

PLANNING JUSTIFICATION REPORT

(April 2022)

Lingwood Heights

2219 Ottawa Street South & 808 Trussler Road

City of Kitchener

Draft Plan of Subdivision
Official Plan Amendment
Zoning By-law Amendment

Prepared for:

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Kitchener Trussler Holdings 3 Inc. (KTH3)

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EXECUTIVE SUMMARY

Polocorp Inc. was retained by Kitchener Trussler Holdings Inc. (KTHI) and Kitchener Trussler Holdings 3 Inc (KTH3), owners of 2219 Ottawa Street and 808 Trussler Road, respectively, to prepare a Planning Justification Report in support of an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications. These applications are intended to facilitate the development of a community comprised of a range of residential unit types including single-detached, townhouse and multiple-unit residential dwellings. This development will allow for 240-409 new residential units within the Laurentian West community in the City of Kitchener.

The total land holdings, as seen in Figure 1, are approximately 13.33 hectares in size with frontages along Ottawa Street South, Trussler Road, and Bleams Road. The proposed Draft Plan of Subdivision has been designed to seamlessly transition over the two properties, regardless of ownership. The lands at 2219 Ottawa Street South (KTHI) are approximately 10.64 hectares, and the lands at 808 Trussler Road (KTH3) are approximately 2.69 hectares.

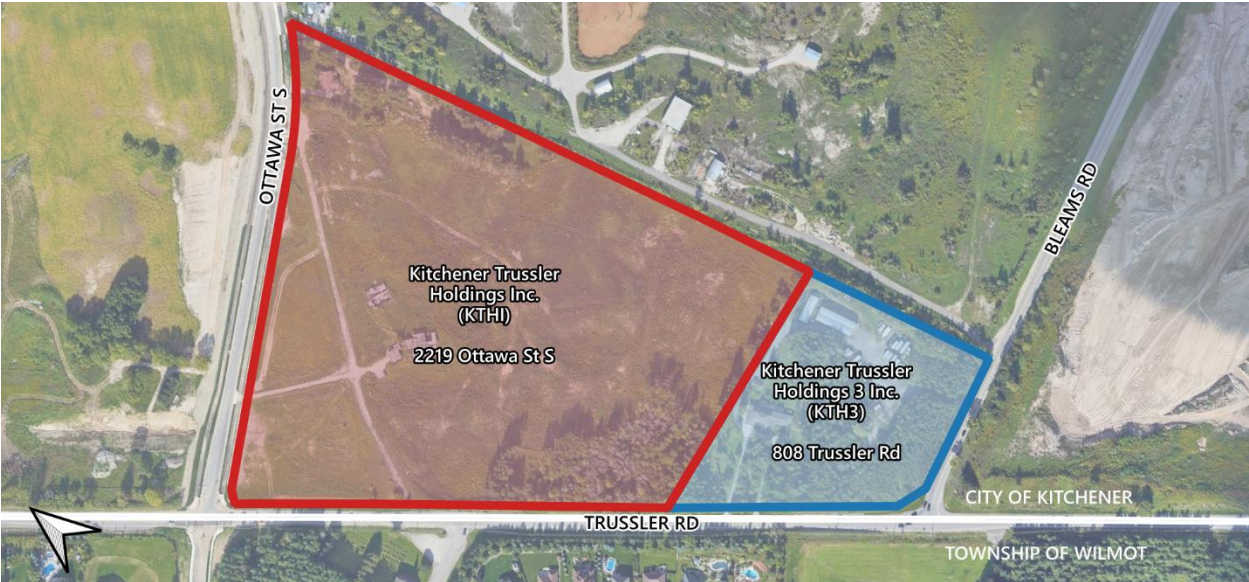


Figure 1: Land Holdings and Property Ownership

The KTHI Lands contain an identified cultural heritage resource listed on the Heritage Kitchener Inventory of Historic Buildings. As such, a Heritage Impact Assessment has been prepared and submitted as part of the development applications. The cultural heritage resource has been identified for conservation and designation under Part IV of the Ontario Heritage Act and has been retained within a separate block on the Draft Plan of Subdivision.

The Subject Lands also contain a natural heritage feature, consisting of a wetland and 30 metre buffer. The feature is located along Trussler Road and extends over both properties. The feature was delineated through an Environmental Impact Study (EIS) and is represented by Block 17 on the proposed Draft Plan of Subdivision.

Outside of the protected cultural heritage resource and wetland features, a range of residential uses and open space features are proposed. To facilitate this development, the following planning applications are being submitted:

1. Official Plan Amendment to adjust the existing uses on Maps 2 and 3 to align with the Proposed Development;
2. Zoning By-Law Amendment to rezone the Subject Lands from Agricultural (A-1) in By-law 85-1 to Residential Five (RES-5) with site-specific provisions, Recreation (OSR-1), Open Space Stormwater Management (OSR-2), Natural Heritage Conservation (NHC-1), and Institutional (INS-1) with site-specific provisions in By-law 2019-051.
3. Draft Plan of Subdivision Application for the KTHI Lands and KTH3 Lands.

An initial Pre-Submission Consultation Meeting was held on August 22, 2017, to discuss the proposed development of the KTHI Lands and KTH3 Lands (both under previous ownership). Since that time, numerous meetings have occurred with planning, engineering, heritage, parks, and environment staff at the City of Kitchener and Region of Waterloo. Revisions to the plan reflect the comments and discussions at these meetings.

A copy of the Draft Plan of Subdivision has been provided as Appendix A.

A Planning Justification Report is required as part of the complete Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications, as per the Record of Pre-Submission Consultation. This Planning Justification Report will analyze and discuss the following:

- A description of the site, its existing physical condition, and its context within the surrounding community;
- An overview of the relevant planning policy and regulations that affect the proposed development;
- An outline of the requested Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications;
- A summary of the technical studies and reports prepared in support of the development applications; and
- A planning opinion and justification for the proposed development.

The proposed Draft Plan of Subdivision, and associated Official Plan and Zoning By-law Amendments, will facilitate the appropriate development of the Subject Lands in the City of Kitchener. The proposed development will provide for a variety of housing forms including single-detached dwellings, townhouse dwellings, back-to-back townhouse dwellings, and parkland. This Planning Justification Report confirms that the proposed development maintains regard for matters of Provincial Interest, is consistent with the Provincial Policy Statement (2020), Growth Plan for the Greater Golden Horseshoe (2020) and conforms to the City of Kitchener Official Plan (2014).

1.0 INTRODUCTION

Polocorp Inc. ('Polocorp') is submitting this Planning Justification Report in support of Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications (the 'Proposed Applications') for the lands municipally addressed as 2219 Ottawa Street South and 808 Trussler Road within the City of Kitchener (herein referred to as the 'Subject Lands'). The lands applicable to the proposed applications are legally described as Part of Lot 129 German Company Tract (geographic Township of Waterloo), Parts 1 to 7 of Registered Plan No. 58R-20465 and Part 1 of Registered Plan No. 58R-20945 (geographic Township of Waterloo) in the City of Kitchener, Regional Municipality of Waterloo, (see Figure 2).

The development proposes an infill residential subdivision in the Laurentian West community that includes a variety of housing forms including single-detached dwellings, townhouse dwellings, and multiple unit dwellings. The development of the Subject Lands will provide 240-409 new residential units within a Plan of Subdivision. The existing building on 2219 Ottawa Street South will be retained and is proposed to be designated under Part VI of the Ontario Heritage Act (herein referred to, collectively, as the 'Proposed Development').

This Planning Report has been prepared as part of the submission to the Region of Waterloo and City of Kitchener and includes the following information:

- An introduction and general description of the Subject Lands and surrounding uses to provide an understanding of the locational context;
- A description of the proposed development;
- A review of the existing legislative framework from the Province, Regional Municipality of Waterloo, and City of Kitchener in relation to the proposed development as well as an assessment of consistency and conformity with the Planning Act, Provincial Policy Statement (2014), Growth Plan (2017), Regional Official Plan (2015), and City of Kitchener Official Plan (2014); and
- Justification for the proposed Zoning By-law Amendment, Official Plan Amendment and Draft Plan of Subdivision applications.

The purpose of this report is to provide Council, municipal staff, technical review agencies, and the public with an overview of the current site conditions, neighbourhood context, the proposed development applications, the current planning framework, recommendations of the technical reports, and a planning opinion based on the merits of the Proposed Applications. This report and supporting technical reports will demonstrate that the proposed development has had regard for matters of Provincial interest, is consistent with the Provincial Policy Statement, and conforms to the Region of Waterloo and City of Kitchener Official Plans. The Proposed Applications offer an opportunity to provide a variety of housing forms, including single detached, street fronting townhouse, cluster townhouse and back-to-back townhouse dwellings within the City of Kitchener and, ultimately, represents good planning.



Figure 2: Site Location

1.1 Background

An initial Pre-Submission Consultation meeting was held on August 22, 2017. This meeting was conducted with the two landowners of the time, represented by Polocorp Inc. Following the initial Pre-submission Consultation meeting, and under coordination with City and Regional staff, an application package was initiated, however, no formal submission was made. Ultimately, the August 2017 meeting minutes lapsed.

On October 3, 2019 a second Pre-submission Consultation meeting was held. In the intervening time between the first and second meeting, 2219 and 2159 Ottawa Street were acquired by the current owner, Kitchener Trussler Holding Inc (KTHI). These lands ultimately merged on title to be described as 2219 Ottawa Street. KTHI had also initiated the purchase of the old Ottawa Street alignment lands that transected a portion of the parcels from the City of Kitchener. Numerous changes to the development concept were presented during this meeting in response to previously received comments. While progress on a formal submission continued, an application was not submitted and the minutes lapsed.

A third Record of Consultation was prepared in October 2021. In the intervening time, an affiliated company to KTHI, known as KTH3, purchased 808 Trussler Road and KTHI purchased the old Ottawa Street alignment lands from the City of Kitchener. No meeting was held due to constraints imposed by the COVID-19 pandemic. The October 2021 record noted that *"a Pre-submission Record was prepared for these lands in September 2019. It remains in effect as most of the plan is unchanged except for the property addressed as 808 Trussler Road. The previous concept in the 2019 Pre-Submission Record identified these lands as a singular residential block of land, whereas the current proposal extends the road network and several new residential blocks are now proposed. As a result, this record is being scoped as an update to accompany the 2019 Pre-Submission Record"*.

1.2 Supporting Studies and Materials

A list of technical requirements for a complete Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment applications were provided by the City of Kitchener and outside agencies through the Record of Consultations. The required reports/studies listed below have been completed and are included as part of this submission. A copy of the Record of Pre-Consultation from October 2019 and October 2021 have been included as Appendix B of this report.

This report and other technical reports will demonstrate that the proposed development has had regard for matters of Provincial Interest, is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan (2017), the Regional Official Plan (2012), and the City of Kitchener Official Plan (2014) and represents good planning.

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

- Urban Design Brief by Polocorp (April 2022);
- Functional Servicing Report by Stantec Consulting Ltd. (March 2022);
- Concept Grading Plan by Stantec Consulting Ltd. (March 22, 2022);
- Stormwater Management Report by Stantec Consulting Ltd. (March 22, 2022);
- Salt Impact Report and Spill Prevent, Response and Contingency Plan by Stantec Consulting (March 31, 2022);
- Water Distribution Analysis Report by Stantec Consulting (March 2022);
- Scope Heritage Impact Assessment by CHC Ltd. (March 14, 2022);
- Archaeological Assessment by Bluestone Research (November 2017);
- Archaeological Assessment by Parslow Heritage Consultancy Inc. (January 28, 2021);
- Noise Feasibility Study by HGC Engineering (April 8, 2021);
- Environmental Impact Study & General Vegetation Overview by Dougan & Associates (March 9, 2022);
- Arborist Report by Dougan & Associates (March 11, 2022);
- Transportation Impact Study by Paradigm Transportation Solutions (March 2022);
- Geotechnical Synopsis of Subsurface Conditions by Chung & Vander Doelen Engineering Ltd. (November 9, 2018);
- Preliminary Geotechnical Investigation by Palmer Environmental Consulting Group (February 22, 2019);
- Hydrogeological Investigation by Palmer Environmental Consulting Group (December 15, 2021);
- Phase One Environmental Site Assessment (ESA) for 2219 Ottawa Street S & 1259 Trussler Road by Palmer Environmental Consulting Group (September 27, 2018);
- Phase One Environmental Site Assessment (ESA) for 808 Trussler Road by Palmer Environmental Consulting Group (July 28, 2020);
- Phase II Environmental Site Assessment (ESA) for 2219 Ottawa Street S & 1259 Trussler Road by Palmer Environmental Consulting Group (October 16, 2018); and
- Phase II Environmental Site Assessment (ESA) for 808 Trussler Road by Palmer Environmental Consulting Group (August 19, 2020).

A summary of the supporting plans and reports have been provided in Section 6.0 of this report.

2.0 SITE CONTEXT

2.1 Site Location and Description

The Subject Lands are municipally addressed as 2219 Ottawa Street and 808 Trussler Road and are legally described as Part of Lot 129 German Company Tract (geographic Township of Waterloo), Parts 1 to 7 of Registered Plan No. 58R-20465 and Part 1 of Registered Plan No. 58R-20945 (geographic Township of Waterloo) in the City of Kitchener, Regional Municipality of Waterloo.

The Subject Lands are comprised of 13.33 hectares (32.94 acres) along the western boundary of the City of Kitchener and are located south of the Conestoga Parkway (Highway 7/8). The Subject Lands are bound by three regional roadways including, Ottawa Street South (to the north), Trussler Road (to the west) and Bleams Road (to the south) in the City of Kitchener. The site is roughly triangular in shape with approximately 374.3 metres of frontage along Ottawa Street South, 509.5 metres of frontage along Trussler Road, and 111.4 metres of frontage along Bleams Road.

Topography and Environmental Conditions

The Subject Lands consist of a mixture of grassland and wooded area, with the northeastern portion primarily grassland and the southwestern portion primarily wooded. There is a small wetland (approximately 0.16 hectares) along the Trussler Road frontage. The wetland and immediate surroundings are within the Grand River Conservation Authority regulated area. The wetland has been extensively assessed and delineated through the Environmental Impact Study completed by Dougan and Associates. A summary of the study can be found in Section 6.4 of this report.

The Subject Lands have a moderately sloped topography, with a slope down from the northeast and southeast corners toward the wetland and Trussler Road. There are steeper slopes southwest of the Shantz House, creating views from the property to the wetland and Trussler Road. Detailed existing conditions and functional grading plans have been prepared by Stantec Consulting Inc. A summary of the reports and plans are provided in Sections 6.1 of this report.

Buildings and Infrastructure

The Subject Lands currently contain dwellings on both 2219 Ottawa Street South and 808 Trussler Road. A dwelling and storage structure were demolished on the property previously identified as 2159 Ottawa Street South. This property has now merged under the same ownership and is municipally addressed as 2219. A barn structure on 2219 Ottawa Street South was also demolished in 2016. The existing home and structures on 808 Trussler Road are proposed to be demolished in order to facilitate the proposed development.

A detailed Heritage Impact Assessment was prepared by CHC Limited (dated March 14, 2022) to assess the existing dwelling on 2219 Ottawa Street South. The dwelling has been identified as a

significant heritage resource and merits designation under the Ontario Heritage Act. The dwelling, known as the Shantz House, was designed by local architect, John Lingwood, in 1968-1969 and is an example of “Prairie” style architecture, (see Figure 3).

The dwelling is proposed to be integrated into the new development and is located on Block 14 of the Draft Plan of Subdivision. The driveway and curb cut off Ottawa Street South that currently provide access to the dwelling are also proposed to remain while the subdivision is constructed to provide emergency access to the home, (see Figure 4). Once the surrounding blocks are developed and Street A is able to accommodate emergency services, the driveway will no longer be needed.

Municipal services are available to the Subject Lands, however, upgrades will be needed to facilitate the Proposed Development. Existing stormwater servicing is available along Ottawa Street South. Water servicing is also available along Ottawa Street South and the southeast corner of the site at Bleams Road. Sanitary servicing is located near the Subject Lands but is not currently accessible from any available street frontages.



Figure 3: View of the Shantz House from Trussler Road (looking east)



Figure 4: Driveway Curb Cut to the Shantz House along Ottawa Street South (looking west towards Ottawa/Trussler intersection)

2.2 Surrounding Land Uses

The Subject Lands are within the Laurentian Heights neighbourhood, defined as the area bound by Trussler Road, Bleams Road, Fischer-Hallman Road, and Highway 7/8, (see Figure 5).

