

**Date of Meeting:** June 9, 2022

**Application Type:**ZBA & OPA

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Comments Of:Planning/Urban Design

Commenter's Name:Pegah Fahimian

Email: Pegah.fahimian@kitchener.ca

Phone: 519-741-2200 ext. 7342

Date of Comments:June 04, 2022

- I plan to attend the meeting (questions/concerns/comments for discussion)
- I do NOT plan to attend the meeting (no concerns)
- 

**1. Site-Specific Comments & Issues:**

- There are key design considerations that must be addressed through a redesign of the site plan to create a more functional site for residents and also ensure the project fits in the context of the neighbourhood as detailed below.
- The proposal needs to fully meet the tall building guidelines, specifically with regard to the physical separation as the guidelines are an excellent compatibility test for proposals exceeding their zoning permissions. The proposal does not meet the separation requirements which may lead to overlooking and privacy concerns. The proposal will need to be modified until the resulting built form meets its corresponding separation target. There is an alternative to have five towers instead of six and redistribute the proposed density by increasing the height of the podium to make up for some of the lost units. The height increase of the podium has a negligible effect on impacts, and the total cumulative impact compared to the six towers proposal will be dramatically reduced.
- Consider how best to create compatibility along Mill St with particular regard to neighbouring buildings.
- Consider setbacks for the upper storeys in the tower and podium, both to increase articulation/visual interest in the building and create room for shared outdoor amenity space. This will also facilitate the transition to low-rise neighbourhoods.
- The building facades fronting Mill street should contain an appropriate amount of glazing and articulation, particularly along the lower 5m where the building addresses the sidewalk.
- Provide multiple above grade rooftops and podium amenities with a minimum of (2 sq.m X # units) + (2.5 sq.m x # bedrooms - # units) = outdoor amenity space. The amenity space should be high quality and should connect to the building.

- The underground parking structure should have sufficient setback from the property lines to accommodate the necessary soil volume to support required large-statured, high canopy trees. Perimeter trees should not be located on the garage slab roof. Within the site, required tree plantings can be accommodated on the garage slab but will still require standard minimum soil volumes.
- The location of residential and commercial garbage storage, loading area and Passenger pick up /drop off area should be noted on the site plan.
- Active uses including the retail or residential amenity areas should be situated along Mill street frontage.
- Towers are highly visible elements of the urban environment and must meet Kitchener’s highest standards for design excellence. The building should be designed and clad with different materials and colours so that they read as distinct from one another.
- Provide natural surveillance by employing high percentages of glazing, active uses at ground level and incorporate more units with windows and balconies on the main facade with views onto the street
- Provide materiality and texture shifts at the podium and across the towers and incorporate variations in tower setbacks from the base to distinguish the tower form from the podium.
- The building’s interface and relationship with the street and adjacent properties along Mill St should be thoroughly explored.
- 3-bed units are desirable as they provide more living space for families. A higher percentage of these units might help with community engagement.
- All utility locations including meter room and transformer room to be shown on the layout. Building-mounted or ground-based AC units should be located away from public view and fully screened.
- Wind assessment and Noise feasibility study required for outdoor amenity and the pedestrian realm.
- Microclimate analysis– separation analysis that verifies how the proposed design meets the Tall building design guidelines.

## 2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

### ***The following items are to be provided as part of the Zoning By-Law/ Official Plan Amendment***

- Urban Design Scorecard
- Shadow impact analysis
- Quantitative wind study
- Conceptual Site plan
- A Tall Building Analysis
- A 3D massing model
- Preliminary floor plans and building elevations with anticipated building materials

### ***The following items are to be provided as part of a full site plan application:***

- Updated Site Plan
- Preliminary floor plans
- 3D massing model (update if required)
- Preliminary Building elevations (colour)
- Urban Design ScoreCard
- Tree management plan

- Grading plan
- Shadow study (update as needed)
- Wind study (update as needed)

### 3. Policies, Standards and Resources:

Urban design policies are intended to address the visual character, aesthetic and compatibility of land use including heritage features. The objective of Urban Design Policies is to create a safe, attractive, accessible, and barrier-free environment in which to live and work.

Within the City's approved Official Plan there are numerous sections that are relevant including Part C, Section 11 Urban Design. [www.kitchener.ca/officialplan](http://www.kitchener.ca/officialplan)

A link to the City of Kitchener Urban Design Manual – UDM - is provided. Please be aware that over the next year this document will be updated to reflect Official Plan policies and new standards of best practice. [www.kitchener.ca/udm](http://www.kitchener.ca/udm)

**Part A** of the Manual provides further urban design and built form objectives. **Part B** of the Manual contains Design Briefs which outline specific requirements related to particular geographic areas or land uses. **Part C** of the Manual contains City standards for many site development requirements and these should be accurately reflected in the proposal: parking stall dimensions; aisle widths; sidewalk dimensions; planting rates; landscape plan details; dark-sky luminaire compliance and photometric details. The following sections of the Urban Design Manual must be considered when doing the detailed design of the site:

[Contents](#)

[City-Wide Design](#)

[Tall Building Design Guidelines](#)

[Major Transit Station Areas](#)

[Structured Parking](#)

**City of Kitchener**  
**Pre-submission Application Comment Form**

**Project Address:** 459-509 Mill Street

**Date of Meeting:** June 9, 2022

**Application Type:** OPA / ZBA

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Comments Of: Environmental Planning (Sustainability) – City of Kitchener

Commenter's Name: Gaurang Khandelwal

Email: gaurang.khandelwal@kitchener.ca

Phone: 519-741-2200 x 7611

Date of Comments: June 6, 2022

- I plan to attend the meeting (questions/concerns/comments for discussion)  
 I do NOT plan to attend the meeting
- 

**1. Site Specific Comments & Issues:**

I have reviewed the pre-submission application for an Official Plan and Zoning By-law Amendment to permit six towers to be built on the subject lands including a total of 1473 residential units and approximately 2,789 square metres (30,020 square feet) of commercial floor area, regarding Sustainability and Energy Conservation and provide the following comments:

- The City is committed to accommodate growth in a sustainable manner. Sustainable development promotes a holistic approach to planning to achieve a balance between the social and economic needs of the community, and environmental conservation.
- The City is committed to the wise and efficient use of energy and the establishment of energy sources that will protect the interests of future generations of citizens, such as alternative energy systems and renewable energy systems.
- Energy consumption can be reduced through the development of an energy efficient urban form. Using less energy is beneficial for the environment as it reduces the demand on resources to create energy and the infrastructure required for its distribution.