The surrounding lands consist of a variety of uses:

- North To the north, the Site abuts Ottawa Street South, beyond which a new residential development is being constructed by Aactiva called Trussler West (Draft Plan of Subdivision 30T-08204). The development block immediately across the street from the Subject Lands is zoned MIX-1 (29), (69) and is undergoing site plan approval for 225 residential units and a commercial plaza along Nathalie Street. The residential units consist of a range of multiple dwellings and stacked back-to-back townhomes. A stormwater management pond is located at the corner of Ottawa Street South and Trussler Road and is zoned OSR-3.
- East The Mannheim Water Treatment Plant property lies directly to the east with a large open space separating the plant structure from the Site. A municipal wellhead is also located on the adjacent lands. A 100-metre buffer around this wellhead has been shown on the Draft Plan.
- South The Site abuts Bleams Road to the south, beyond which lies an aggregate extraction site. The aggregate lands are currently subject to a development application to construct a new residential community (Draft Plan of Subdivision 30T-18201). An Official Plan Amendment is proposed to redesignate the lands immediately south of the Subject Lands to a Medium Density development block and to facilitate the construction of a cluster townhouse development. The proposed zoning for this area is Residential Seven (R-7) with site specifics under By-law 85-1.
- West To the west, the Site abuts Trussler Road, which forms the boundary of the City of Kitchener. Beyond the road is the village of Mannheim, part of the Township of Wilmot. The properties along Trussler Road are primarily low-rise residential, with back lotting and a treed berm for visual separation, as well as St James Lutheran Church, a small woodlot, and agricultural land to the southwest.



Figure 5: Surrounding Context

2.3 Transportation

The Subject Lands have frontage on Ottawa Street South (374 metres), Trussler Road (510 metres), and Bleams Road (111 metres), which are designated as Regional Roads. Ottawa Street South currently has two vehicle lanes with 3 metre multi-use trails along either side (see Figure 6), while Trussler Road and Bleams Road both have two vehicle lanes without pedestrian or cycling facilities (see Figure 7). The Subject Lands are approximately 1.2 kilometres south of the Trussler Road interchange with Highway 7/8.

Future plans call for roundabouts to be constructed at the intersection of Trussler Road, Ottawa Street South and Bleams Road. There are also plans to widen Trussler Road to a four-lane cross section with sidewalks, and to add multi-use trails to Bleams Rd.

A Grand River Transit stop is located approximately 1.5km northeast of the Subject Lands at the intersection of Ottawa Street South and David Bergey Drive. There are plans, however, to extend the 205 Ottawa iXpress service west to Trussler Road, with a stop directly adjacent to the Site.

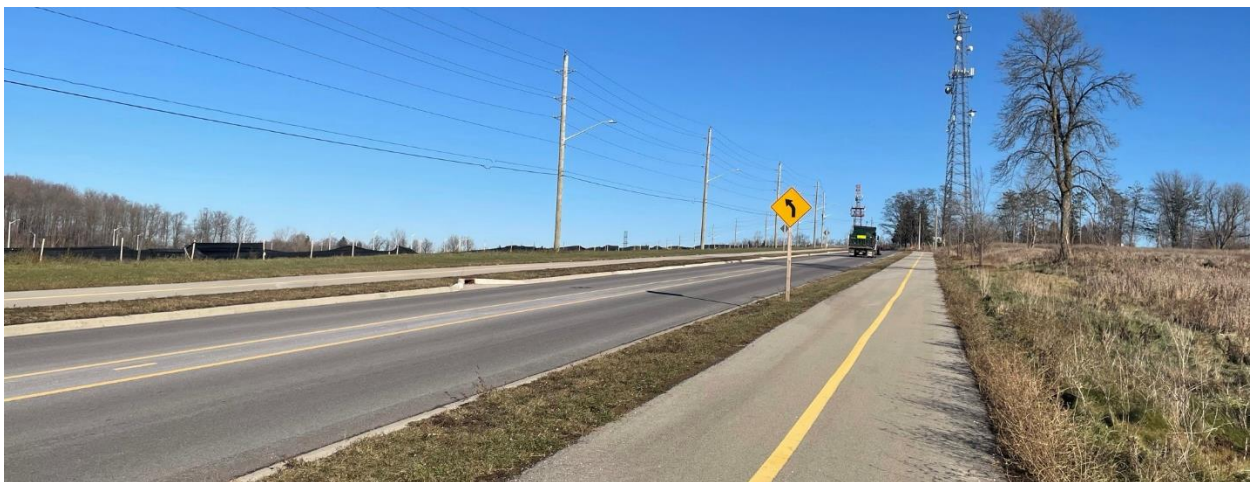


Figure 6: Multi-Use trails along Ottawa Street South (looking north east)



Figure 7: View along Trussler Road (looking north towards Ottawa St S intersection)

3.0 PROPOSED DEVELOPMENT

The Proposed Development includes a mix of residential and institutional uses, a multi-use trail, a stormwater management system, parkland and open space blocks for the conservation of natural features on the property. Existing buildings on the property will be demolished for the proposed development with the exception of the Shantz House, located on Block 15, which will ultimately be designated a heritage property. The proposed Draft Plan of Subdivision has been included as Appendix A to this report.

The proposed land uses are summarized in Table 1:

LAND USE SCHEDULE			
DESCRIPTION	BLOCKS	UNITS	AREA(ha.)
Single Detached	2-3	32-38	1.609
Single Detached / Street Townhouses	1, 4-10	113-195	4.201
Multiple Residential	11-13	95-175	2.749
Existing Heritage Building	14	0-1	0.368
Park	15-16	-	0.478
Open Space	17	-	0.691
Stormwater Management Pond	18	-	0.584
Trail	19	-	0.160
Servicing	20-22	-	0.066
Road Widening	23-24	-	0.407
0.3m Reserve	25-27	-	0.002
Roads	-	-	2.018
TOTAL		240-409	13.332

Table 1: Draft Plan Land Use Schedule

3.1 Residential Units

The Proposed Development provides for a total of 240-409 residential units, depending on the final lotting patterns, unit sizes and densities of the development blocks. The plan is comprised of a mix of residential dwelling types, including single detached, standard and stacked townhouse dwellings. The majority of the residential blocks have been configured to accommodate street-fronting freehold lots (Blocks 1 – 10) with single detached and street townhouses. Blocks 11 – 13 are identified as multiple residential to provide cluster developments on private streets.

All freehold, street-fronting lots have been shown as lotless blocks on the Draft Plan with a range of unit counts identified so as to provide future flexibility on unit sizes and configurations. Blocks 2 and 3 are intended to be solely single detached lots, with anticipated lot frontages to range between 9 and 11 metres. The land use of Blocks 1 and 4-10 offer flexibility between single detached lots and street-fronting townhouses. Street-fronting townhouse widths will range from 5.5 to 6.1 metres for interior units, with larger lots for corner and end units.

The design of the multiple residential blocks will be determined through Site Plan Approval once the subdivision and its blocks have been established. It is anticipated that the multiple blocks will consist of a mix of standard and back-to-back townhouses.

Ultimately, the Proposed Development will have a total density of 17.2 – 29.3 units per hectare (based on net developable area).

3.2 Housing Affordability

The Proposed Development offers a mix of residential opportunities including choices in unit types and levels of affordability. By offering a range of unit sizes and unit types, varying levels of affordability will be available including those that are more attainable. There are also opportunities to construct the single-detached units with the necessary servicing to provide accessory residential units, thereby providing additional opportunity for attainable pricing or supplemental income.

In an effort to assist housing affordability within the community, a cash contribution to the City is proposed in lieu of constructing and managing affordable units within the Proposed Development. The intent would be for the funds to be put toward City owned initiatives for affordable housing and toward the investment in existing affordable housing developments.

3.3 Shantz House

The existing Shantz House is proposed to remain in-situ and be integrated into the subdivision as Block 14. The Shantz House is not currently designated under the Ontario Heritage Act and is not listed on the City of Kitchener's Heritage Register. It is listed on the City's "Heritage Kitchener Inventory of Historic Buildings". Block 14 is centrally located within the community, adjacent to Park Block 15. With unobstructed views, the home will be visible from Street A and Trussler Road, ensuring that the home remains a prominent feature within the community. Further, as per recommendations of the Heritage Impact Assessment by CHC Limited (dated March 14, 2022), the home is proposed to be designated a heritage property prior to final approval.

Historically, the Shantz House was used for residential and office purposes but has the potential for a range of uses. Given the flexibility of the home, the ultimate use has not yet determined. As such, a range of permitted uses are proposed at this time. Potential uses of the home include residential, institutional (such as a private school) or other community use. These uses would be compatible with the surrounding neighbourhood and could provide specialized services and amenities to the community.

Facilitating a variety of compatible uses for the home will ensure the long-term use and viability of the Site.

3.4 Parks and Open Space

There are several parks and open space features proposed as part of the Proposed Development. The overall subdivision has been designed to ensure the entire development has access to parks, open spaces and the multi-use trail, and will be a main feature of the community. Park Blocks 15 and 16 have been centrally located to facilitate convenient access to all residents within the community, (see Figure 8). They have been sited with prominent access from Streets A and B. Block 15 is located in front the Shantz House from Street A to protect views to the home and offer an amenity area to the community. The proposed name for Block 15 is 'Shantz Park' named after the iconic home adjacent to the park. Block 16 features access from three separate road frontages with connectivity to sidewalks and on-street parking. The proposed name for Block 16 is 'Lingwood Park' named after the architect of the Shantz House.

Block 19 is a proposed Multi-Use Trail that will connect from Street A and follow along the stormwater management block towards the open space area of Block 17. Block 17 was created to protect an existing wetland feature and 30 metre buffer area. As per the Environmental Impact Study completed by Dougan and Associates (dated March 2022), a designated recreational trail is permitted within the buffer area of Block 17, should one be desired. Recommended mitigation measures will be taken at the detailed design stage to protect the feature from encroachment issues potentially caused by the surrounding residential uses.

The parkland and open space blocks will benefit the community by providing amenity spaces and areas that promote active uses. Existing views and natural features are protected on the site.

A dedication of five percent (5%) of the total development land is required to be conveyed to the City of Kitchener as active community parkland, in accordance with the Planning Act and local policies. The proposed development will allocate two public park blocks (Blocks 15 and 16) and one multi-use trail block (Block 19) towards the required parkland. These three blocks amount for a dedication of 0.64 hectares, or 5.1% of the subject lands.

The summary of the lands to be dedicated is as follows:

Total Non-Developable Lands:	0.69 hectares (Block 18, wetland & buffer)
Total Lands Holdings:	13.33 hectares
Total Holdings Less Line 1:	12.64 hectares
Parkland Dedication (5% Line 3):	0.632 hectares
Parkland Provided (Blocks 15, 16 & 19):	0.640 hectares (5.1%)



Figure 8: Conceptual Park Vignettes

3.5 Site Servicing

The Proposed Development will be fully serviced with public infrastructure for water, sanitary and stormwater services, as detailed in the Functional Servicing Report prepared by Stantec Consulting (dated March 2022).

Street A will serve as the main external servicing connection for the site, with direct access to the infrastructure available on Ottawa Street South. Block 22 is also utilized from the south for an external connection to the Bleams Road watermain. Blocks 20 and 21 provide for internal storm sewer connections. Block 18 is the Stormwater Management Pond for the site, and all stormwater will be infiltrated through this location.

Stantec Consulting have also been in discussions with Regional staff to begin preliminary designs of the sanitary sewer services along Trussler Road. It is intended that the proposed development will connect to servicing available in the Trussler West Subdivision by Activa to the north of the site.

For additional information, please refer to Section 6.1 of this Report.

3.6 Site Circulation

The Proposed Development is comprised of two internal rights-of-way, Street A and Street B. The length of Street A is approximately 1,050 metres, which loops the entire length of the Subject Lands. Both points of access to Street A are off of Ottawa Street South and are approximately 116 metres apart. Street B is approximately 80m long and provides connection roughly halfway along the Street A loop. It was determined through the Pre-submission Consultation process that vehicular access to the subdivision would be restricted to Ottawa Street South. Both access driveways of Street A are proposed with 7.62m daylighting triangles.

The proposed roads are 18m wide and will follow the design standards of a Local Street within the City of Kitchener's Transportation Master Plan (2013). The primary function of Local Streets is to provide access to individual properties in primarily low-density residential neighbourhoods and employment areas. A Local Street design is appropriate for this development due to the mainly low-density residential land uses being proposed.

The owners have proposed the following street names for the development:

- Street A is proposed to be named Lingwood Crescent, which is a tribute to the original architect of the Shantz House, John Lingwood.
- Street B is proposed to be named Nonsuch Place, (or Nonsuch Drive), which is a reference to the nickname of the Shantz House given by the original owners, Keith and Winifred Shantz.

Road widenings along the frontages of Trussler Road and Bleams Road are required to comply with the designated road widths of 30.48m in the Region of Waterloo's Official Plan. These widenings are represented by Blocks 23 and 24 on the proposed Draft Plan.

The Region of Waterloo has approved the development of a roundabout at the intersection of Ottawa Street South and Trussler Road for future construction into 2024. Preliminary drawings of this roundabout have been provided to the developer by the Region in order to allocate an appropriate road allowance at this intersection. Block 24 reflects the most current design of the roundabout and road widening available at the time of submission. Regional staff have noted that this boundary is subject to future adjustments and does not necessarily reflect the final design of the intersection.

A second roundabout at the intersection of Trussler Road and Bleams Road is also being contemplated by the Region, however, no designs have been prepared at this time. A road widening (Block 23) has been shown at this intersection and includes allocations for a 15.24 metre triangle and 15.24 metre takings from the centrelines of Trussler Road and Bleams Road.

There are currently no public transit services in close proximity to the site, with the closest being bus Route 22 (Laurentian West) about 1.5 kilometers away at David Bergey Drive and Ottawa Street. During pre-consultation, Regional Transit Planning indicated the iXpress route along Ottawa Street

may be extended to Trussler Road in the future. It was requested that a temporary transit stop be located in the northwest corner of the Subject Lands until the final design of the Ottawa/Trussler roundabout is determined. The bus stop should be designed in conjunction with the development of the multiple residential block at this location (Block 12). The owner acknowledges the request and will work with Regional Transit staff to provide a temporary bus stop at the time of detailed design.

Due to the controlled and prohibited vehicular access off Ottawa Street South and Trussler Road, vehicular access to Block 12 will only be available off of Street A. The shape of the development block is irregular and elongated, and as such, preliminary design concepts are demonstrating that the block will exceed maximum fire route lengths. It is likely that a secondary access (for emergency use only) may be required for Block 12 off of Ottawa Street South.

As previously mentioned, there is an internal multi-use trail on the Subject Lands, which will be designed on Block 19 and provide community access from the stormwater pond and wetland feature along Trussler Road towards the existing multi-use trail in the Ottawa Street South right-of-way. The Block 19 multi-use trail is proposed to be 4.0 metres wide with 1.0 metre on either side, making the ultimate block width 6.0 metres. The trail will connect via the proposed sidewalks of Street A and connect to the existing multi-use trail along Ottawa Street South. Two-way multi-use trails have been constructed on either side of Ottawa Street South.

Pedestrians and cyclist are permitted to use multi-use pathways within and surrounding the Subject Lands. This important connection will allow the community to utilize active modes of transportation while traveling into Kitchener and avoid the use of personal vehicles. An internal sidewalk system will be constructed through detailed design on Streets A and B and through the proposed parks. Although not determined at this stage of the development, it is anticipated that streets will be designed with double loaded sidewalks. The looping nature of the street pattern also ensures there are no dead-end locations in pedestrian circulation.