**2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:**

- For an Official Plan and/or Zoning By law Amendment, it should be demonstrated, to the satisfaction of the City, how energy is being conserved or low energy generated.
  - Such studies may include but are not limited to an (1) Integrated Energy Master Plan, (2) Energy Conservation Efficiency Study, (3) a Feasibility Study for Renewable or Alternative Energy Systems, (4) District Heating Feasibility Study, or a (5) Sustainability Statement.
- For Site Plan Applications, a Sustainability Statement (as per the City's Terms of Reference) will be required with an emphasis on demonstrating, to the satisfaction of the City (Planning), how energy is being conserved or low energy generated.

- Although the Ontario Building Code (OBC) is progressive, going forward all developments will need to include energy conservation measures as the City (and Region of Waterloo) strive to achieve our greenhouse gas reduction target.
- It is recommended that the applicant explore programs or measures best suited to the site and development that go beyond the OBC to further energy conservation, generation, operation and would benefit future residents / tenants.
- Program certification is not required but is encouraged. Programs (or components of) that could be explored are:
  - Energy Star (20% / 15% more efficient than OBC)
  - R-2000 (50% more efficient than OBC),
  - Net Zero Ready (80% more efficient than OBC)
  - Net Zero (100% more efficient than OBC)
  - LEED (equivalency rating would be sufficient if not seeking certification)

### **3. Policies, Standards and Resources:**

- Kitchener Official Plan Policy 7.C.4.4. Development applications will be required to demonstrate to the satisfaction of the City, through the completion of a Sustainability Report/Checklist in accordance with the Complete Application Requirements Policies in Section 17.E.10, that the proposal meets the sustainable development policies of the Plan and that sustainable development design standards are achieved.
- Kitchener Official Plan Policy 7.C.4.5. The City will encourage and support, where feasible and appropriate, alternative energy systems, renewable energy systems and district energy in accordance with Section 7.C.6 to accommodate current and projected needs of energy consumption.
- Kitchener Official Plan Policy 7.C.6.4. In areas of new development, the City will encourage orientation of streets and/or lot design/building design with optimum southerly exposures. Such orientation will optimize opportunities for active or passive solar space heating and water heating.
- Kitchener Official Plan Policy 7.C.6.8. Development applications will be required to demonstrate, to the satisfaction of the City, energy is being conserved or low energy generated. Such studies may include, but not limited to an Energy Conservation Efficiency Study, a Feasibility Study for Renewable or Alternative Energy Systems, District Heating Feasibility Study, and the completion of a Sustainability Report/Checklist in accordance with the Complete Application Requirements Policies in Section 17.E.10.
- Kitchener Official Plan Policy 7.C.6.27. The City will encourage developments to incorporate the necessary infrastructure for district energy in the detailed engineering designs where the potential for implementing district energy exists.
- [PARTS Rockway Plan](#) Section 10.13. The City has an interest in positioning the Rockway Station Area to exhibit leadership and advance best practices in the areas of sustainability and resilience. It is recommended to ensure that development in the PARTS Rockway Area is equivalent to achieving a minimum LEED / LEED ND – Silver rating or comparable sustainable development standard for Kitchener. The plan is available online at... [https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD\\_PLAN\\_PARTS\\_Rockway\\_Plan.pdf](https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_PARTS_Rockway_Plan.pdf)



#### **4. Advisory Comments:**

- The '[Sustainability Statement Terms of Reference](https://www.kitchener.ca/SustainabilityStatement)' can be found on the City's website under 'Planning Resources' at ... <https://www.kitchener.ca/SustainabilityStatement>
- Green Building Resources
  - [Canada Green Building Council](https://www.cagbc.org/) - <https://www.cagbc.org/>
  - [Developer's guide to passive house buildings](https://www.passivehousecanada.com/passive-house-resources/) - <https://www.passivehousecanada.com/passive-house-resources/>
  - [Energy Efficient programs for builders – NRCAN](https://www.nrcan.gc.ca/energy-efficiency/buildings/new-buildings/20673) - <https://www.nrcan.gc.ca/energy-efficiency/buildings/new-buildings/20673>
  - [Canada's Building Strategy](https://www.nrcan.gc.ca/energy-efficiency/buildings/canadas-building-strategy/20535) - <https://www.nrcan.gc.ca/energy-efficiency/buildings/canadas-building-strategy/20535>
  - [Passipedia - The Passive House Resource](https://passipedia.org/) - <https://passipedia.org/>

#### **5. Anticipated Fees:**

- unknown

**City of Kitchener**  
**PRE-SUBMISSION CONSULTATION COMMENT FORM**

**Project Address:** 459-509 Mill St

**Date of Meeting:** June 02/09 2022

**Application Type:** OPA/ZBA Pre-submission

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Comments Of: Parks & Cemeteries

Commenter's Name: Lenore Ross

Email: Lenore.ross@kitchener.ca

Phone: 519-741-2200 ext 7427

Date of Comments: June 2022

- I plan to attend the meeting (questions/concerns/comments for discussion)
- I do NOT plan to attend the meeting (no concerns)
- 