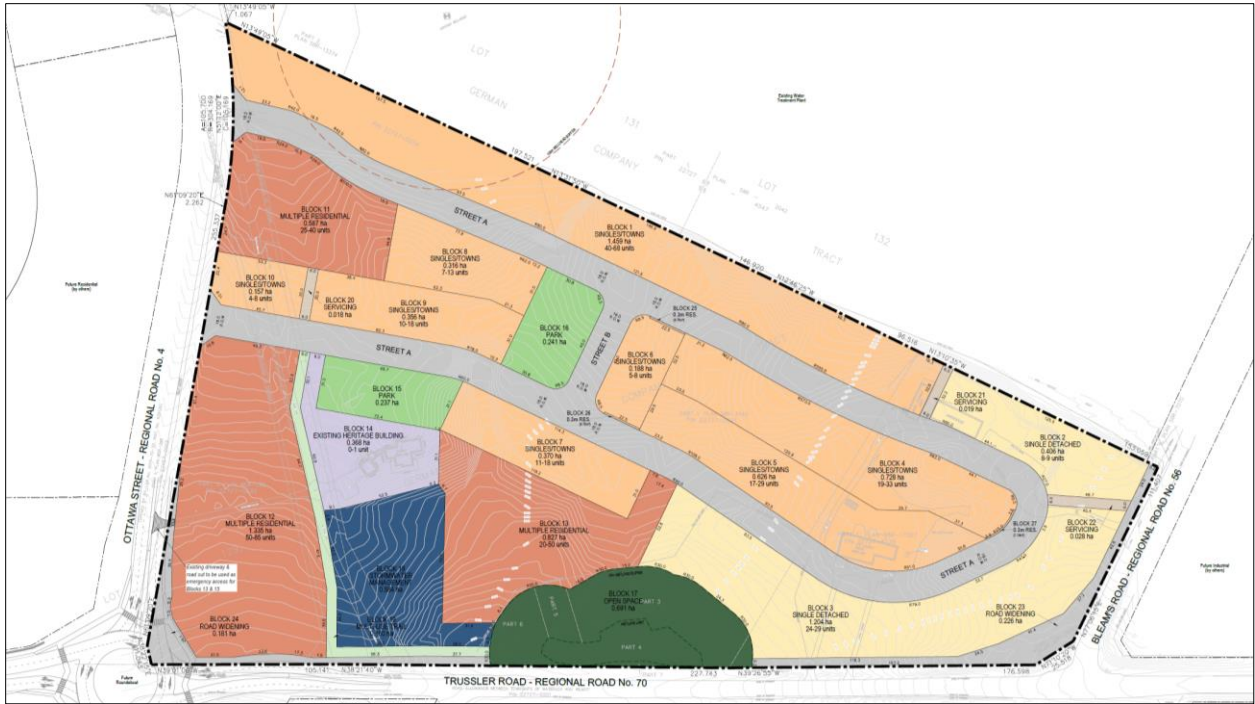


Figure 9: Proposed Draft Plan of Subdivision (Polocorp, March 2022)

4.0 PLANNING CONTROLS

This section of the Planning Justification Report provides an overview of the provincial and local planning controls applicable to the site, including the Planning Act, Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Region of Waterloo Official Plan, City of Kitchener Official Plan, Laurentian West Community Plan, and the City of Kitchener’s Zoning By-law.

4.1 Ontario Planning Act, R.S.O. 1990, c.P.13

The Ontario Planning Act RSO 1990, as amended (the ‘Planning Act’), provides a set of legislative basis for land use planning throughout the Province of Ontario and describes how land uses may be regulated and by whom.

Section 2 of the Planning Act requires approval authorities considering planning applications to have regard to, among other matters, matters of provincial interest. The matters of provincial interest are identified below, and a summary of regard has been provided.

	<i>Provincial Interest</i>	<i>Demonstration of Regard for Matters</i>
a)	the protection of ecological systems, including natural areas, features and functions;	The Proposed development considered and protects the natural features, and function thereof, within the Site;
b)	the protection of the agricultural resources of the Province;	Lands are located within the City of Kitchener Urban Boundary and, as such, direct development away from agricultural resources;
c)	the conservation and management of natural resources and the mineral resource base;	Not applicable;
d)	the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	The Shantz House is proposed to be designated a heritage resource to ensure protection and preservation in perpetuity;
e)	the supply, efficient use and conservation of energy and water;	Conservation efforts will be considered at time of construction;
f)	the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;	Proposed development can be adequately, and efficiently, serviced;
g)	the minimization of waste;	Waste will be minimized where feasible;

h)	the orderly development of safe and healthy communities;	The Proposed development reflects orderly development within the City of Kitchener by construction on under-utilized lands;
h.1)	the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;	Proposed development will comply with Accessibility for Ontarians Disability Act requirements;
i)	the adequate provision and distribution of educational, health, social, cultural and recreational facilities;	The Proposed development is adequately serviced by existing educational, health, social, cultural and recreational facilities;
j)	the adequate provision of a full range of housing, including affordable housing;	Proposed development contributes to the diversification of housing types and levels of affordability available within the community;
k)	the adequate provision of employment opportunities;	Not applicable;
l)	the protection of the financial and economic well-being of the Province and its municipalities;	The development of the lands will be fiscally independent and will, ultimately, contribute to the tax base;
m)	the co-ordination of planning activities of public bodies;	Proposed development aligns with planning policy and public agencies at Federal, Provincial, Regional and municipal levels;
n)	the resolution of planning conflicts involving public and private interests;	Proposed development aligns with public and private planning interests;
o)	the protection of public health and safety;	Public health and safety measures will be observed through all aspects of the Proposed development;
p)	the appropriate location of growth and development;	The Proposed Development is located within the City of Kitchener Urban Boundary, can be adequately serviced and protects natural and cultural features;
q)	the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	Proposed development has been designed to encourage public transit, as it is located on a future transit route, and provides pedestrian connectivity throughout via trails, parks, and sidewalks.

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;	Urban Design Brief provides direction for well-design public and private spaces including parks and residences. Design efforts are intended to encourage sense of place;
s)	the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.	Proposed development mitigates greenhouse gases and climate changes through the encouragement of transportation alternatives, utilizing energy efficient construction and utility use strategies, where feasible.

The Planning Act also requires that planning applications be consistent with Provincial Policy Statements in effect on the date of the decision.

Section 34 of the Planning Act affords municipalities the legislative authority to regulate, among other site characteristics, the following through Zoning By-laws:

- Land uses;
- Building location, size, floor area and spacing;
- Development density; and,
- Building height.

Section 51 of the Planning Act allows for approvals of Plan of Subdivision by local municipalities at the upper-tier or single-tier levels. The requirements for Plan of Subdivision applications are also dictated, such as plan and drawing requirements, the ability for pre-consultation between the applicant and the approval authority, and requirements for the approval authority to deem an application complete within a certain time frame.

Section 51(24) outlines criteria that should be considered when making decisions regarding a Plan of Subdivision. The following table provides a summary of the criteria and provides demonstration of regard.

	<i>Criteria</i>	<i>Demonstration of Regard for Matters</i>
a)	The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	See Table 3, above.
b)	Whether the proposed subdivision is premature or in the public interest;	Proposed development is located on under-utilized lands and contributes to the housing supply within the community that can be adequately serviced;

c)	Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	Proposed development conforms with the Region of Waterloo and City of Kitchener Official Plans. See Sections 4.4 and 4.5 of this report;
d)	The suitability of the land for the purposes for which it is to be subdivided;	The proposed development allows for the efficient use of lands, located within a diverse and walkable community that can be efficiently serviced;
d.1)	If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;	Cash-in-lieu of affordable housing units are proposed. Please see Section 3.2 of this report;
e)	The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;	Proposed development has direct access to Ottawa Street South;
f)	The dimensions and shapes of the proposed lots;	Lots will be of suitable size and shape to accommodate efficient development;
g)	The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;	Not applicable;
h)	Conservation of natural resources and flood control;	Natural features within the Site have been appropriately addressed;
i)	The adequacy of utilities and municipal services;	Proposed development can be adequately serviced. Please see Section 6.1 of this report;
j)	The adequacy of school sites;	Proposed development can be adequately serviced by Waterloo Region District School Board;

k)	The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	Parkland to be conveyed are adequate size and configuration for public purposes;
l)	The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and	Methods of energy conservation will be considered through building permit process;
m)	The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the <i>City of Toronto Act, 2006</i> . 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).	Development blocks, subject to Site Plan Approval, have been considered in the development of the Plan of Subdivision and can be efficiently accommodated.

The Proposed Development gives consideration to matters of Provincial interest pertaining to the division of land and, as such, is consistent with the Ontario Planning Act.

4.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) 2020 came into effect May 1st, 2020. The PPS provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3(5) of the Planning Act, as amended, all decisions made by Council “*shall be consistent with*” policy statements including the PPS. The PPS is a Province-wide policy, and is to be read in its entirety, considering the specific ‘local’ circumstances.

4.2.1 Building Strong Healthy Communities

Section 1 of the PPS supports healthy, liveable, and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of municipalities (Policy 1.1.1(a)). Appropriate ranges and mixes of residential units are encouraged to meet long-term needs, while promoting cost-effective land use patterns to minimize land consumption and servicing costs (Policy 1.1.1(b) and (e)).

The Proposed Development provides for a variety of housing forms in an area adjacent to established and newly developed neighbourhoods. The Proposed Development utilizes existing infrastructure to provide intensification within a Built-Up Area. The mix of housing types have been

proposed to ensure compatibility with the existing residential dwellings, while introducing further diversification of housing types into the community including single detached, street-fronting townhomes, cluster townhomes, and back-to-back townhomes. By providing a compact built form and utilizing existing municipal services to service the Proposed Development, the Proposed Development supports cost-effective land use patterns to minimize land consumption and servicing costs.

The PPS requires that municipalities direct growth and development to Settlement Areas (Policy 1.1.3.1). Varying densities are encouraged to make efficient use of land, infrastructure, and public services, while supporting active and transit transportation opportunities (Policy 1.1.3.2).

The Proposed Development is located adjacent to a 'Planned Transit Route' by the Region of Waterloo, and provides opportunities to connections to existing public services, including roads, services, and trail networks. These connections allow for opportunities to support both active and public transit transportation options.

Through the PPS, the Province requires that municipalities identify appropriate locations for intensification and redevelopment. These locations should accommodate a significant supply and range of housing options and promote opportunities for transit-supportive development. Suitable locations include existing building stock areas, brownfield sites, and areas with available infrastructure and public service facilities. (Policy 1.1.3.3).

The Proposed Development is within the identified urban boundary and built-up area of the City of Kitchener, within the Region of Waterloo. The Region has identified the lands as an appropriate location for development, as discussed in more detail in Section 4.4 of this Report.

Policies 1.1.3.6 and 1.1.3.7 of the PPS discuss policies for new developments and intensification within the Province:

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:

- a) that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and*
- b) the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.*

The Proposed Development is located in an appropriate location for intensification within the Urban Boundary of the City of Kitchener. Residential development is occurring adjacent to the Subject Lands to the north and south. Municipal servicing and infrastructure are available to all new developments in the surrounding area. The Draft Plan of Subdivision has been designed to

maximize its density based on the availability of servicing capacity of local public infrastructure. The Proposed Development is consistent with 1.1.3.6 and 1.1.3.7.

The PPS addresses policies for building strong, healthy communities through housing. Policy 1.4.1 notes that municipalities shall provide for an appropriate range and mix of housing options and densities to meet the requirements of current and future residents (Policy 1.4.1).

The Proposed Development meets this requirement and provides the opportunity for a range of housing types and densities through the creation of single detached dwellings, street townhouse dwellings and back-to-back townhomes.

Policy 1.4.3 of the PPS directs municipalities to provide for housing that meets market-based and affordable housing needs:

1.4.3 *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

- a) *establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*
- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*

- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

The Proposed Development will offer a variety of affordability options through units available for freehold lot ownership, condominium unit ownership and options for homes to be built ready for accessory dwelling units. The Owners are also offering a cash contribution to the City of Kitchener to assist in local affordable housing developments, as discussed in Section 3.2 of this Report.

Policy direction on Infrastructure and Public Services is provided under Policy 1.6 of the PPS. Cost effective and efficient systems are encouraged that prepare communities for a changing climate and accommodate projected needs. The policies under 1.6.6 specifically address sewage, water and stormwater services:

1.6.6.1 *Planning for sewage and water services shall:*

- a) *accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:*
 - 1. *municipal sewage services and municipal water services; and*
 - 2. *private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;*
- b) *ensure that these systems are provided in a manner that:*
 - 1. *can be sustained by the water resources upon which such services rely;*
 - 2. *prepares for the impacts of a changing climate;*
 - 3. *is feasible and financially viable over their lifecycle; and*
 - 4. *protects human health and safety, and the natural environment;*
- c) *promote water conservation and water use efficiency;*
- d) *integrate servicing and land use considerations at all stages of the planning process; and*
- e) *be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.*

Sewage and water services in the proposed development have been optimized and integrated with surrounding new developments and planned infrastructure improvements. The development was designed to maximize available servicing and is detailed in the Functional Servicing Report prepared by Stantec Engineering (March 2022).

1.6.6.7 *Planning for stormwater management shall:*

- a) *be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) *minimize, or, where possible, prevent increases in contaminant loads;*
- c) *minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) *mitigate risks to human health, safety, property and the environment;*
- e) *maximize the extent and function of vegetative and pervious surfaces; and*
- f) *promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

Stormwater facilities are proposed for the development in Block 18. Details of the design of the stormwater management pond can be found in the Stormwater Management Report prepared by Stantec Consulting (dated March 22, 2022).

Relevant policies from Section 1.6.7, Transportation Systems, include the following:

1.6.7.3 *As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.*

1.6.7.4 *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation*

The Proposed Development enhances the local transportation systems and promotes diversity in modes of transportation. Transit will be supported with the addition of a bus stop along Ottawa Street South and active transportation is encouraged through the extension of the multi-use trail from Ottawa Street South onto the site in Block 19. The Proposed Development is consistent with the PPS policies of Section 1.6.7.

Section 1.6.8 discusses policies related to transportation and infrastructure corridors. Policy 1.6.8.2 states:

1.6.8.3 *Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.*

The Proposed Development is bounded by regional roads on all three frontages. The primary planned function of these road is to move goods and people across the region. The development supports the function of these roads by limiting the number of street access points. Access to the Proposed Development is provided from Ottawa Street South at two locations. Trussler Road and Bleams Road will not provide any vehicular accesses. The Proposed Development is consistent with the PPS policies of Section 1.6.8.

4.2.2 Wise Use and Management of Resources

Section 2.0 provides direction for the protection of natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental, and social benefit. This Section identifies the need to protect natural and cultural heritage features:

2.1.1 *Natural features and areas shall be protected for the long term.*

2.6.1 *Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

The Proposed Development has retained a portion of the lands as 'Open Space' to protect an existing wetland feature and associated woodlot buffer area. Furthermore, a built heritage resource has been identified through consultation with Heritage Planning staff at the City of Kitchener. As part of the proposed development, the built heritage resource is intended to be designated under Part IV of the Ontario Heritage Act. The resource has been retained in the proposed Plan of Subdivision, which provides a large block of land solely for the heritage house. A park block and open space storm water management block are located directly adjacent to the home in order to preserve some of the surrounding landscape. The natural topography of the Subject Lands and location of proposed streets will protect the views of the heritage resource.

The PPS supports new development with a range and mix of housing units in appropriate locations. The PPS also encourages the identification and conservation of natural and cultural heritage helps to foster a sense of place and assist in the provision of complete communities.

Provincial Policy Statement Summary

Based upon our review of the Provincial Policy Statement, the development of the Subject Lands as proposed is consistent with the Provincial policies regarding the proposed framework for urban growth within the Province and, as such, the proposed Zoning By-law Amendment, Official Plan Amendment and Draft Plan of Subdivision are consistent with the PPS, 2020.

4.3 Growth Plan for the Greater Golden Horseshoe (2020)

In August 2020, the Province's A Place to Grow – Growth Plan for the Greater Golden Horseshoe ('Growth Plan') came into effect. The Growth Plan is a Provincial document which provides policy

guidance regarding growth management, transportation, intensification, greenfield development, and protection of employment lands within the Greater Golden Horseshoe ('GGH') and surrounding municipalities. The updated Growth Plan continues to direct growth to built-up areas within settlement areas and supports the development of complete communities. The Growth Plan policies outlined below are relevant to the Draft Plan of Subdivision, Official Plan Amendment and Zone Change application.

Section 1.2.1 *Guiding Principles* outlines the principles of the plan which, in part, prioritize the achievement of complete communities alongside the prioritization for intensification and higher densities to make efficient use of land and infrastructure. Furthermore, support for a range and mix of housing options is identified. The guiding principles also outline a need to provide for different approaches to manage growth, while conserving and promoting cultural heritage resources.

Section 2.2.1 *Managing Growth* outlines principles of where growth should be directed to within the Province. Specifically, Section 2.2.1.2 (a) states:

- a) *the vast majority of growth will be directed to settlement areas that:*
 - I. *Have a delineated-built boundary;*
 - II. *Have existing or planning municipal water and wastewater systems; and*
 - III. *Can support the achievement of complete communities.*

The Proposed Development is within the delineated Built-up Area of the Regional Official Plan. The development of municipal services in this area are either existing or underway for adjacent new developments. The City and Region have also planned for elements of complete communities surrounding the Subject Lands, such as the development of bike lanes and multi-use trails, enhancement of Regional roads and connection of open space areas and natural areas.

In accordance with Policy 2.2.2.1 (a), *"a minimum of 50 per cent of all residential development occurring annually ... will be within the delineated built-up area"* for the Region of Waterloo. The proposed Draft Plan of Subdivision is within the Urban Area Boundary of the Region's Official Plan, which includes lands designated as Built-Up Area and Urban Designated Greenfield Areas. The Proposed Development will contribute to the Region of Waterloo's intensification target by providing compact built form within the identified built-up area, providing an increase in the residential units within Southwest Kitchener. The Plan encourages intensification throughout the delineated Built-Up Area and directs municipalities to prioritize planning and investment in infrastructure and public service facilities that will support intensification (2.2.3(c) and (e)). The Proposed Development is located within the delineated Built-Up Area and introduces a mix and diversity of housing types that will contribute to the intensification of the community in a compatible and appropriate manner.

Section 2.2.6 outlines the policy direction from the Province to support a housing strategy that achieves the minimum intensification and density targets, as outlined in the Growth Plan. The

Growth Plan supports the achievement of complete communities through the provision of multi-unit residential developments that incorporate a mixture of unit sizes to accommodate a variety of household sizes and incomes (Policy 2.2.6.3). The mix of unit types, sizes and levels of affordability provided within the Proposed Development contribute to attaining the targeted diversity and level of density.

The northwest corner of the Subject Lands is identified as Urban Designated Greenfield Area in the Region's Official Plan. Section 2.2.7 of the Growth Plan promotes development of these areas and prescribes a minimum density target of 50 residents and jobs per hectare (Section 2.2.7.2 (a)). The overall development of the Proposed Development achieves a net density of 58 to 84 residents and jobs per hectare, which exceeds the minimum density targets required in the Growth Plan for Designated Greenfield Areas.

Section 3.2 of the Growth Plan established policies for the planning of infrastructure, transportation systems, movement of goods and people, water and wastewater systems, stormwater management and public service facilities. The Proposed Development conforms to Section 3.2 of the Growth Plan and has been comprehensively planned and designed with infrastructure as detailed in the supporting reports, outlined in Section 6.0.

Section 4.2.5 of the Growth Plan encourages municipalities to development systems of publicly accessible parkland, open spaces and trails. The proposed plan contributes to the Region of Waterloo's network of open spaces with the addition of two public parks and a multi-use trail.

Section 4.2.7 of the Growth Plan directs that cultural heritage resources be conserved, and that municipalities will work with stakeholders to identify and conserve these resources. The proposed development will be preserving a unique and architecturally significant home and will be designating it under the Ontario Heritage Act as supported by Heritage Impact Assessment (Section 6.7 of this Report). The heritage feature will serve as the defining feature in the community to create a unique sense of place.

Growth Plan for the Greater Golden Horseshoe Summary

The Proposed Development provides an opportunity to provide a diverse mix of housing types, sizes and levels of affordability within the Built-up Area. It utilizes existing infrastructure and is located adjacent existing development. The proposed development adds density onto a planned transit route, conserves a heritage resource and is located within the existing Urban Boundary. As such, the proposed planning applications are in conformity to the Growth Plan, 2020.

4.4 Region of Waterloo Official Plan (2015)

The 2015 Region of Waterloo Official Plan ('ROP') is the guiding document for directing growth and change within the Region until 2031. The ROP supports development that supports existing community structure and is serviced through municipally owned water and wastewater systems. Development is intended to create complete communities while protecting natural and cultural

heritage resources. Established neighbourhoods should be considered in development applications to ensure that the scale, physical character, and context is respected (Policy 2.D.1). The Proposed Development provides an appropriate mix of unit types, sizes and levels of affordability that are compatible with the surrounding low-rise residential established communities by attaining growth targets through a mix of single-detached and townhouse dwellings.

The ROP guides local municipalities to establish policies that direct growth to areas where appropriate development can occur, while identifying a need for an appropriate range of housing in terms of form, tenure, density and affordability (Policy 3.A.1). The ROP supports development that encourages a diversified transportation network including active and public transit to support both pedestrians and cycling opportunities.

4.4.1 Urban Area

The Subject Lands are identified as being within the Urban Area as per Map 3a of the ROP (see Figure 10). The Urban Area is first identified by the Province and is intended to be the focus for growth and urbanization targets set for individual regions and upper-tier municipalities. Map 3a further identifies the lands as being designated as Built-up Area and Urban Designated Greenfield Area.



Figure 10: Region of Waterloo Official Plan, Map 3a - Urban Area (2015)

The Built-up Area reflect lands already identified by the Province as part of the Built Boundary. These lands are located within existing Urban Areas and the redevelopment and reurbanization of these lands is encouraged (Policy 2.C).

The Urban Designated Greenfield Area represents lands that are outside the Built Boundary but still within the Urban Area. The Region has set out a minimum density target of 55 people and jobs per hectare on these lands when they serve a primarily residential function (Policy 2.D.17.b.i). The

Subject Lands are primarily located within the Built-Up Area, however, the northwest corner is identified as Urban Designated Greenfield Area.

The Proposed Development achieves a density range of 58 to 84 people and jobs per hectare, as per Table 2.

2021 Region of Waterloo Averages (From Water and Wastewater Monitoring Report, June 2021)	
Structure Type	Persons Per Unit (PPU)
Single and Semi-Detached	3.25
Townhouse	2.44
Apartment	1.77
Multiple Unit Types	2.11
Unspecified Unit Types	3.05
Percentage of Work at Home Residents	2.80%
Average Square feet per employee	550

Residents

Block Type	No. Unit	Regional Average	No. Residents
Single-Detached	145 - 39	3.25	471 - 127
Standard Townhouse	0 - 195	2.44	0 - 476
Cluster/Back-to-Back Townhouse	95 - 175	2.44	232 - 427
Multiple Unit Types (Apartment)	0 - 0	1.77	0 - 0
Live/Work Stacked Townhouse	0	2.44	0
Total	240 - 409		703 - 1030

Jobs

Job Type	No. Residents	Work at Home Percentage	No. Jobs
Work at Home	703 - 1030	2.80%	20 - 29
Live/Work	9		9
Total	712 - 1039		29 - 38

Block Type	No. Persons
Residents	703 - 1030
Jobs	29 - 38
Residents & Jobs	732 - 1067
Net Total Area (ha)*	12.641
R & J per Hectare	58 - 84

*open space block excluded from Net Total Area

Approximate Residents and Jobs Per Hectare	58 - 84
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Table 2: Density Calculations

The Proposed Development meets the intent of the Urban Area, Built-Up Area and Designated Greenfield Area and is an appropriate location for growth within the Region. Further, the development meets and exceeds the minimum density targets set out by the Region.

The ROP guides local municipalities to establish policies that direct growth to areas where appropriate development can occur, while identifying a need for an appropriate range of housing in terms of form, tenure, density and affordability (Policy 3.A.1).

Policy 3.A.5 states:

"Where a development application proposing residential uses is submitted for a site containing two hectares or more of developable land, the Region and Area Municipalities will require, wherever appropriate, a minimum of 30 per cent of new residential units to be planned in forms other than single-detached and semi-detached units, such as town homes and multi-unit residential buildings."

Although a range of unit types and configurations are possible within the Draft Plan of Subdivision, the Proposed Development will provide between 40 to 90 per cent of units as townhomes and other forms of multi-unit dwellings and, as such, exceeds the minimum target for unit types other than single-detached and semi-detached dwellings.

4.4.2 Transportation

The ROP includes policies that guide the development of transportation systems within the Region, such as Regional roads & corridors, planned transit system routes, and Regional cycling routes. The ROP also encourages the development of active transit to support both pedestrians and cyclists and encourages opportunities to integrate pedestrian and cycling facilities into existing areas (Policies 3.B.2 and 3.B.3).

3.B.2 The Region will ensure, whenever feasible, the provision of facilities to encourage walking and cycling, and to address the needs, safety and convenience of pedestrians and cyclists when constructing or reconstructing Regional transportation facilities and public buildings.

3.B.3 Area Municipalities are encouraged to enhance pedestrian and cycling environments so that people have more opportunities to walk and cycle for convenient travel, recreational, health, environmental and economic reasons through such means as:

- (a) providing consistent information and signage systems to support exploration, discovery and travel throughout the community on foot and bicycle;*
- (b) integrating pedestrian and cycling facilities into existing, expanded and new development areas;*
- (c) ensuring, wherever feasible and appropriate, that urban greenlands are pedestrian-friendly, safe and accessible;*

- (d) *implementing Crime Prevention Through Environmental Design (CPTED) principles;*
- (e) *creating urban design guidelines that support pedestrian and cycling activity in accordance with the provisions of the Canadian Institute of Transportation Engineers' guidelines for promoting sustainable transportation through site design;*
- (f) *securing dedications for trail corridors, wherever appropriate; and*
- (g) *providing pedestrian and cyclist connections to transit stops.*

The Subject Lands are bound by three existing Regional Roads (Ottawa Street, Trussler Road and Bleams Road), as per Map 5B. The Subject Lands are also adjacent to a 'Planned Cycling Route' on Ottawa Street South, as identified on Map 5C. To date, the cycling route has been constructed up to the intersection of Ottawa/Trussler via two multi-use pathways. The Site's internal multi-use trail will connect to the pathways along Ottawa Street South via the sidewalks of Street A.

The Proposed Development meets the intent of the transportation policies within the ROP as the development will tie into existing cycling routes via the Ottawa Street multi-use trails, establish a new bus stop to support public transit route extensions by the Region, and adhere to required development regulations along regional roads.

4.4.3 Cultural Heritage

The ROP also provides policy direction on the conservation of cultural heritage resources and sites with potential archaeological significance to ensure that resources are conserved using the provisions of the Heritage Act and Planning Act (Policy 3.G.1). Cultural heritage resources of Regional significance will be identified within a region-wide inventory.

As discussed in Section 3.3 of this report, as part of the Proposed Development, it is proposed that the Shantz House be designated under Part IV of the Ontario Heritage Act. This will ensure the building is recognized for its historical significance in the community and that its character is protected and preserved in perpetuity.

4.4.4 Environment and Natural Resources

Section 7.0, Greenlands Network, provides policy to support and protect environmental features and linkages within the Region. Map 4 of the ROP identifies a Core Environmental Feature on the Subject Lands, and shows the lands are within a Regional Recharge Area (see Figure 11).

Core Environmental Features include lands such as wetlands, forests and Environmentally Sensitive Policy Areas. Regional Recharge Areas are lands associated with the Waterloo Moraine and serve an important hydrological function for the infiltration of groundwater and the replenishing of local aquifers that the community relies upon.

One of the objectives of the Greenlands Network, as per Policy 7.1, is to:

7.1 *Maintain, enhance or wherever feasible restore environmental features and the ecological and hydrological functions of the Greenlands Network including the Grand River and its tributaries and the landscape level linkages among environmental features.*

As described in Section 3.4 of this Report, the Subject Lands contain a wetland feature which are intended to be enhanced and protected through the implementation of the Proposed Development. The feature and its 30-metre buffer have been delineated through an Environmental Impact Assessment ('EIS') and have been shown as Block 17 on the Draft Plan of Subdivision. The Proposed Development will follow the enhancement and mitigation measures as recommended in the EIS prepared by Dougan & Associates (dated March 9, 2022). The findings of the EIS are summarized in Section 6.4 of this Report.

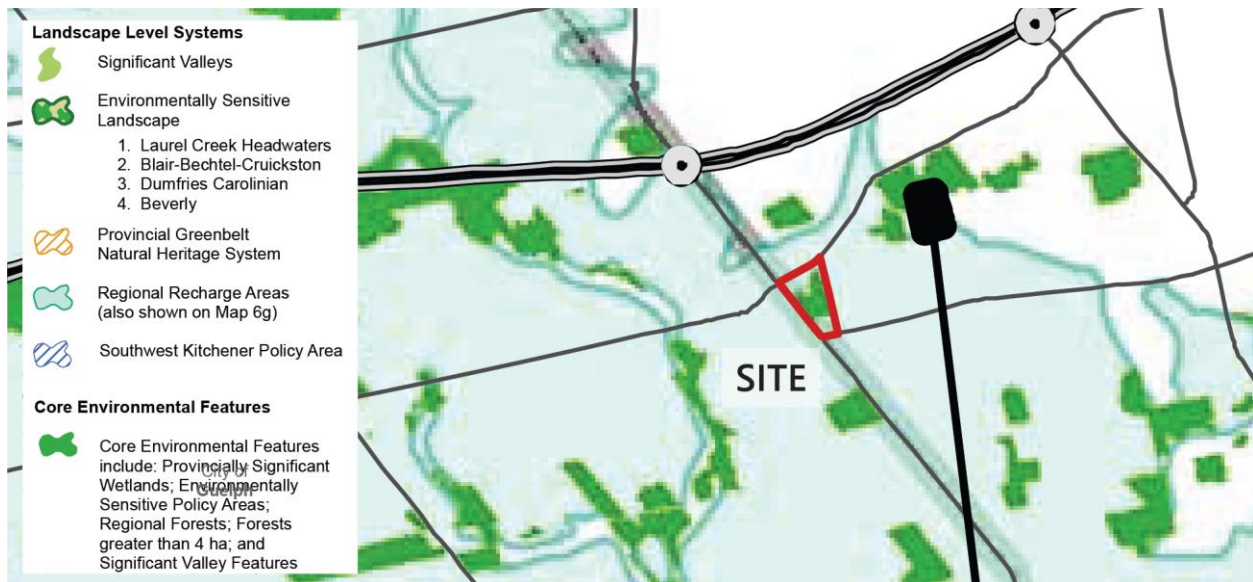


Figure 11: Region of Waterloo Official Plan, Map 4, Greenlands Network (2015)

The Subject Lands are also identified within Wellhead Protection Areas, as per Map 6a of the ROP, (see Figure 12). More specifically, the lands contain portions within WPSA-2 and WPSA-3 Wellhead Protection Areas. The 100m buffer of a municipal well (WPSA-1) also crosses the northern boundary of the Subject Lands and has been shown on the Draft Plan of Subdivision for reference.

The impacts of the Proposed Development and its effect on the surrounding hydrogeological functions of the lands are detailed in the Hydrogeological Investigation prepared by Palmer (dated December 15, 2021). The findings of the Hydrogeological Investigation are summarized in Section 6.8 of this Report and make recommendations to limit the effects of the Proposed Development on the surrounding lands.



Figure 12: Region of Waterloo Official Plan, Map 6a – Urban Area Source Water Protection Areas (2015)

Region of Waterloo Official Plan Summary

The proposed development allows for the retention of both natural and cultural heritage resources, while allowing for a residential development that provides opportunities for a mixture of housing types, sizes and levels of affordability with access to public roads, services, and transit networks. Ultimately, the Proposed Development is consistent with the Region of Waterloo Official Plan policies and offers an opportunity for intensification of lands within the Built-Up Area.

4.5 City of Kitchener Official Plan (2014)

The City of Kitchener’s Official Plan (‘OP’) is a long-range and comprehensive land use strategy for the City, intended to provide a framework for land use decisions for all development to the year 2031. The City’s OP is planned to provide direction on the comprehensive, integrated, place-based, and long-term planning of the City by:

- Building a compact, vibrant, complete, and healthy community;
- Planning and managing growth to support a strong and competitive economy;
- Protecting, conserving, enhancing, and wisely using natural resources; and
- Optimizing the use of existing and new infrastructure.

The Subject Lands are identified as Built-Up Area and Designated Greenfield Area as per Map 1: Urban Area and Countryside of the Official Plan. It is also identified as Mixed Use, Low Rise Residential and Natural Heritage Conservation as per Map 3: Land Use.

4.5.1 Kitchener Structure

Section 3 of the OP establishes the urban structure and land use framework for all lands within the City’s limits.

Section 3.C.1: City Urban Area and Countryside

Informed by the Region of Waterloo Official Plan, the majority of the Subject Lands are located within the 'Built Up Area' designation with a small portion of the lands at the corner of Ottawa Street and Trussler Road designated as 'Designated Greenfield Area', as illustrated on Map 1, *City Urban Area and Countryside* (see Figure 13).



Figure 13: *City of Kitchener Official Plan, Map 1, City Urban Area and Countryside (January 2017)*

The Built-Up Area mainly consists of established residential neighbourhoods and a significant portion of the City's growth is directed to these lands each year. Development within these lands is expected to be compatible with, and respectful of, the existing built form and character of the area (Section 3.C.1).

Designated Greenfield Areas are lands within the City's Urban Area Boundary but are not yet part of the Built-Up Area. These lands are intended for future development to meet the City's growth and intensification targets. As per Section 3.C.1.14.a) of the OP, areas intended for primarily residential uses will need to meet or exceed a minimum average density of 55 residents and jobs per hectare.

As described previously, and shown in Table 2 above, the Proposed Development achieves a density range of 58 to 84 people and jobs per hectare, which exceeds the minimum targets set out by the Region and City. The Subject Lands are in an appropriate location for development within the City's Urban Area, and represent good planning.

Section 3.C.2: Urban Structure

Map 2, *Urban Structure*, designates the lands as 'Community Area', 'Green Area', and a portion along Ottawa Street as 'Neighbourhood Node', (see Figure 14).