1. Site Specific Comments & Issues:

**.1 Parkland Dedication**

- .1 Parkland dedication will be deferred at the OPA/ZBA and taken as a combination of land and cash-in-lieu of land at the site plan application. Partial credit towards required Parkland Dedication *may* be considered according to the Draft Parkland Dedication By-law and Policy (June 2022) for POPS spaces. The extent of the proposed POPS areas, the ultimate design and the potential credit requires further discussion between Parks & Cemeteries staff and the applicant.
- .2 The proposed dedication of land (451 Mill St currently owned by the Region of Waterloo) to the City of Kitchener for a public park is *conditionally* supported. The area of land ultimately available for dedication must be sufficient in size and configuration to allow the development of a usable park space **and must include** additional land area such as the property at 455 Mill St unencumbered by Regional infrastructure or strata elements related to the proposed development. This too requires further discussions and confirmation with Parks and Cemeteries staff.
- .3 Parkland Dedication will be assessed using the Parkland Dedication By-law and Policy in effect.
- .4 Should any further revisions be made to the preliminary site plan, a revised parkland dedication approach may be required.

- .5 Should additional lands be incorporated into the proposed development concept e.g. 525, 541 and 543 Mill St, additional lands and the potential for broader community trail connections will be explored.

## **.2 Street Trees**

- .1 There are existing street trees along Mill St and replacement and compensation for removal of this trees will be required through the site plan application.
- .2 Street trees will be required as part of the site plan application along Mill Street. Tree planting along City street frontages shall conform to Section M of the Development Manual. Tree planting is to be approximately one large stature tree (LS) per 10 lineal meters of frontage with the intent of creating a continuous tree canopy. The number of proposed street trees is subject to available and/or proposed minimum soil volumes, which should be augmented through soil cell technology

## **.3 Trails**

- .1 There is an existing multi-purpose path along Mill St and the existing infrastructure should be shown on the plan and rebuilt to City standards through the proposed development

## **.4 Impacts to Public Lands**

- .1 Appropriate connections from the site to the multi-purpose path should be included.

### 2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

- .1 Further discussions are required with Parks and Cemeteries staff regarding suitable land for parkland dedication and the possibility of potential POPS spaces. The File Planner, Urban Design staff and Development Engineering should be included in discussions.
- .2 As part of a complete OPA/ZBA application a Planning Justification Report (PJR) should be submitted to the satisfaction of Parks & Cemeteries staff. The PJR should include an analysis and discussion of how the proposed development will impact the existing neighbourhood including compatibility with adjacent land uses and neighbourhood; the availability of services and infrastructure related to parks, open space, urban forests and community facilities relative to the change in planned function and significant increase in density specifically referencing the objectives and policies and in Part C Section 8: Parks, Open Space, Urban Forests and Community Facilities.
- .3 The required Urban Design Brief/Urban Design Scorecard and supporting studies should include assessment of shadows, solar access, a CFD wind study (and a full wind tunnel model at site plan application) for on-site amenity spaces (both at grade and on podiums), at-grade pedestrian spaces, **all POPS spaces, the adjacent public realm and any lands to be dedicated for parkland**
- .4 A revised site plan showing revised site layout and indicating all dedicated parklands and POPS spaces
- .5 A Tree Protection and Enhancement Plan (TPEP) including an Arborist's Report will be required as impacts are anticipated to trees located on City-owned property. Please see Urban Design Manual Part C, Section 13 and [www.kitchener.ca/treemanagement](http://www.kitchener.ca/treemanagement)

- .6 A Preliminary Grading Plan is required to ensure that the proposed development will not impact City lands or infrastructure. The Grading Plan should show existing and proposed elevations, proposed stockpile areas, any required retaining walls and proposed surface drainage. If retaining walls are anticipated, please provide section views of to illustrate view impacts to adjacent trail and/or park lands.

### 3. Anticipated Requirements of full Site Plan Approval:

- .1 Parkland Dedication paid as land/cash in lieu of land/POPS arrangements
- .2 A final Tree Protection and Enhancement Plan (TPEP) including an Arborist's Report will be required as impacts are anticipated to trees located on City-owned property. Please see Urban Design Manual Part C, Section 13 and [www.kitchener.ca/treemanagement](http://www.kitchener.ca/treemanagement)
- .3 A final Grading Plan is required to ensure that the proposed development will not impact City lands or infrastructure.
- .4 A Street Tree Planting Plan (STPP)] stamped by a certified Landscape Architect shall be submitted for review and approval by Parks & Cemeteries prior to site plan approval. This plan shall include any and all landscape elements and relevant data that will affect the implementation of required plantings as intended, such as proposed and existing utilities and available soil volumes.
- .5 On-site Landscape, Lighting and Grading Plans for all POPS spaces
- .6 POPS agreements (maintenance, access, term of use, PD Credit %)
- .7 Easement documents and R-plans
- .8 Coordinated Utilities Plan
- .9 If work is required on City land, items should be included in the off-site works cost estimate and appropriate securities provided.
- .10 Possible Developer-Build agreement for facilities within public parks

### 4. City of Kitchener Policies, Standards and Resources:

- Parkland Dedication Policy
- Chapter 690 of the current Property Maintenance By-law
- Parks Strategic Plan
- Cycling & Trails Masterplan
- Multi-Use Pathways & Trails Masterplan
- Development Manual
- Urban Design Manual
- Places and Spaces (Draft)

### 5. Anticipated Fees:

Parkland Dedication will be based on current rates, land classes and the proposed preliminary site plan

Any necessary off-site works securities.

**City of Kitchener**  
**Pre-submission Application Comment Form**

**Project Address:** 459-509 Mill Street

**Date of Meeting:** June 09, 2022

**Application Type:** ZBA / OPA

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Comments Of: Development Engineering

Commenter's Name: Jason Brule

Email: jason.brule@kitchener.ca

Phone: 519-741-2200 ext. 7419

Date of Comment:

- I plan to attend the meeting (questions/concerns/comments for discussion)
- I do NOT plan to attend the meeting (no concerns)
- 

1. Site Specific Comments & Issues:

- No specific concerns.

2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

Zoning Bylaw Amendment:

- For the OPA/ZBA a Functional Servicing Report showing outlets to the municipal servicing system along with the storm and sanitary design sheets are required to the satisfaction of Engineering Services. The sanitary zoned and actual peak flow must also be submitted to run the sanitary capacity modeling. The City of Kitchener will use this information to determine if there are any downstream issues. If the capacity analysis determines that the pipes will need to be upgraded to support the development, then these upgrades will be rolled into the development costs. Further studies will be required at the time of development to determine the approximate amount of sanitary sewers that will need to be upgraded to accommodate the above developments.
- Please note that since zoned flows for this development are not reflective of the development application, population should be based off of the Region's 2020 Water and Wastewater Monitoring Report. Section 2.4 – Development Data establishes a People Per Unit (PPU) based on Structure Type and assigns Apartments as having a PPU of 1.77. Please multiply 1.77 by the number of units in the building. Furthermore, the City's Average Daily Residential Sanitary Flow rate is 305L/day/cap and the City's Average per second Residential Sanitary Flow rate is

0.0035L/sec/cap. Please be advised that the process Engineering is noting above is specific to this development.

- For the OPA/ZBA a Water Distribution Report is required to the satisfaction of Engineering Services in consultation with Kitchener Utilities and the Region of Waterloo.

**City of Kitchener**  
**PRE-SUBMISSION CONSULTATION COMMENT FORM**

**Project Address:**459-509 Mill Street

**Date of Meeting:** 9 Jun 2022 (staff only 2 Jun 2022)

**Application Type:** ZBA & OPA

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Comments Of City Environmental Planning:

Commenter's Name:Barbara Steiner

Email: Barbara.steiner@kitchener.ca

Phone: 519-741-2200 X7293

Date of Comments:2 June 2022

- I plan to attend the meeting (questions/concerns/comments for discussion)
- I do NOT plan to attend the meeting (concerns/requirements outlined below)
- 

**1. Site Specific Comments & Issues:**

There are no natural heritage features or functions of local, Regional, Provincial or national significance on, or adjacent to, the subject property.

However, trees subject to the City's Tree Management Policy exist on the property, and the trees at / near / on (existing/future) lot lines and potentially in shared ownership, along with the City-owned street trees at 469 and 509 Mill Street, will likely be of most interest to the community.

As required by the City's Council-adopted Tree Management Policy (rev. 2001) for a OPA / ZBA, a study that fulfils the requirements for BOTH a General Vegetation Overview (Section 3.2, Appendix A) AND a Tree Preservation / Enhancement Plan (Section 3.4, Appendix C) must be submitted as part of a complete application (OPA / ZBA). This study will be circulated to, and reviewed and approved by, both Environmental Planning and Urban Design staff because SPA will follow the ZBA.

The reason for this level of detail (survey, inventory of individual trees) at the OPA / ZBA stage is to: (1) ensure no tree Species At Risk will be impacted; (2) properly characterize existing conditions; and (3) assist in evaluating the appropriateness of the OPA / ZBA and the potential impact on trees subject to the policy. The study will also assist in answering questions from citizens during both Neighbourhood (NM) and Statutory Public Meetings.

The study should explain how the development will achieve both Kitchener Official Plan (i.e. Section 8.C.2 – Urban Forests, Policies 8.C.2.6 and 8.C.2.16) and Tree Management Policy objectives and if not, why not.

The Study is to address trees both wholly on the property and trees on adjacent lands whose root zones might be impacted by development on the property and incorporate grading and servicing details.

2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

General Vegetation Overview

Tree Preservation / Enhancement Plan

None at this time.

4. Policies, Standards and Resources:

See Section 1 above.

5. Anticipated Fees: None



**City of Kitchener**  
**PRE-SUBMISSION CONSULTATION COMMENT FORM**

**Project Address:** 459-509 Mill Street

**Date of Meeting:** June 9, 2022

**Application Type:** ZBA & OPA

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Comments Of: Transportation Services