Figure 14: City of Kitchener Official Plan, Map 2, Urban Structure (June 2019)

Neighbourhood Nodes are categorized as Secondary Intensification Areas (see Section 3.C.2.4) and may experience intensification at a smaller-scale than other Primary Intensification Areas within the City. Section 3.C.2.6.b) states that,

3.C.2.6.b) *"Secondary Intensification Areas may be permitted to expand by way of amendment to [the Official Plan] where the City is satisfied, through the review of a Planning Justification Study, that the expansion and additional intensification is warranted, desirable and appropriate."*

This Planning Justification Report has been prepared in support of the orderly and appropriate development of the subject lands. The level of intensification proposed was determined by the following densities permitted by the applicable land use designations and by the limitations of servicing infrastructure available to the site.

The function and implementation of Neighbourhood Nodes are specified in Sections 3.C.2.34 to 3.C.2.36:

3.C.2.34. *The planned function of Neighbourhood Nodes is to serve the day to day commercial needs of surrounding residential areas and are encouraged to be cycling and pedestrian-friendly.*

3.C.2.35. *Within an area identified as a Neighbourhood Node on Map 2 the applicable land use designations may include Mixed Use and/or Commercial as shown on Map 3 and detailed in Sections 15.D.4 and 15.D.5 depending on the context and the range of uses deemed appropriate for achieving the planned function of that Neighbourhood Node.*

3.C.2.36. *The implementing zoning may impose a minimum and/or maximum percentage or amount of floor space for residential and/or non-residential uses to ensure an appropriate combination of uses and to achieve the planned function of Neighbourhood Nodes.*

The Proposed Development will be cycling and pedestrian-friendly and connect to the existing multi-use pathway network on Ottawa Street South. While large-scale commercial uses are not contemplated within the Proposed Development, the proposed zoning of the Schantz Home is permissive to allow for a variety of communal uses including: adult education schools, artisan's establishments, community facilities, cultural facilities, day care facilities, elementary schools, health clinics, hospice, places of worship, secondary schools, residential care facilities, and social service establishments. Access to existing and future commercial uses are available to the community to the north and east of the Proposed Development.

Community Areas are intended to provide lands for residential and supporting uses. The function and implementation of Community Areas are specified in Sections 3.C.2.50 to 3.C.2.52:

3.C.2.50. The planned function of Community Areas is to provide for residential uses as well as non-residential supporting uses intended to serve the immediate residential areas.

The Proposed Development will primarily introduce residential uses within the Community Area. Supporting uses will include the flexible institutional use of the Shantz House.

3.C.2.51. Within areas identified as Community Areas on Map 2 the applicable land use designation may include Low Rise Residential, Medium Rise Residential, High Rise Residential, Open Space, Institutional and/or Major Infrastructure and Utilities as shown on Map 3 and detailed in Sections 15.D.3, 15.D.7, 15.D.10 and 15.D.11.

Within the lands identified as Community Area, the proposed development utilizes the existing Low Rise Residential and Open Space land use designations.

3.C.2.52. Limited intensification may be permitted within Community Areas in accordance with the applicable land use designation on Map 3 and the Urban Design Policies in Section 11. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context.

The Proposed Development generally conforms to the land use designations described on Map 3, however, an Official Plan Amendment is necessary to facilitate the Proposed Development. Please see Section 5.2 of this report for further information.

The Proposed Development is consistent with Section 11 of the Official Plan, please see Section 4.5.7 of this report.

Green Areas are intended to conserve ecological features on a site. The function and implementation of Green Areas are specified in Sections 3.C.2.57 to 3.C.2.58:

3.C.2.57. The planned function of Green Areas is to protect and conserve the ecological functions and features and passive and active recreation that these areas provide.

The proposed development will utilize the Green Areas designation on Block 17 to protect the existing wetland feature and its buffer area.

3.C.2.58. *Within areas identified as Green Areas on Map 2 the applicable land use designation may include Natural Heritage Conservation and Open Space as shown on Map 3 and detailed in Sections 15.D.9 and 15.D.10.*

An Official Plan Amendment is required to facilitate the Proposed Development, as detailed in Section 5.2 of this report. The proposed amendment will adjust the Green Areas mapping to reflect the delineated environmental features on-site, as determined by Dougan and Associates. Lands remaining as designated Green Areas on Map 2 will be designated Natural Heritage Conservation on Map 3.

A copy of the Draft Official Plan Amendment is provided as Appendix C.

4.5.2 Housing

Section 4, *Housing*, of the Official Plan provides objectives for suitable, affordable and attractive living accommodations for all residents. Some of the relevant housing policies of Section 4.C.1 are as follows:

4.C.1.13. *The City will work with the development industry and other community members to identify and encourage innovative housing types and designs in the city where such innovation would:*

- a) *be compatible with surrounding land uses;*
- b) *support the development of complete communities;*
- c) *provide live/work and home occupation opportunities;*
- d) *incorporate energy conservation features and the use of alternative energy systems and/or renewable energy systems;*
- e) *reduce municipal expenditures;*
- f) *protect natural heritage features;*
- g) *provide accessible and affordable housing to residents;*
- h) *conserve and/or enhance our cultural heritage resources;*
- i) *celebrate the cultural diversity of the community;*
- j) *be transit-supportive and/or transit-oriented; or,*
- k) *reflect, add and/or enhance architectural interest and character.*

Mainly residential land uses are being proposed, along with compatible uses such as parks, open spaces and institutional uses, within the Proposed Development. The surrounding community also follows a similar form of development with a focus on residential use. The density of residential development has been dictated by the available municipal servicing capacities to the Subject Lands.

Natural Heritage features will be protected through designated blocks and environmental mitigation measures. The Shantz House will be protected as a cultural heritage feature and is proposed to be designated under the Ontario Heritage Act. The buildings and architectural styles of the Proposed Development will be complementary to the Shantz House. Transit will be supported throughout the Subject Lands by the introduction of an internal multi-use trail and connection to the external trail system on Ottawa Street South. A transit stop will also be introduced near the intersection of Ottawa and Trussler Road.

4.C.1.16. *Where a development application proposing residential uses is submitted for a site containing two hectares or more of developable lands, the City will require, wherever appropriate, a minimum of 30 percent of new residential dwelling units to be planned in forms other than single detached and semi-detached dwellings, and may include housing forms such as street or cluster townhouses and multiple residential buildings.*

As previously discussed in Section 4.4.1 of this Report, the Proposed Development will provide between 40 to 90 per cent of units as townhomes and other forms of multi-unit dwellings.

4.C.1.19. *The City will encourage and support affordable housing to locate in close proximity to public transit, commercial uses and other compatible non-residential land uses, parks and community facilities and have convenient access to community, social and health services.*

The Proposed Development will offer a range of unit types and ownerships, which will provide a variety of housing types, sizes and levels of affordability. The entire development will be within a 5-minute walk to a public park, and under a 10-minute walk to public transit.

As described in Section 3.2 of this report, the applicant is offering a cash-in-lieu contribution to the City to support the construction and management of affordable units within the City.

4.5.3 Public Health and Safety

Section 6 of the OP provides policy direction on Public Health and Safety. The Policies on noise are particularly relevant to the design of the Proposed Development due to its proximity to Trussler and Bleams Roads. Sections 6.C.3.9 to 6.C.3.14 discuss the various policies on required studies and mitigation measures. Particularly, Section 6.C.3.9 states,

6.C.3.9. *The City will encourage the minimization of noise levels in the urban environment, particularly where sites are located adjacent or near sensitive land uses, by supporting the use of mitigation techniques such as building orientation, location of open spaces relative to noise sources and other internal or external noise attenuation measures.*

A Noise Feasibility Study was prepared by HGC Engineering (dated April 8, 2022). A summary of the study is available in Section 6.12 of this Report. The Noise Feasibility Study details the potential effects of noise on the site, and offers mitigation measures the ensure dwellings are create at livable noise levels. Mitigation measures include upgraded glazing for dwelling facing Trussler Road and acoustic barriers for rear yards adjacent to Trussler and Bleams Roads.

4.5.4 Natural Heritage & Environmental Management

Section 7 of the OP, *Natural Heritage and Environmental Management*, outlines policies pertaining to source water protection, the natural heritage system and environmental conservation efforts in the City of Kitchener.

Source Water Protection

The Subject Lands are identified to have portions of WPSA 2 and 3 as identified on Map 8, *Source Water Protection Areas*. Several municipal wellheads are located on the adjacent property to the Subject Lands. The closest affecting wellhead and its 100 metre buffer have been identified on the Draft Plan. A portion of Block 1 and Street A are within the 100m buffer of the wellhead.

Section 7.C.1.3. of the OP states that, *"The City will ensure development applications within Source Water Protection Areas are in conformity with the applicable policies of the Regional Official Plan"*. The Hydrogeological Investigation prepared by Palmer (dated December 15, 2021 and summarized in Section 6.8 of this Report), concluded that:

"From a hydrogeological perspective, with the CWC system in place, there is little risk of adverse effects to the wetland feature as the pre-to-post development runoff to the feature is balanced, and the in-situ hydrogeologic testing completed suggest the feature has good infiltration capabilities."

Natural Heritage System

A portion of the Subject Lands are identified as 'Kitchener Core Natural Heritage Features' and 'Region Core Environmental Features' on Map 6, *Natural Heritage System*. Section 7.C.2 details the policies of the Natural Heritage System.



Figure 15: City of Kitchener Official Plan, Map 6, Natural Heritage System (March 21, 2019)

Policies 7.C.2.1 to 7.C.2.6 identify the types of natural heritage features for protection, conservation, restoration and/or enhancement within the City, such as significant wetlands, woodlands,

Environmentally Sensitive Policy Areas and wildlife habitats (among others). The delineation of these features is detailed in Policies 7.C.2.7, 7.C.2.11 and 7.C.2.12:

- 7.C.2.7. *The Natural Heritage System is shown on Map 6 and designated accordingly on Map 3. The boundary of the System is approximate and the exact delineation will be determined more precisely through the development review process and, in consultation with the appropriate public agencies. Owners/applicants may be required to undertake the necessary studies to facilitate this process.*
- 7.C.2.11. *This Plan may not reflect the most up-to-date information on the precise location and boundaries of natural heritage features. Interpretation of the boundaries of natural heritage features, as required to support the review of development applications, will be achieved through the completion of Environmental Impact Studies or other appropriate studies in accordance with the policies in Section 17.E.11 and will not require an Official Plan Amendment.*
- 7.C.2.12. *Boundary interpretations not generally in conformity with the Natural Heritage System as shown on Map 6 will require an Official Plan Amendment. Instances where an Official Plan Amendment will be required, unless otherwise provided for in this Plan, include a change in the classification of a natural heritage feature or a significant change in the spatial extent or boundaries of a feature.*

An Environmental Impact Study was required as part of the Proposed Development complete applications. The EIS examined the extent of the on-site wetland feature and determined its boundary. The feature has been identified as Block 17 on the Proposed Draft Plan of Subdivision. As per the above Policies, the delineation of the feature will need to be updated in Maps 2, 3 and 6 of the Official Plan as part of the Proposed Official Plan Amendment. The designations of the feature are not proposed to change, rather, only the boundaries will be adjusted to reflect the extent of the feature.

The policies pertaining to Core Natural Heritage Features are detailed in Policies 7.C.2.19 – 7.C.2.23. Specifically, Policy 7.C.2.20 states,

- 7.C.2.20. *Areas identified as Core Natural Heritage Features on Map 6 are designated as Natural Heritage Conservation on Map 3. Development, redevelopment or site alteration will not be permitted on these lands. Uses permitted on these lands are stipulated in Section 15.D.9.*

Development and site alteration will not be permitted within the wetland feature, although some mitigation measures may be permitted within the 30-metre buffer area, such as a designated trail, as per the recommendations of the EIS.

4.5.5 Parks, Open Space and Community Facilities

The OP describes a hierarchy of park types in Section 8.C.1.25 which can be planned for and located within the City. The proposed parks located in Block 15 and 16 fall within the Neighbourhood Park type, as described below:

8.C.1.25.d) *Neighbourhood Parks - local parks providing walkable access within a residential neighbourhood to passive open space areas, playground facilities and other neighbourhood-scale outdoor recreational amenities to support unorganized, unstructured and spontaneous activities. These may be associated with elementary schools.*

8.C.1.26. *Natural Areas, City-Wide Parks, District Parks, and Neighbourhood Parks, as identified in the Parks Master Plan will be designated as Open Space, Natural Heritage Conservation or Institutional on Map 3. Urban Greens, Urban Plazas and Greenways, as identified in the Parks Master Plan may be designated as Open Space on Map 3. Map 3 may be revised without the need for an Official Plan Amendment at such time as new parks are identified and approved through the Community Plan, Secondary Plan or Subdivision Approval Process.*

The park blocks are proposed to be designated as Open Space on Map 3, *Land Use*. A description of the proposed mapping revisions is included in Section 5.2 of this Report.

Section 8.C.1.29 details the OP's requirements for parkland dedication.

8.C.1.29. *The City will, as a condition of the subdivision or the development or redevelopment of land:*

- a) *for residential and institutional purposes, require 5 percent of all the land proposed for development or redevelopment, or alternatively require up to one hectare for each 300 dwelling units proposed be conveyed to the City for parkland, open space, or multi-use pathway purposes;*

As stated previously in Section 3.0 of this Report, a 5.1% parkland dedication has been achieved in the Proposed Development. The summary of the lands to be dedicated is as follows:

Total Non-Developable Lands:	0.69 hectares (Block 18, wetland & buffer)
Total Lands Holdings:	13.33 hectares
Total Holdings Less Line 1:	12.64 hectares
Parkland Dedication (5% Line 3):	0.632 hectares
Parkland Provided (Blocks 15, 16 & 19):	0.640 hectares (5.1%)

4.5.6 Aggregates

The Subject Lands are identified as a 'Mineral Aggregate Resource Area' on Map 10, *Mineral Aggregate Resource Areas*. The majority of the Policies relating to Section 9: Aggregates in the OP are currently under deferral number 7 and, as a result, are not in full force and effect.

The Subject Lands have never been used for mineral extraction, and there is no intent to do so in the future. Policy 9.C.1.2 (under deferral no. 7), notes that the Mineral Aggregate Resource Area designation is, *“an interim use of land and as such, these lands are designated for their ultimate intended land use on Map 3 in this Plan”*.

4.5.7 Urban Design

Section 11 of the Official Plan provides guidance on Urban Design policies for not only the visual and aesthetic aspects of a community, but also the functionality and compatibility within the surrounding context. The City encourages the creation of complete communities through its urban design objectives. Policies 11.C.1.26 - 11.C.1.28 provide specific guidance on Neighbourhood Design:

- 11.C.1.26. The City will ensure that the design of new neighbourhoods, development and/or redevelopment within existing neighbourhoods and the planning and designing of community infrastructure adheres to a high standard of neighbourhood design in accordance with the City’s Urban Design Manual.*
- 11.C.1.27. The City will, through Neighbourhood Design, aim to achieve walkability, variety, place making, conservation, connectivity, transit-supportive and safety of all neighbourhoods.*
- 11.C.1.28. Neighbourhoods in the City can be characterized as either suburban or central neighbourhoods. The Urban Design Manual provides design direction with respect to character, built form and amenities in both typologies of neighbourhoods.*
 - a) In the Central Neighbourhoods the City’s primary focus will be to ensure that new infill development is compatible with the existing neighbourhood.*
 - b) In Suburban Neighbourhoods, the City’s primary focus will be to create diverse, attractive, walkable neighbourhoods that contribute to complete and healthy communities.*

The Proposed Development has been designed to be walkable, with all parks, multi-use pathways and transit stops within a 6-minute walk (appx. 500 metres) from residential uses. The architectural style of the community will be of high quality and compliment the features of the Shantz House. The streets and circulation of the Proposed Development have also been designed to prioritize active transportation, with a focus on multi-use trail system connections and access to transit stop locations

An Urban Design Brief has been prepared in support of the proposed development by Polocorp Inc. (dated April 2022) and details the Proposed Developments conformity with the City’s Urban Design Manual (UDM). The UDM is intended to provide direction on the implementation of the OP’s Urban Design policies, while the Urban Design Brief implements the policies specific to the Proposed Development. The Brief discusses the built form, building style, open spaces and street design of the development and makes recommendations to foster good design. A summary of the Urban Design Brief is located in Section 6.13 of this Report.

4.5.8 Cultural Heritage Resources

Section 12 of the OP discusses policies related to the identification and conservation of Cultural Heritage Resources. Through pre-consultation with City Staff, it was determined that an initial Archaeological Assessment of the lands would be required and a Heritage Impact Assessment would be required to explore the impact of the Proposed Development on the Shantz House.

Archaeology

Archaeological Assessments were prepared for the Subject Lands prior to the ownership of the lands by KTH1 and KTH3. Stage 1 and Stage 2 Archaeological Assessments were completed and concluded that no archaeological resources were found on the Subject Lands. The Assessments have received clearance from the Ministry of Heritage, Sport, Tourism and Culture Industries. Descriptions of the Assessments are available in Section 6.6 of this Report.