Commenter's Name: Steve Ryder

Email: steven.ryder@kitchener.ca

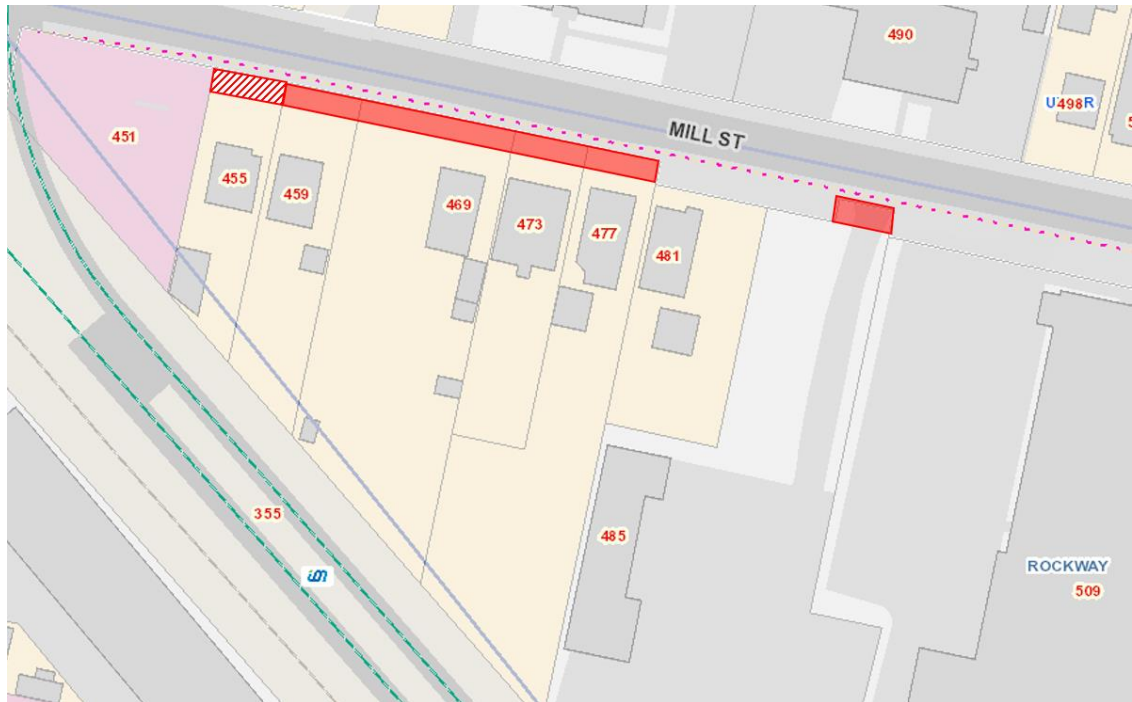
Phone: (519) 741 2200 ext. 7152

Date of Comments: June 2, 2022

- I plan to attend the meeting (questions/concerns/comments for discussion)
- I do NOT plan to attend the meeting (no concerns)
- 

**1. Site Specific Comments & Issues:**

- According to Schedule D of the Official Plan, Mill Street has an ultimate right-of-way width of 20m. As part of this Zoning By-law Amendment application, a land dedication in the form of a road widening will be taken for all subject properties that are part of this development at approximate width of 4m;
  - This would also apply to #455 if the property is eventually acquired and included as part of this development;
  - A Phase 1 EA for the road widening portion will need to be submitted to Engineering Services for review. A Phase 2 EA may be required depending on the results of the Phase 1 EA;
  - A reference plan is to be included indicating the lands to be dedicated;
  - See below image for general area of road widening that will be required in red;
    - The hatched area is #455 Mill St;



- City and Regional staff have already completed the Pre-Study Consultation (PSC) meeting for a Traffic Impact Study (TIS) for the proposed development (June 1, 2022);
- If a parking reduction is being sought and the proposed parking is below the requirements for the applicable Zoning By-law, a Parking Justification Report will be required. This can be included as part of the TIS package.

Preliminary Site Plan Comments:

- The orientation of the main access to the site should be as close to 90 degrees to Mill St as possible and aligned with Sydney St S;
- Separate Truck Turning Movement Plan (TTMP) drawings that illustrate adequate cite circulation as well as the ability for all larger vehicles to enter and exit the site in a forward motion;
- Transportation Services supports a strong active transportation connection through the site to the Mill St ION Station to connect the local community to the station;
- Strong consideration of how the bike storage (Class A spaces) will be designed into the buildings:
  - Ensure convenient and direct access from the bike storage rooms to the active transportation network;
  - Ensure the bike rooms support a mix of different types of bikes, such as e-bikes;
  - Larger spaces and charging outlets for e-bikes;
  - Secured access via keycard/FOB with push-button access included;
  - Best located on the ground level floors of the development;
- Consideration into the construction phasing of this project and how it will impact any nearby rights-of-way;

- A New Development Construction Checklist will be provided when the site plan pre-submission consultation has been held;
- If the TIS recommends any improvements to the traffic network, there may be requirements on the applicant side to incorporate these into the site plan application. To be determined once TIS is received and reviewed by both Region of Waterloo and City of Kitchener staff.

## 2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

- ZBA:
  - Traffic Impact Study (TIS)
    - Parking Justification Study (if required) can be included with TIS or submitted separately;
  - Road Widening – Phase 1 ESA submitted to Engineering Services for their review

## 3. Anticipated Requirements of full Site Plan Approval:

- Road Widening and dedicated completed

## 4. Policies, Standards and Resources:

- ZBL 2019-051 – Section 5 – Parking, Loading & Stacking – Class A regulations can be viewed here as a guide for design minimums:
  - <https://app2.kitchener.ca/appdocs/Zonebylaw2019/PublishedCurrentText/SECTION%205%20-%20Parking,%20Loading,%20and%20Stacking//Section%205.pdf>

## 5. Anticipated Fees:

- N/A

**City of Kitchener**  
**Pre-submission Application Comment Form**

**Project Address: 459-509 Mill Street**

**Date of Meeting: June 9, 2022**

**Application Type: Official Plan and Zoning By-law Amendment**

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Comments Of: Region of Waterloo

Commenter's Name: Melissa Mohr, Principal Planner

Email: mmohr@regionofwaterloo.ca

Phone: 226-752-8622

Date of Comments: June 14, 2022

- I plan to attend the meeting (questions/concerns/comments for discussion)
- I do NOT plan to attend the meeting (no concerns)
- 

1. Site Specific Comments & Issues:

**Community Planning:**

The subject lands are located in the 'Built-Up Area' of the 'A Place to Grow' Growth Plan for the Greater Golden Horseshoe and is designated 'Urban Area' and 'Built-Up Area' within the Region of Waterloo Official Plan (ROP). The subject lands are located within 500-800 metres of the Mill ION Stop and is located within the Regional Council Endorsed Mill Street Stop, which can be found here: <https://www.engagewr.ca/regional-official-plan/maps/endorsed-major-transit-station-area-boundaries-please-note-the-map-is-closed-for-feedback>. The Regional Major Transit Station Areas will be further implemented (identified on a Schedule to the ROP) through a future ROP Amendment once, the Region's MCR has been completed.

Please include a discussion within the Planning Justification Report on how the proposal will meet the minimum density target for the anticipated Regional MTSA area in accordance with Section 2.2.4 of A Place to Grow Growth Plan for the Greater Golden Horseshoe and Sections 2.B, 2.B.2, 2.C, 2.D.1-2.D.2 and 2.D.6-2.D.10 of the Regional Official Plan.