Heritage Impact Assessment

The Shantz House is not currently designated under the Ontario Heritage Act and is not listed on the City of Kitchener's Heritage Register, however, it is listed on the City's "Heritage Kitchener Inventory of Historic Buildings". As per Section 12.C.1.23.d) of the OP, properties listed on the Heritage Kitchener Inventory of Historic Buildings will require submission of a Heritage Impact Assessment for development that has the potential to impact the cultural heritage resource.

A Scoped Heritage Impact Assessment (HIA) was completed by CHC Limited (dated March 14, 2022) in support of the proposed development. In which, the report recommended designation of the Shantz House under Part IV of the Ontario Heritage Act. This will ensure the building is officially recognized for its historical significance in the community and that its character is protected and preserved in the long term. A description of the HIA is available in Section 6.7 of this Report.

4.5.9 Integrated Transportation System

Section 13 of the OP discusses policies related to transportation systems. Map 11, *Integrated Transportation System*, identifies the three roads surrounding the Subject Lands as existing Regional Roads (see Figure 16). The roads consist of Ottawa Street to the north, Trussler Road to the west, and Bleams Road to the south of the Subject Lands. As per Section 13.C.4.1.b), Regional Roads are "primary arterial streets under the jurisdiction of the Region" and are intended to distribute large volumes of traffic through and between municipalities. They primarily move goods and people and should be built in accordance with the Regional Active Transportation Master Plan.

Dedicated on-street cycling lanes currently exist on portions of Ottawa Street South. The proposed development will provide access to this network and support the intentions of the objectives Regional Active Transportation Master Plan. A future public transit stop will also be located near the intersection of Ottawa Street South and Trussler and will be accessible by residents of the Proposed Development.

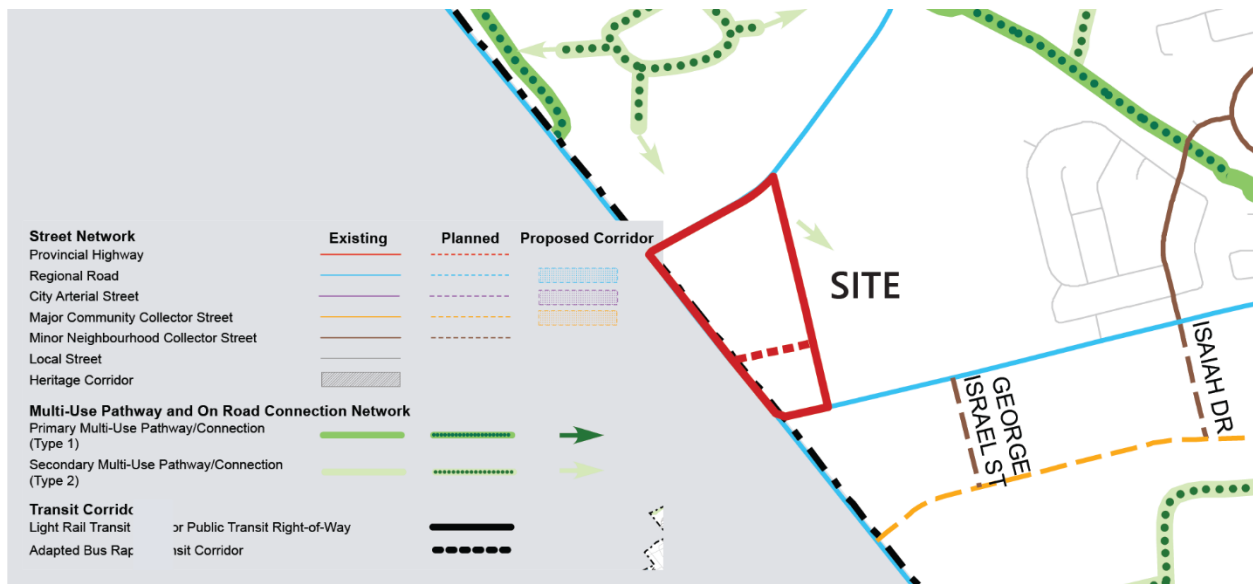


Figure 16: City of Kitchener, Map 11, Integrated Transportation System (March 21, 2019)

4.5.10 Services and Utilities

Section 14 of the OP discusses policies related to the servicing and infrastructure of the City. Some of the specific policies which affect the proposed development include Sections 14.C.1.9 to 14.C.1.12:

- 14.C.1.9. *The City will endeavour to ensure that any density increases will not overload the existing municipal water, sanitary and storm sewer systems.*
- 14.C.1.10. *The City will give priority to the development and intensification of lands that are presently serviced by municipal services, or to those areas that can most easily be serviced, at minimal expense.*
- 14.C.1.11. *Prior to the approval of an application for new development, infill development, intensification and the redevelopment of sites and buildings, the City must be satisfied that adequate services are available and can be provided to support the proposal. Where adequate services do not exist, the City may use Holding provisions in accordance with Section 17.E.13 in the City's Zoning By-law to regulate the timing of development.*
- 14.C.1.12. *Where adequate services do not exist to support a proposed development, the City will not be obligated to provide such services in advance of the intended timing and funding.*

A Functional Servicing Report (FSR) was prepared by Stantec Consulting Ltd. (dated March 2022) to explore the feasibility of the Proposed Development. While municipal servicing is available, it was determined that there are servicing capacity limitations affecting the maximum achievable density on the Site. As such, the proposed land uses and zones described in Section 5.0, *Proposed Applications*, of this Report were chosen specifically to recognize servicing limitations. One of the key factors affecting the servicing included residential density and limited the potential residential zones to Residential Five (RES-5). A summary of the Functional Servicing Report is available in

Section 6.1 of this Report. For detailed information, please refer to the report titled *2219 Ottawa Street and 808 Trussler Road – KTH1 & KTH13 Functional Servicing Report* prepared by Stantec Consulting dated March 2022.

4.5.11 Land Use Policies

Section 15 of the OP provides direction for the use of land and forms the basis for zoning and development control within the City. Map 3, *Land Use* designates the Subject Lands as ‘Mixed Use’, ‘Low Rise Residential’, and ‘Natural Heritage Conservation’ (see Figure 17).



Figure 17: City of Kitchener Official Plan, Map 3 Land Use (May 15, 2021)

Section 15.D.3 Residential (Low Rise Residential)

Section 15.D.3 of the OP discusses policies relating to residential land uses within the City. Policies related to Low Rise Residential are detailed in Sections 15.D.3.8 to 15.D.3.14 of the Official Plan:

15.D.3.8. *The Low Rise Residential land use designation will accommodate a full range of low density housing types which may include single detached dwellings, additional dwelling units, attached and detached, semi-detached dwellings, street townhouse dwellings, townhouse dwellings in a cluster development, low-rise multiple dwellings, special needs housing, and other forms of low-rise housing.*

The Proposed Development will be comprised of a mix of detached dwellings, street townhouse dwellings and back-to-back townhouse dwellings in the areas proposed for Low Rise Residential, all of which are permitted uses as per Policy 15.D.3.8.

15.D.3.9. *The City will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a low-rise built form.*

The Proposed Development notes flexible block unit ranges and type on the Draft Plan which will permit a variety of unit types and sizes, to be determined at the time of detailed design.

15.D.3.10. *The maximum net residential density for lands which are designated Low Rise Residential will be 30 units per hectare.*

The Proposed Development will achieve a net residential density of 28.4 units per hectare for lands within the proposed Low Rise Residential designation, consistent with Policy 15.D.3.10.

15.D.3.11. *A maximum Floor Space Ratio of 0.6 will apply to all development and redevelopment. Site-specific increases to allow up to a maximum Floor Space Ratio of 0.75 may be considered where it can be demonstrated that the increase in the Floor Space Ratio is compatible and meets the general intent of the policies in this Plan. An Official Plan Amendment will be required to consider an increase in the Floor Space Ratio greater than 0.75.*

Development blocks identified as Low Rise Residential will remain within the maximum of 0.6 FSR permitted by Policy 15.D.3.11, with the exception of one. The Floor Space Ratio (FSR) of Block 13 is anticipated to exceed 0.6, however, it will not exceed the maximum permitted 0.75. The block will be designed to ensure compatibility with adjacent uses and will remain consistent with the general intent of the Official Plan. A site-specific RES-5 zone is proposed to increase the permitted FSR, further described in Section 5.3 of this report. .

15.D.3.12. *No building will exceed 3 storeys or 11 metres in height, at the highest grade elevation. Relief from the building height may be considered for properties with unusual grade conditions and for buildings and/or structures with increased floor to ceiling heights and architectural features provided the increased building height is compatible with the built form and physical character of the neighbourhood.*

15.D.3.13. *Notwithstanding Policy 15.D.3.12, a maximum building height of 4 storeys or 14 metres, at the highest grade elevation, whichever is the lesser, may be permitted on lands having primary frontage on to a Regional Road or City Arterial Street.*

Proposed buildings are expected range from 2 to 3 storeys in height and will meet the requirements of Section 15.D.3.12 to 15.D.3.13.

15.D.3.14. *The predominant land use within the Low Rise Residential designation will be residential but it is intended that complementary non-residential land uses may be permitted to locate within this designation subject to any locational criteria and the appropriate zoning being in place. The City will encourage and support complementary non-residential land uses to be mixed with residential uses at a scale and in appropriate locations within low density residential areas subject to the Non-Residential Supporting Land Uses Policies 15.D.3.27 through 15.D.3.31 inclusive and the appropriate zoning.*

Lands proposed to be designated Low Rise Residential will be predominantly residential, with complementary non-residential uses such as the proposed institutional/residential use of the Shantz House and the servicing blocks within the subdivision.

Section 15.D.4 Mixed Use

Section 15.D.4 of the OP provides policies related to the Mixed Use land use designation. The designation is intended to be flexible and permit a broad range of uses at different scales and intensities. The Mixed Use designation has been utilized to implement the OP's Urban Structure policies regarding Neighbourhood Nodes (Policy 15.D.4.1).

Policies 15.D.4.6 states,

15.D.4.6. The zoning of individual sites designated Mixed Use may not allow the full range and scale of uses at every location. Permitted uses and scale of uses will be dependent upon the Urban Structure Component the site is within and its planned function and density, compatibility with surrounding areas, technical considerations and other contextual or site specific factors. Collectively, all the lands designated Mixed Use will achieve the intended mix of uses and scale deemed appropriate.

The proposed Zoning applied to Mixed Use designated blocks will limit the range and scale of uses permitted within them. While identified as Mixed Use within a Neighbourhood Node, there are some technical considerations that limit the implementation of Mixed Use land uses on the site. Blocks 11 and 12 are proposed to remain designated Mixed Use to align with the intent of the Neighbourhood Node and allow for slightly higher densities on cluster townhouse blocks, however, the proposed Draft Plan of Subdivision is limited to a lower overall density due to servicing capacity constraints. As such, Blocks 11 and 12 will be limited to a site specific RES-5 zone to keep the development within capacity limits as per the Functional Servicing Report. It was determined through the FSR that a RES-6 zone or higher, or a MIX zone, would exceed the available servicing capacity.

15.D.4.17. The Floor Space Ratio requirements for all new residential or mixed use building development or redevelopment within lands designated Mixed Use will be as follows:

- a) A minimum Floor Space Ratio of 0.6 and a maximum of Floor Space Ratio of 1.0 on lands within a Neighbourhood Node on Map 2.*

[...]

Further to the above, the implementing zoning will consider and may contain transition regulations to facilitate and permit lands to ultimately meet the minimum Floor Space Ratio requirements as noted above.

15.D.4.22. Generally no building will exceed:

[...]

- c) 4 storeys or 14 metres in height, whichever is greater, at the highest grade elevation on lands designated Mixed Use identified as a Neighbourhood Node on Map 2.*

Buildings within blocks designated Mixed Use are anticipated to range in height from 2 to 3 storeys and will not exceed the requirements of Policy 15.D.4.22

Section 15.D.9 Natural Heritage Conservation

Section 15.D.9 of the OP discusses policies applicable to the Natural Heritage Conservation (NHC) land use. Uses permitted within the NHC land use include Provincially and locally significant wetlands, significant woodlands and other environmental features (15.D.9.1). Lands are intended to facilitate conservation of natural features and functions, manage natural resources, passive recreation or accommodate infrastructure projects (15.D.9.2).

As previously discussed in Section 4.5.4 of this Report, open space Block 17 will be designated NHC to preserve the wetland feature and its buffer. The NHC area currently shown on Map 3, *Land Use*, does not reflect the true extent of the feature and, as such, will be amended to reflect the actual feature area delineated through the Environmental Impact Study.

Section 15.D.10 Open Space

Section 15.D.10 of the OP discusses the implementation of the Open Space land use designation. Some of the permitted uses within the Open Space designation include: parks, multi-use pathways, trails, conservation uses, cultural heritage resources, essential public works and golf courses (as per Section 15.D.10.1 of the OP).

The Proposed Development will implement the Open Space designation on the park blocks (Block 15 & 16), stormwater management block (Block 18), and multi-use trail (Block 19).

4.5.12 Plans of Subdivision, Condominium, and Part-Lot Control

Section 17.E.23 of the OP outlines the policies for the creation of a plan of subdivision under the Planning Act. The Draft Plan of Subdivision application is used as a means to subdivide the lands and create lots and blocks for development. When the City considers applications of Plan of Subdivision, Council will approve only those plans that meet the following criteria as per Policy 17.E.23.7:

- a) *The Plan conforms to the policies of this Plan;*

The Proposed Development meets the intent of the policies of the City's Official Plan, as discussed in Sections 4.5.1 to 4.5.11 of this Report.

- b) The plan is in accordance with the priorities and timing set out in the Kitchener Growth Management Program;

The Proposed Development has been coordinated with available infrastructure capacities to encourage the City's priorities for organized, sequential growth. The proposed development is environmentally responsible and will preserve the natural features on site. Multiple modes of transportation are encouraged by the creation of complete streets, multi-use trails and extension

of transit routes. The proposed development also provides for a range of suitable housing opportunities that will contribute to the creation of a vibrant community.

- c) The plan of subdivision can be supplied with adequate services and community facilities;

The proposed development can be adequately serviced, as detailed in the Functional Servicing Report and Stormwater Management Report prepared by Stantec Consulting.

- d) The plan will not adversely impact upon the transportation system and will support public transit, cycling and walkability;

The Proposed Development builds upon the existing transportation system and promotes opportunities for active transportation. A public transit stop is anticipated near Block 12 and a multi-use pathway is proposed to connect to the existing multi-use trail on Ottawa Street South.

- e) The plan will not adversely impact the natural environment;

The Proposed Development will not adversely affect the natural environment and proposes to protect an existing wetland feature through the creation of Block 17. The proposed zoning and land use regulations will assist with the regulation and protection of natural features.

- f) The plan will not adversely impact municipal finances including operational budgeting;

Development charges will be paid for each new development at the time of construction. Each new dwelling in the proposed development will contribute to the municipal tax base and be financially sustainable. No adverse municipal financial impacts are expected by the Proposed Development.

- g) The plan will be integrated with surrounding lands, subdivisions and streets; and,

The surrounding context of the Proposed Development has been considered. New developments of similar scale and design are occurring to the north, east and south of the site. The Proposed Development will connect with the surrounding community through two roadway connections on Ottawa Street South from Street A.

- h) The plan is designed in accordance with the Urban Design Policies in Section 11 of this Plan and the Urban Design Manual.

The Official Plan's Urban Design policies were considered during the development of the proposed Draft Plan of Subdivision. Details on the development's urban design objectives are available in the Urban Design Brief prepared by Polocorp Inc. (dated April 2022).

The Proposed Development conforms to the policies of the applicable land use designations within the Official Plan. While the Plan conforms to the policy intent, a mapping amendment to align the land use designations with the proposed Plan of Subdivision is required. A copy of the Draft Official Plan Amendment is provided as Appendix C.

City of Kitchener Official Plan Summary

Overall, the Proposed Development meets the intent of the policies of the City of Kitchener's Official Plan. The land use designations within the Official Plan are used to implement the proposed community amenities such as the heritage Shantz House, public parks & trails and protected open spaces. The residential areas will contribute to a diverse range of housing types, sizes and levels of affordability within the community. By providing diverse and compact housing, the development is able to contribute to population growth and densities targets set out by the City and Region. The development is in an appropriate location and scale for intensification within the City and represents good planning.

4.6 Laurentian West Community Plan

As per Section 17.E.7 of the City of Kitchener's Official Plan, various Community Plans have been established across the City which provide detailed land use designations and development policies for the neighbourhoods within their limits. Community Plans have no legal status under the Planning Act but must conform to the Official Plans of the Region and City. Community Plans are used as an implementation tool of the Official Plan's policies.

The Subject Lands are located in the Laurentian West Community Plan ('LWCP'), which is the area bounded by the Conestoga Parkway (north), Trussler Road (west), Bleams Road (south) and Westmount Road/Fischer-Hallman Road extension (east). The Subject Lands are located in the southwest corner of the LWCP, at the corner of Trussler Road and Bleams Road.

Currently, the Subject Lands are identified as "No Land Use Assigned" within the LWCP, (see Figure 18). As such, an amendment to the community plan will be required to assign the appropriate land use designations to the Subject Lands. The amendment to the LWCP is initiated by City staff and occurs independent from the Official Plan Amendment process.

It is proposed that the following land use designations be applied to the Subject Lands within the LWCP:

- Low Density Residential - applied to Blocks 1 to 10 for all single detached and street townhouse dwellings;
- Multiple Residential (40uph) - applied to Block 13;
- Multiple Residential (100uph) - applied to Blocks 11 and 12;
- Community Institutional - applied to Block 14 for the Shantz House;
- Park - applied to Blocks 15, 16 and 19 for the allocation of public parks & trails; and,
- Open Space - applied to Block 17 for the wetland feature and its buffer, and Block 18 for the stormwater management pond

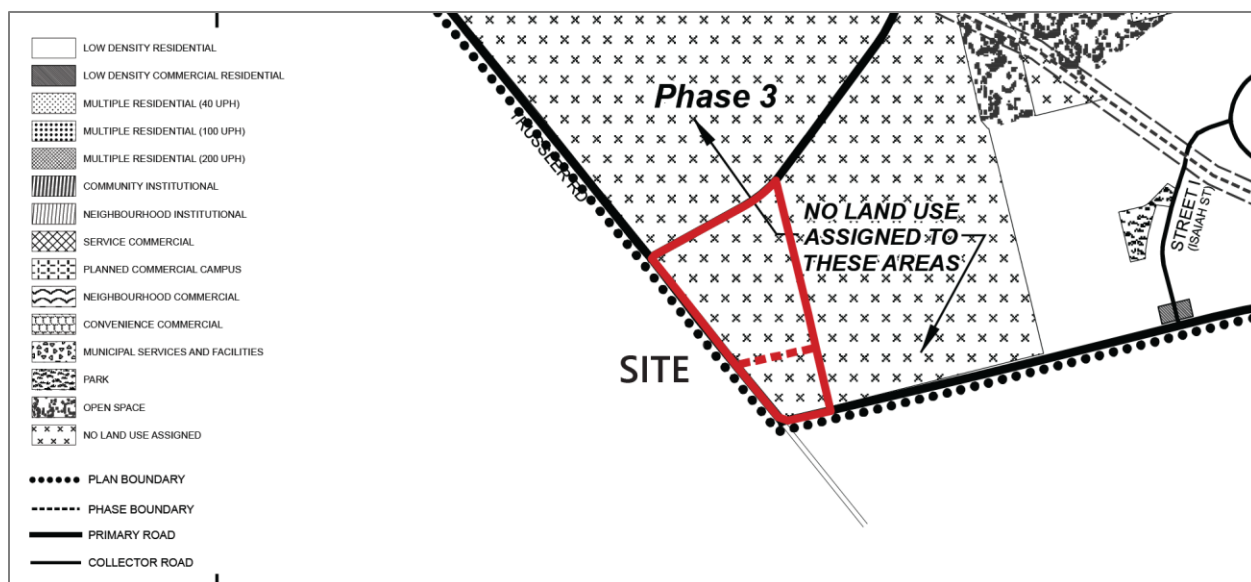


Figure 18: Laurentian West Community Plan, Map A - Land Use (2009)

The Low Density Residential permits “...singles, semis, duplexes and street townhouses at a maximum net residential density of 25 units per hectare” as per Section 2.4 of the LWCP. This designation will be most appropriate for Blocks 1-10 on the Draft Plan, as they are proposed to be comprised of single detached and street townhouse units, however, these blocks are proposed to achieve a net density of 28.4 units per hectare. Under the LWCP, the maximum density permitted is 25 units per hectare, whereas 30 units per hectare are permitted under the Low Rise Residential designation of the Official Plan (see Section 4.5.11 of this Report). It is recommended that City staff consider an increase in permitted density to 30 units per hectare under the Low Density Residential of the LWCP so as to align with the policies of the Official Plan.

The Multiple Density Residential (40uph) designation permits “...multiple dwellings at three units and above at a residential density range of 26 to 40 units per hectare” as per Section 2.5 of the LWCP. This designation is proposed to apply to Block 13 as the anticipated build out of the cluster townhouse development will achieve a density of 29.0 units per hectare.

The Multiple Density Residential (100uph) designation permits “...multiple dwellings at three units and above at a residential density range of 41 to 100 units per hectare” as per Section 2.6 of the LWCP. This designation is proposed to apply to Blocks 11 and 12 as the anticipated build out of these blocks will achieve densities of 49.4 and 45.7 units per hectare, respectively.

As per Section 3.1 of the LWCP, the Community Institutional designation states:

3.1 [...] This designation makes provision for mixed institutional and residential uses with limited convenience commercial facilities. This permits uses such as large residential care, health clinics, day care, social services, educational and religious uses as well as residential uses permitted in Policies 2.4 and 2.5.

The application of this designation to Block 14 will facilitate the flexible use of the Shantz House as either a single detached dwelling (its current use) or a future institutional use (such as a private school).

In regard to the Park land use designation, Section 5.1 of the LWCP notes:

5.1 That park dedication from residential land be calculated as 5% of land to be subdivided or one hectare per 300 units, whichever is greater, with an option for cash payment in lieu of land conveyance.

As previously noted in Section 3.4 of this Report, a parkland dedication of 5.1% is achieved by the proposed development. It is recommended that Park Blocks 15 & 16 and the Multiuse Trail Block 19 be designated as Park on Map A of the LWCP.

As per Section 5.4 of the LWCP, the Open Space designation states:

5.4 That all hazard lands and wetlands identified as Open Space on Map A, including suitable buffers, be designated as open space and reserved from development. These lands shall not be considered as part of the 5% park dedication.

The Open Space land use is an appropriate designation for the wetland feature and buffer contained within Block 17. The Open Space is also an appropriate designation for the Stormwater Management Pond (Block 18).

4.7 Zoning By-law

The City of Kitchener currently has two (2) Zoning By-laws in effect; By-law 85-1 and By-law 2019-051. By-law 85-1 was passed in 1985 and subsequently amended and consolidated and remains in effect for most areas within its jurisdiction. By-law 2019-051 was prepared through the City's Comprehensive Review of the Zoning By-law (CROZBY) and is being approved in stages. Stage 1 was approved by City Council on April 29, 2019 and includes sections on definitions, general regulations, parking requirements, and a majority of the zoning sections. Sections on the residential zones and urban growth centre are currently under appeal. Stage 2a was approved on May 17, 2021 to introduce new residential base zones. Stage 2b was approved on March 21, 2022 and applies the new residential zones to properties on a ward-by-ward basis including the Subject Lands. At the time of submission, the Stage 2b By-law had not been appealed.

Through pre-consultation with the City, staff have requested the proposed zoning by-law amendment be prepared under the regulations of Zoning By-law 2019-051. The proposed Zoning By-law Amendment is detailed in Section 5.3 of this report, and attached as Appendix D.

The following sections will discuss the current zoning of the Site under both of the City's zoning by-laws.

4.7.1 Zoning By-law 85-1

The Subject Lands are zoned the Agricultural (A-1) Zone under By-law 85-1 (see Figure 19). Under Section 34.1 of the By-law, the A-1 zone permits a variety of agricultural uses, including the existing use of a single detached dwelling.

A Zoning By-law Amendment will be required in order to permit the proposed development and apply zoning under the new 2019-051 By-law.

At the time of submission, Zoning By-law 85-1 remains in-effect.



Figure 19: City of Kitchener Zoning By-Law 85-1, Maps 24, 25, 28 & 29 (retrieved December 2021)

4.7.2 Zoning By-law 2019-051

The Subject Lands are zoned Future Use (FTR-1) Zone on the Subject Lands within Zoning By-law 2019-051 (see Figure 20).

As per Section 14.1 of By-law 2019-051, the purpose of the FTR-1 zone is:

14.1 [...] to permit existing uses until such a time as a future development application can ensure orderly development of the land. This may include the delineation of any natural heritage features on the lot and subsequent application of the Natural Heritage Conservation Zone (NHC-1).

The FTR-1 zone permits existing uses on the Subject Lands. To facilitate the Proposed Development, a Zoning By-law Amendment is required to apply By-law 2019-051 zoning. The requested zones are described below, with additional detail provided in Section 5.3 of this Report.

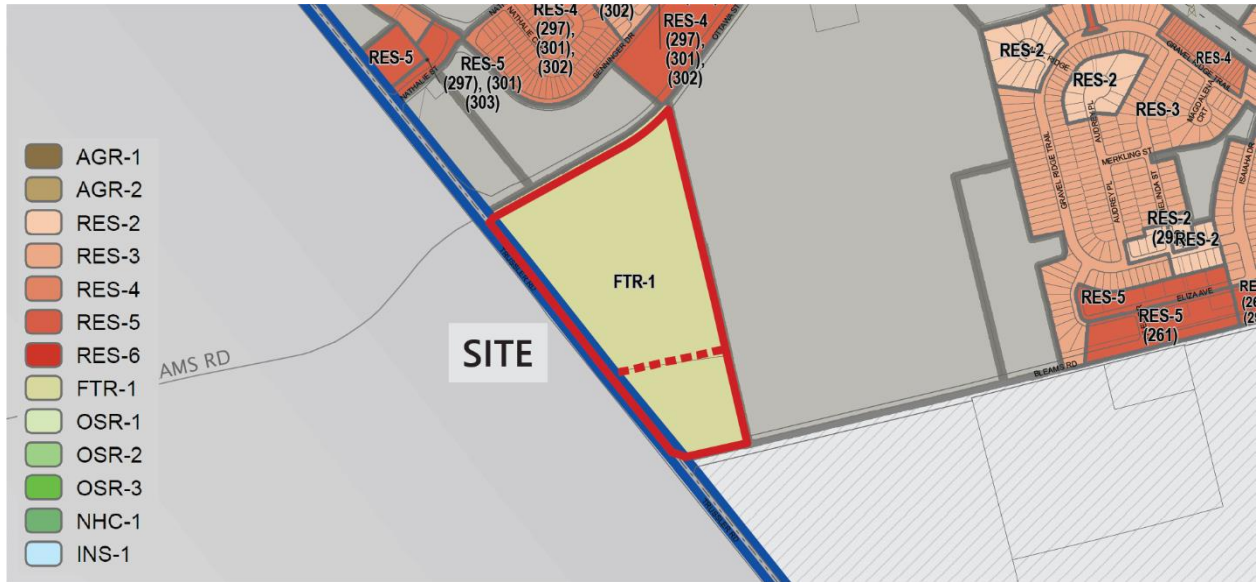


Figure 20: City of Kitchener Ward 5 Proposed Residential Zoning (February 10, 2022)

5.0 PROPOSED APPLICATIONS

To facilitate the Proposed Development, applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment are required. The following outlines the Proposed Applications:

5.1 Draft Plan of Subdivision

The Draft Plan of Subdivision is included in Appendix A of this Report. The Plan has been prepared in accordance with municipal standards and the Planning Act, as amended. The proposed application reflects the configuration described in Section 3.0 of this Report and in the Urban Design Brief prepared by Polocorp Inc.

The development will achieve between 240 and 409 residential units, comprised of a mix of single detached dwellings, street townhouses, cluster townhouses and multiple dwellings. The Shantz House is proposed will be located within an independent development block within the Draft Plan of Subdivision, described as Block 14. The wetland feature on the Subject Lands will also receive its own block to ensure its conservation. Blocks have been created for public parks and trails.

Table 1 below, seen previously in Section 3.0 of this Report, details the numbered blocks of the Draft Plan of Subdivision including the unit count ranges of the residential blocks and areas of all blocks to be created.

LAND USE SCHEDULE			
DESCRIPTION	BLOCKS	UNITS	AREA(ha.)
Single Detached	2-3	32-38	1.609
Single Detached / Street Townhouses	1, 4-10	113-195	4.201
Multiple Residential	11-13	95-175	2.749
Existing Heritage Building	14	0-1	0.368
Park	15-16	-	0.478
Open Space	17	-	0.691
Stormwater Management Pond	18	-	0.584
Trail	19	-	0.160
Servicing	20-22	-	0.066
Road Widening	23-24	-	0.407
0.3m Reserve	25-27	-	0.002
Roads	-	-	2.018
TOTAL		240-409	13.332

5.2 Official Plan Amendment

As described in Section 4.5.11 of this report, the lands are currently designated Low Rise Residential, Natural Heritage Conservation and Mixed Use, as illustrated on *Map 3 - Land Use* of the City of

Kitchener’s Official Plan. To facilitate the Proposed Development, however, an Official Plan Amendment to *Map 2 – Urban Structure* and *Map 3 - Land Use* are required to align the proposed land uses with the proposed Plan of Subdivision. The proposed mapping amendments to *Map 2 – Urban Structure* and *Map 3 - Land Use* are illustrated on Figures 21 and 22 below.

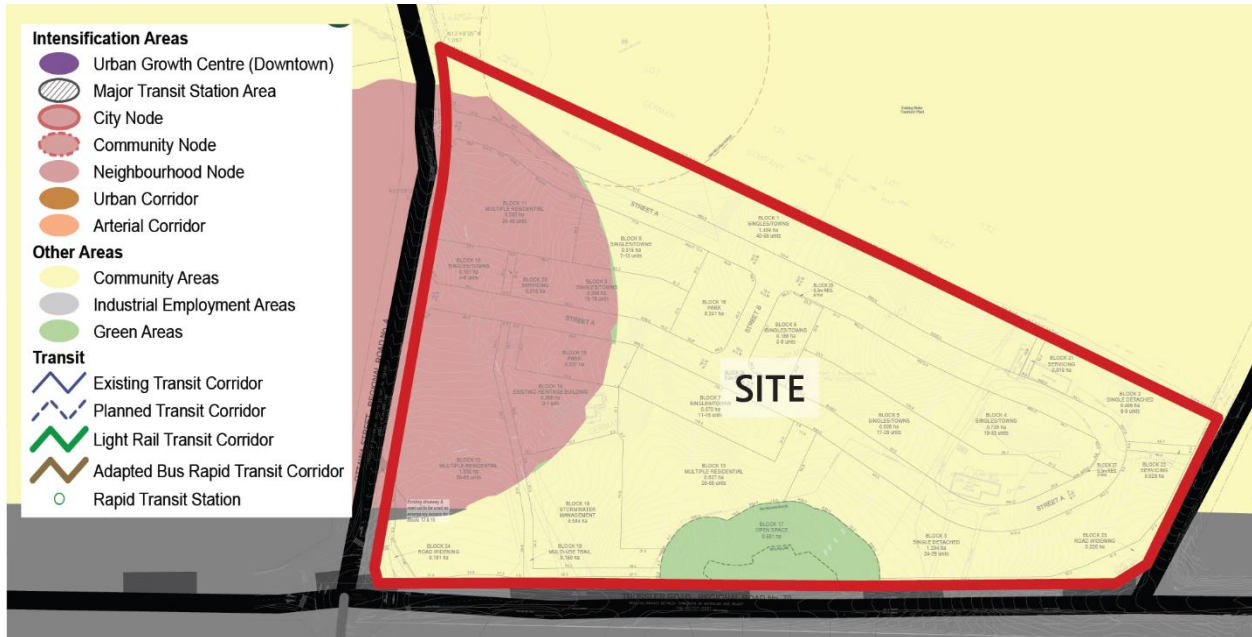


Figure 21: Proposed Official Plan Map 2 - Urban Structure Amendment



Figure 22: Proposed Official Plan Map 3 - Land Use Amendment

Low Rise Residential

As demonstrated in Section 4.5.11 of this report, the proposed land use designations are appropriate to facilitate the Proposed Development. Uses within the Low Rise Residential

designation will be limited low-density housing types including single detached dwellings and townhomes. The Proposed Development will achieve a net residential density of 28.4 units per hectare for lands within the Low Rise Residential designation, as per Section 15.D.3.10 of the Official Plan. Uses will not exceed 3 storeys in height, as per Section 15.D.3.13, and will remain within the maximum permitted FSR of 0.6 – 0.75, as per Section 15.D.3.11. It should be noted that, to facilitate an FSR of up to 0.75 FSR, Block 13 is proposed to be zoned Mixed Use.

Mixed Use

The Mixed Use designation on Blocks 11 and 12 is appropriate to accommodate blocks intended for higher density multiple-residential developments. These blocks will be comprised of a mix of standard townhouse and back-to-back townhomes allowing for slightly higher densities within the Neighborhood Node. Development blocks will have an FSR of 0.6 – 1.0 as per Section 15.D.4.17. Buildings will not exceed 4 storeys (14 metres) in height, as per Section 15.D.4.22.