Furthermore, this area is appropriate for building types ranging from low to mid-rise residential and commercial development to according to the Community Building Strategy found here: [https://issuu.com/region\\_of\\_waterloo/docs/central\\_transit\\_corridor\\_community](https://issuu.com/region_of_waterloo/docs/central_transit_corridor_community). Please visit page 102-103 of the Community Building Strategy for additional details related to the Mill ION Stop.

**Land Use Compatibility**

There appears to be Class I to Class II designated industrial land uses within the vicinity of the subject lands. The Ministry of Environment, Conservation and Parks D-6 Series Guidelines

shall be reviewed and addressed to the satisfaction of the Regional Municipality of Waterloo within the Planning Justification Report to ensure compatibility between the land use proposal and the industrial facilities in vicinity of the subject lands.

**Employment Lands:**

The subject lands are not located in a Regionally Significant Employment Area, but they are located in an Employment Area of the City of Kitchener Official Plan.

Further to the above, Regional staff acknowledge that the subject lands are located in the Approved Rockway PARTS Plan with the area being proposed as mixed-use medium density and mixed use high-density development. The Rockway Parts Plan can be found here: [https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD\\_PLAN\\_PARTS\\_Rockway\\_Plan.pdf](https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_PARTS_Rockway_Plan.pdf)

Please include a discussion on the conversion policies of the PPS, 2020 and the Rockway Parts Plan within the Planning Justification Report.

As part of a complete application, the Region of Waterloo requires:

- A Planning Justification Report

Please include a discussion of the following within the report:

1. Provincial Policy Review (PPS, 2020, Growth Plan, 2020)
2. Regional Official Plan Review including a discussion on Chapter 2, Chapter 3, Chapter 4, Chapter 5 and Chapter 8
3. Compatibility Review (in accordance with the MECP's D-6 Series Guidelines)
4. City of Kitchener Official Plan Review
5. Technical reports review (incorporate findings of environmental and stationary noise study into the report).

The subject lands are located within the approach surface of Runway 8 and the building height is restricted in this area to 105m, based on a Maximum Ground Floor Elevation of 326m. The Development must comply with the Airport Zoning Regulations. Please ensure the development and construction cranes used for the construction of the proposal comply with the Airport Zoning Regulations.

**Inclusion of Regional Lands in proximity to development proposal:**

The concepts provided with the pre-submission include a parcel of land described as 'City Park'. Please note that these lands are owned by the Regional Municipality of Waterloo and the disposition of Regionally owned land is governed by a Regional disposition process. This process is separate from the Official Plan Amendment and Zoning By-law Amendment Process. Please ensure the Regional lands are removed from the development proposal should an application be submitted.

**Environmental Threats/Record of Site Condition:**

According to the Regions Threats Inventory Database, there are multiple medium and high environmental threats located on and adjacent to the subject lands due to past land uses. Regional staff understand that the applicant is proposing a mixed use development that includes sensitive land uses; therefore, a Record of Site Condition (and Ministry Acknowledgement Letter) is required for the entirety of the subject lands in accordance with the *Region's*

*Implementation Guidelines for the Review of Development Applications on or Adjacent to Known and Potentially Contaminated Sites* (Section 2.G.18 of the ROP). The Region shall accept a Holding Zone until the above has been completed and the Ministry Acknowledgement letter has been issued (to the satisfaction of the Region of Waterloo). Alternatively, if the RSC is required in accordance with Ontario Regulation 153/04, the Region may defer this requirement to the building permit stage, with confirmation from the Chief Building Official of the City of Kitchener that the RSC will be required prior to building permit issuance.

### **Corridor Planning:**

#### **Official Plan and Zoning By-law Amendment Application Stage:**

##### *Road and Rail Noise:*

At this location, the proposed development may encounter environmental noise and vibration sources, as it is located in close proximity to Ottawa Street South and immediately adjacent to the Mill ION Station. It is the responsibility of the applicant to ensure the proposed noise sensitive development is not adversely affected by anticipated noise and vibration impacts. To address the environmental noise impacts, the applicant must prepare an Environmental Noise and Vibration Feasibility Study; the noise level criteria and guidelines for the preparation of the study should follow the Ministry of the Environment NPC-300 requirements.

The consultant who prepares the Environmental Noise and Vibration Feasibility Study must be pre-approved by the Region of Waterloo and is responsible for obtaining current information, applying professional expertise in performing calculations, making detailed and justified recommendations, submitting the Consultant Noise Study Declaration and Owner/Authorized Agent Statement. The consultant preparing the Environmental Noise Study must contact Region of Waterloo staff for transportation data including traffic forecasts and truck percentages for preparing the Environmental Noise Study. Region of Waterloo staff will provide this data within three weeks of receiving the request from the noise consultant.

Please note that there is a \$500 fee for the preparation of traffic forecasts and review of the Environmental Noise Study. The application can be made at <https://rmow.permitcentral.ca/Permit/GroupApply?groupId=3>

##### *Stationary Noise:*

The subject lands are located in an area where there is a mixture of uses (e.g. commercial, residential, high density residential, etc.) that pose stationary noise impacts on the proposed development. In addition, due to the mixed-use nature of the proposal and the proposed underground parking, a Stationary Noise Study must be submitted as part of the Complete Application for the Official Plan and Zoning By-law Amendment to address noise from the adjacent land uses and potential stationary noise sources from the subject lands (impact of the development on itself from an underground parking lot and above ground perspective). Please be advised that the noise study may be peer reviewed at the applicant's expense.

##### *Stormwater Management & Site Grading*

The Region of Waterloo shall require a Functional Servicing and Stormwater Management Report for review and approval as the subject lands are immediately adjacent to the Mill ION Station.

##### *Transit Planning*

The subject property has direct frontage to the Mill ION station. Regional staff along with City of Kitchener staff will continue to work with the developer to ensure integration between the proposed development and the Mill ION station.

*Region of Waterloo International Airport:*

The subject lands are located within the approach surface of Runway 8 and the building height is restricted in this area to 105m, based on a Maximum Ground Floor Elevation of 326m. It appears that the revised concept plan includes a building that is 105m in height. Please ensure that the all parts of the proposed building and construction cranes are below the permitted building height.

NAV Canada (<https://www.navcanada.ca/en/about-us/Pages/default.aspx>) requires notification of the construction of buildings, or the use of construction cranes, above 30.48m (100ft) above ground level. The developer of the project must complete and submit a *Land Use Submission Form*, found at <https://www.navcanada.ca/en/products-and-services/Pages/land-use-program.aspx> to NAV Canada.

**Hydrogeology and Water Programs**

The subject lands are located within Wellhead Protection Sensitive Area 8 (WPSA 8) and within WHPA D for the Parkway wellfield.

As part of a complete application, HWP staff shall require a Stormwater Management Report for review and approval as part of the complete application for the Official Plan and Zoning By-law Amendment. In addition, in accordance with Regional Council's endorsed position on geothermal energy, closed loop geothermal is prohibited at this location. Open loop geothermal may be permitted subject to the satisfactory completion of a hydrogeological study to assess risk to nearby municipal drinking water supply wells at Parkway. Should geothermal energy not be proposed on site, a prohibition is required within the Zoning By-law. Regional staff recommend the following wording for the prohibition:

*“Geothermal Wells shall be prohibited on site. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five meters unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.”*

**Risk Management**

The subject lands are located in a source water protection area where risk management plan or prohibition polices implemented by the Region of Waterloo may apply; therefore, a Notice of Source Protection Plan Compliance (Valid Section 59 Notice) is required as part of the formal application.

Under the 2020 Grand River Source Protection Plan a Risk Management Plan for salt application may be required for proposed surface parking and vehicle driveway areas greater than eight (8) parking spaces or 200 square metres. Please note that the uncovered storage of de-icing salt directly exposed to the elements, not including salt stored in sealed bags, is prohibited across the subject properties. In addition, a Risk Management Plan for storm water management may be required if any engineered or enhanced infiltration features are proposed. The Region of Waterloo does not support any engineered and/or enhanced infiltration of runoff originating from paved surfaces within chloride Issue Contributing Areas. Engineered and/or

enhanced infiltration features may include ponds, infiltration galleries, permeable pavers, ditches, swales, oil-grit separators, etc.).

Please visit the Region’s TAPS website (<https://taps.regionofwaterloo.ca>) to determine all applicable source protection plan requirements, and contact the Risk Management Official ([rmo@regionofwaterloo.ca](mailto:rmo@regionofwaterloo.ca)) as needed. In addition, please consider the timeframe to negotiate a risk management plan, (if required) as a notice will not be issued until a signed risk management plan is complete. Please note that failure to provide a Signed Risk Management Plan and Valid Section 59 Notice can lead to a delay in the processing of the application and/or the application being deemed incomplete.

**Housing:**

The developer has indicated in their cover letter that they will be providing some affordable dwelling units for rent or for purchase on this site. The Region supports the provision of a full range of housing options, including affordable housing. Rent levels and house prices that are considered affordable according to the Regional Official Plan are provided below in the section on affordability.

In order for affordable housing to fulfill its purpose of being affordable to those who require rents or purchase prices lower than the regular market provides, a mechanism should be in place to ensure the units remain affordable and establish income levels of the households who can rent or own the homes.

Staff further recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs and mechanisms to support a defined level of affordability.

For the purposes of evaluating the affordability of an ownership unit (based on the definition in the Regional Official Plan), the purchase price is compared to the least expensive of:

Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households	\$385,500
Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area	\$576,347

\*Based on the most recent information available from the PPS Housing Tables (2021).

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$385,500.

For the purposes of evaluating the affordability of a rental unit (based on the definition of affordable housing in the Regional Official Plan), the average rent is compared to the least expensive of:

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income renter households	\$1,470
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A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$950 1-Bedroom: \$1,134 2-Bedroom: \$1,356 3-Bedroom: \$1,538 4+ Bedroom: \$3,997
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\*Based on the most recent information available from the PPS Housing Tables (2021)

In order for a unit to be deemed affordable, the average rent for the proposed units must be at or below the average market rent in the regional market area, as listed above.

### **Regional Development Charges**

Any future development on the subject lands will be subject to provisions of Regional Development Charges By-law 19-037 or any successor thereof.

### 2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

The studies required to be submitted as part of the complete application for the Official Plan and Zoning By-law Amendment includes:

- Planning Justification Report as described above
- Record of Site Condition and Ministry Acknowledgement Letter as described above
- Environmental Noise Study and Consultant Noise Study Declaration and Owner/Authorized Agent Statement as described above
- Stationary Noise Report as described above
- Functional Servicing and Stormwater Management Report
- Hydrogeology report if geothermal energy is proposed or alternatively a prohibition on geothermal energy as indicated above
- Risk Management Plan as described above
- Valid Section 59 Notice

### 3. Anticipated Requirements of full Site Plan Approval:

- N/A- comments only provided on the Official Plan and Zoning By-law Amendment

### 4. Policies, Standards and Resources:

- Ontario Planning Act
- Provincial Policy Statement, 2020
- A Place to Grow Growth Plan for the Greater Golden Horseshoe, 2020
- Regional Official Plan, 2015
- Design Guidelines and Supplemental Specifications for Municipal Services, January 2020
- City of Kitchener Official Plan

### 5. Anticipated Fees:

The following fees are required by the Region in accordance with Fees and Charges By-law 21-072 or any successor thereof:

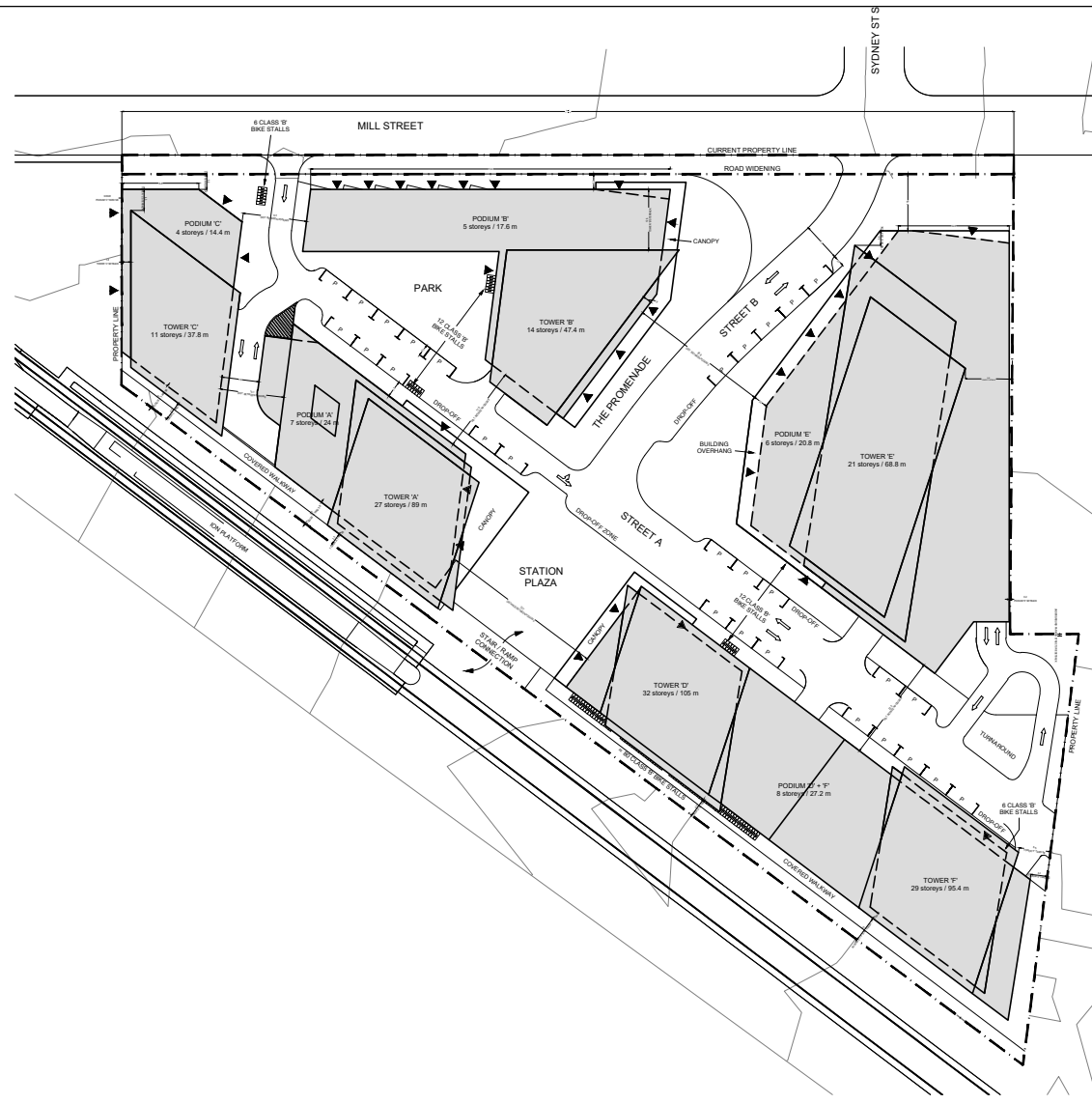
- Official Plan Amendment Review Fee: \$7,000.00 (required at submission stage)

- Zoning By-law Amendment Review Fee: \$3,000.00 (required at submission stage)
- Land Use Compatibility Review (includes land use and stationary noise study): \$1,000.00 (required at submission stage)
- Environmental Noise Study Review Fee: \$500.00

It is recommended that the applicant check the Region's website for the current Fees and Charges By-law prior to submitting an application, should the above change.

The Region acknowledges receipt of the \$300.00 pre-submission review fee (received April 21, 2022).

**APPENDIX D:  
SITE PLAN**



**SITE STATISTICS**

Zoning- MIX-3  
 Lot Area- 21,267 m<sup>2</sup>  
 Building Coverage- 10,591.96 m<sup>2</sup> (49.8%)  
 Landscaped Area- 7,072 m<sup>2</sup> (33%)

Parking Required-  
 Min. Parking Spaces - 0.9/unit (1350 spaces)  
 Min. Visitor Spaces - 0.1/unit (150 spaces)  
 Max. Spaces (incl.visitors) - 1.3/unit (1950 spaces)  
 Barrier Free - 2, plus 2% of total requires spaces (20 spaces)

Parking Provided- 926  
 0.55 spaces per dwelling unit, plus 0.05 visitor spaces per dwelling unit (900 spaces + 26 surplus = 926 spaces)  
 Barrier Free - 2, plus 2% of total requires spaces (24 spaces)  
 Parking Space Minimum Dimensions- 2.6m x 5.5m

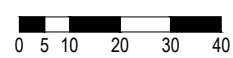
**MULTI-RESIDENTIAL**

Number of Units- 1500  
 Floor Space Ratio- 7.0

**COMMERCIAL**

Total Gross Floor Area (including mezzanine)- 2,013 m<sup>2</sup>

**SITE PLAN**



REVISED:

**SITE PLAN APPLICATION No.**

PART OF LOTS 16, 17, 18 & B, REGISTERED PLAN 384 AND PART OF LOT 19A, REGISTERED PLAN 791

POLOCORP INC.  
 459 - 509 MILL STREET

SCALE 1: 1,500

DATE: July 15, 2022

**City of Kitchener**  
 DEVELOPMENT SERVICES DEPARTMENT

CAD FILE:  
 sp1006a.DWG