Providing a mix of commercial and residential uses on Mixed Use designated blocks poses challenges. Difficulty arises along Ottawa Street South and Trussler Road frontages as direct access is not permitted. These blocks will only be accessible from Street A and limit future site design options. Servicing constraints to the Subject Lands limit the overall density, as well. As a result, introducing high density mix of housing and commercial uses would exceed the available capacity. Rather, medium density blocks have been situated within the north end of the Proposed Development, concentrating density toward the available active transportation infrastructure, future transit route, and future commercial uses on the adjacent lands and, in doing so, contributes to attaining the mixed-use character of a Neighbourhood Node.

Natural Heritage Conservation

The Natural Heritage Conservation designation is proposed to apply to lands on which environmental features are located. As discussed in Section 3.4 of this Report, Dougan and Associates examined and delineated the features located within the Subject Lands. As such, Block 17 is proposed to be designated Natural Heritage Conservation and contains the wetland feature along the western boundary of the Subject Lands. The designation of Block 17 as NHC will ensure the long-term preservation of the feature, as per Section 7 of the Official Plan.

Open Space

Blocks 15, 16 and 18 are proposed to be designated as Open Space. Blocks 15 and 16 are proposed to be public parks, totalling 0.478 hectares of parkland. Block 18 is proposed to accommodate the stormwater management pond. The proposed designations are appropriate for the Blocks as parks and trails are a permitted uses within the Open Space land use designation as per Policy 15.D.10.

A copy of the draft Official Plan Amendment is included in Appendix C of this Report.

5.3 Zoning By-law Amendment

As described in Section 4.7 of this report, the Subject Lands are currently zoned Agricultural (A-1) within the City of Kitchener 85-1 Zoning By-law. To facilitate the Proposed Development, a Zoning By-law Amendment is required. The Record of Pre-submission Consultation (Appendix B) notes that it is the City's preference that the proposed amendment implement Zoning By-law 2019-051. As such, the following zoning categories are proposed, as shown on Figure 23:

- RES-5 Low Rise Residential Five Zone
- RES-5 Low Rise Residential Five (Zone) with Site Specific Provisions 'X'
- RES-5 Low Rise Residential Five (Zone) with Site Specific Provisions 'Y'
- INS-1 Neighbourhood Institutional Zone with Site Specific Provisions 'Z'
- OSR-1 Recreation Zone
- OSR-3 Open Space: Stormwater Management Zone
- NHC-1 Natural Heritage Conservation Zone

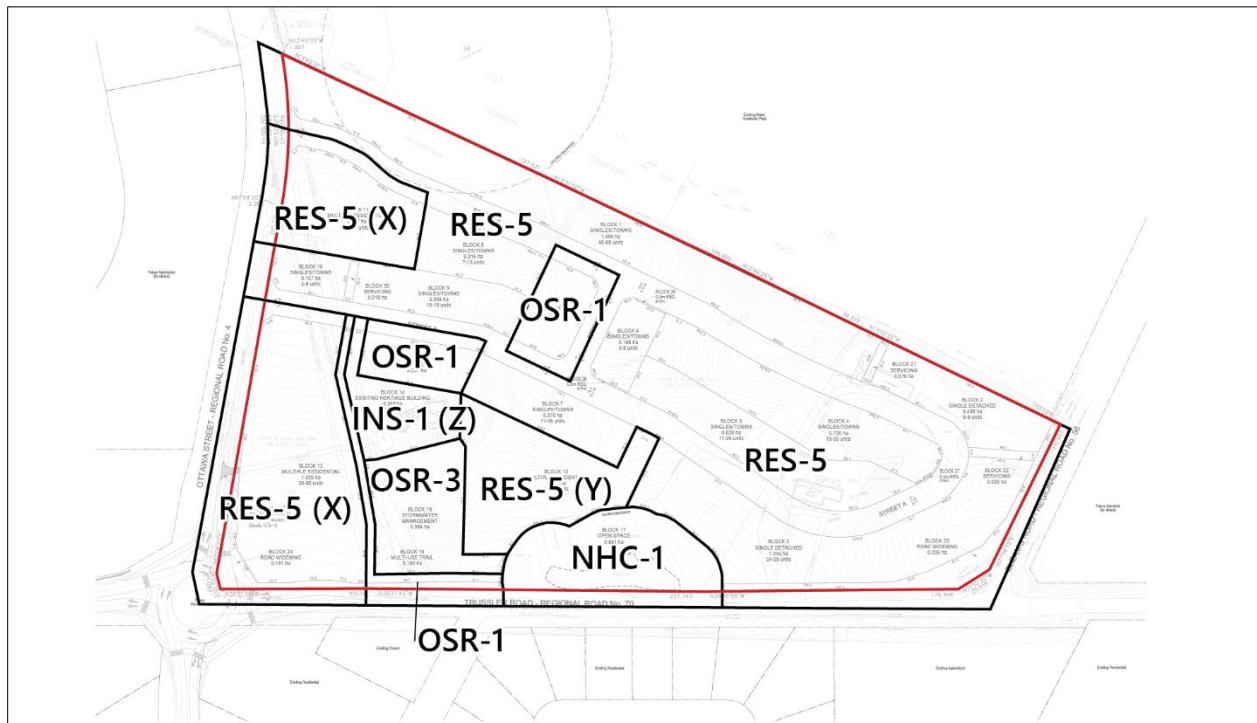


Figure 23: Proposed Zoning (Polocorp Inc, March 2022)

Low Rise Residential Five (RES-5) Zone

The Low Rise Residential Five (RES-5) Zone is proposed to be applied to residential Blocks 1 to 13 of the Draft Plan of Subdivision. As per Section 7 of By-law 2019-051, the purpose of this zone is to accommodate the widest range of low density dwelling types on the widest range of lot sizes in low rise areas. Permitted uses include single detached dwellings, street townhouses, cluster townhouses and multiple dwellings.

While Mixed Use Blocks 11 and Multiple dwelling Blocks 11 to 13 are proposed to have site-specific RES-5 zones to facilitate higher density within the Neighbourhood Node. It was determined through consultation with Stantec Ltd. that higher density zoning on these blocks, such as RES-6 or a Mixed Use zone, would not be feasible due to the increased servicing capacity calculations associated with those zones. As such, site-specific provisions for the RES-5 zones are proposed, as follows:

Site Specific Provision X:

- That the maximum Floor Space Ratio shall be 1.0;
- That the Minimum interior side yard Setback shall be 2.5 metres; and,
- That the minimum exterior side yard setback from a lot line formed by a Corner Visibility Triangle shall be 0.5 metres.

Site Specific Provision Y:

- That the maximum Floor Space Ratio shall be 0.75;
- That the minimum interior side yard Setback shall be 2.5 metres; and,
- That unenclosed porches associated with a dwelling unit may project into an interior side yard provided that the porch is located a minimum of 1.5 metres from a lot line and the floor of the porch does not exceed 1 metre in height above the ground. A cold room may be located beneath the porch.

Neighbourhood Institutional (INS-1) Zone

The Neighbourhood Institutional (INS-1) Zone with Site Specific Provision Z is proposed to be applied to Block 14 (the Shantz House). As per Section 11 of By-law 2019-051, the INS-1 Zone permits institutional uses intended to serve the surrounding residential communities. Uses permitted by the INS-1 zone include:

- Adult Education School,
- Artisan's Establishment,
- Cemetery,
- Community Facility,
- Continuing Care Community,
- Cultural Facility,
- Day Care Facility,
- Elementary School,
- Funeral Home,
- Health Clinic,
- Hospice,
- Large Residential Care Facility,
- Place of Worship,
- Secondary School,

- Small Residential Care Facility, and
- Social Service Establishment.

The uses permitted by the INS-1 Zone are appropriate for the Block as the existing home is envisioned as a potential private school, or similar type of use. However, given the original function of the existing building, and that the ultimate use has yet to be determined, it is proposed that a Site Specific provision to include a Residential Dwelling as a permitted use be included.

The Neighbourhood Institutional (INS-1) Zone is the most appropriate zoning category for the block. A Mixed Use type zone was considered, however, due to the servicing capacity implications of the zone it was not feasible. As such, the INS-1 zone facilitates a variety of potential institutional uses on the lands including a residential use through the site-specific considerations.

Recreation (OSR-1) Zone

The Recreation (OSR-1) Zone is proposed to be applied to the park blocks and multi use trail (Blocks 15, 16 and 19). As per Section 15 of By-law 2019-051, the purpose of this zone is to provide lands for parks and public recreational uses and facilities. Uses permitted by the OSR-1 zone include: cemeteries, community facilities, outdoor active recreation and outdoor passive recreation.

The parks and multi use trail blocks fall within these permitted uses as opportunities for active and passive outdoor recreation locations. The OSR-1 zone is an appropriate zone for Blocks 15, 16 and 19.

Open Space (OSR-3) Zone

The Open Space: Stormwater Management (OSR-3) Zone is proposed to be applied to the stormwater management pond on the Subject Lands (Block 18). As per Section 15 of By-law 2019-051, the purpose of the OSR-3 zone is for lands to be used primarily for stormwater management facilities. Outdoor passive recreation and stormwater management facilities are permitted uses within the OSR-3 zone and is an appropriate zone for Block 18.

Natural Heritage Conservation (NHC-1) Zone

The Natural Heritage Conservation (NHC-1) Zone is proposed to be applied the wetland feature and its 30-metre buffer (Block 17). As per Section 13 of By-law 2019-051, the purpose of the NHC-1 zone is to protect and/or conserve natural heritage features and their ecological functions. Existing agriculture and natural heritage conservation are permitted uses within the NHC-1 zone. The NHC-1 is an appropriate zone for Block 17 and will assist in conserving the wetland feature, as delineated by the Environmental Impact Assessment.

Table 5 below summarizes the proposed zoning categories discussed for each of the blocks identified on the proposed Draft Plan of Subdivision, dated March 3, 2022.

A Draft Zoning By-law Amendment has been prepared and is included in Appendix D of this Report.

Table 5: Zoning Summary				
Existing By-law 85-1	CRoZBy By-law 2019-051	Proposed Zone By-law 2019-051	Draft Plan Block Number	Zoning Regulations
A-1	FTR-1	RES-5	1-10, 20-24	As per base RES-5 zone
A-1	FTR-1	RES-5 (X)	11, 12	Site Specific requested
A-1	FTR-1	RES-5 (Y)	13	Site Specific requested
A-1	FTR-1	INS-1 (Z)	14	Site Specific requested
A-1	FTR-1	OSR-1	15, 16, 19	As per base OSR-1 zone
A-1	FTR-1	OSR-3	18	As per base OSR-3 zone
A-1	FTR-1	NHC-1	17	As per base NHC-1 zone

6.0 SUPPORTING TECHNICAL STUDIES

Through a series of Pre-submission Consultation meetings held with City, Regional and GRCA staff, a number of required studies were identified 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.

6.1 Functional Servicing Report

A report titled *2219 Ottawa Street and 808 Trussler Road – KTH1 & KTH13 Functional Servicing Report* written by Stantec Consulting Ltd., dated March 2022, outlines how the subject lands can be developed with full municipal services, including grading, sanitary, storm drainage, domestic water and utility services. The report made the following recommendations:

- The proposed Draft Plan can be adequately serviced with municipal sewage, storm drainage, water servicing and utilities;
- Municipal servicing and roadworks can be provided in accordance with City of Kitchener Standards;
- Stormwater management measures can be provided in accordance with various Agency Guidelines; and
- The subdivision can be serviced with Hydro, Bell, Natural Gas and Rogers Cable.

6.2 Stormwater Management Report

A report titled *2219 Ottawa and 808 Trussler Road, Plan of Subdivision Stormwater Management Report* was written by Stantec Consulting Ltd. The report dated March 22, 2022 outlines the Stormwater Management Strategy that will be required to provide water quality control to the expected stormwater runoff over the development. The report made the following recommendations:

- Water quality and quantity control will be provided by the designed SWM Facility;
- On-site infiltration rates will be increased in post-development conditions compared to existing conditions, by infiltration of rooftop runoff via the CWC system;
- An Erosion and Sediment Control plan will ensure adequate mitigation of excessive siltation and slope erosion, and will protect downstream features; and
- A monitoring and Maintenance Plan should allow for confirmation that the SWM strategy continues to function as designed.

6.3 Water Distribution Report

A report titled *Lingwood Heights, Kitchener, 2219 Ottawa Street South and 808 Trussler Road (KTHI & KTH3I) Water Distribution Analysis Report* written by Stantec Consulting Ltd., dated March 2022 identifies the appropriate sizes for the proposed watermains within the subdivision to adequately distribute projected water demands. The main findings of the report are summarized as follows:

- The proposed water distribution network will consist of a looped 200mm watermain connected at two connection points on the adjacent 450 mm regional mains on Ottawa Street South and Bleams Road. Internal roads will be serviced by 150 mm to 200 mm diameter watermains
- Velocities in all watermains are generally less than 5 m/s under fire flow conditions
- Individual PRVs will be required for areas adjacent to a centerline road elevation of 374.10 m or less
- All fire flow requirements are met including:
 - 100 L/s provided for all modern semi and detached homes
 - 133 L/s provided for all high density, contiguous Multi-Block Homes

6.4 Environmental Impact Study & General Vegetation Overview

An *Environmental Impact Study & General Vegetation Overview* were prepared by Dougan & Associates, dated March 9, 2022, and March 11, respectively. The reports conclude that, the proposed development would result in the removal of cultural/successional habitat and a small portion of deciduous forest, mitigation measures will be implemented removal of trees from this property and that additional information will be required from the Ministry of Environment prior to permitting.

No direct impacts on the Ecological Conservation Area (ECA) are expected as no development is proposed within its boundary, and the stormwater management design will achieve a water balance for the feature. Detailed erosion and sediment controls have also been specified for all phases of construction to prevent sedimentation within the wetland. Indirect impacts have been anticipated, including encroachment and light pollution, and the recommended mitigation measures include establishing a woodland edge through fencing and designing lighting using bird-friendly practices. The net impact following mitigation would be a loss of 2.18 ha of tree cover from the landscape While trees will be removed from the plantation and hedgerows, some trees will remain within the ECA. Given the prominence of these species, the removal of the trees from the property will not have an impact on the populations of these species within the Region of Waterloo.

The recommended woodland edge and restoration and enhancement measures would reduce invasive species within the ECA, and support to succession of the monoculture plantations to forest with a more diverse and structure canopy of both deciduous and coniferous natives species than is

currently present. Utilizing a diversity of native species will contribute to regaining tree cover in the long-term and increase the urban canopy cover within the City of Kitchener and immediate community.

6.5 Transportation Impact Study

The Report titled *2219 Ottawa Street South and 808 Trussler Road, Kitchener Transportation Impact Study*, dated March, 2022 was prepared by Paradigm Transportation Solutions Limited. The purpose of the report was to:

- Assess the existing traffic conditions in the study area;
- Forecast the additional traffic generated by the proposed development;
- Analyze the impacts of this additional traffic on the study area road network;
- Assess the sight distance at the proposed new municipal streets; and
- Recommend any necessary remedial measures required to mitigate these impacts.

The report made the following conclusions and recommendations:

- Existing Traffic: The study area intersections are estimated to be operating with acceptable levels of service during the weekday peak hours and no critical movements are noted.
- Trip Generation: The subject site's trip generation is estimated to be approximately 153 AM peak hour vehicle trips and 198 PM peak hour vehicle trips.
- Intersection Sight Distance: The sight distances measured at future Street A and future Street B on Ottawa Street meet the required minimum intersection sight distance.
- Background Traffic: Multiple critical movements are forecast to occur at study area intersections during the weekday peak hours.
- Total Traffic: The study area intersections are forecast to operate with similar levels of service to background conditions with additional critical movements noted at the Trussler Road and Bleams Road / Ottawa Street intersection. The proposed Driveways on Ottawa Street are forecast to operate at acceptable levels of service during the weekday peak hours.
- Remedial Measures:
 - A westbound left-turn lane on Ottawa Street at Driveway A is warranted with 15 metres of storage under forecast total peak hour conditions;
 - Traffic signals are not forecast to be warranted at the unsignalized intersections in the study area; and
 - The intersections of Trussler Road with Ottawa Street South / Bleams Road and Bleams Road would require multiple improvements if left under traffic signal control. It is noted that the Region of Waterloo plans to construct a roundabout at this intersection.
- A westbound left-turn lane be implemented on Ottawa Street at Street A with 15 metres of storage by 2027; and

- Regardless of whether the development proceeds, the Region of Waterloo continue to monitor the intersection operations at the Trussler Road and Ottawa Street / Bleams Road and Trussler Road and Bleams Road intersections and move forward with plans to upgrade these intersections to roundabout control.

6.6 Archaeological Assessments

Due to past changes in ownership and assembly of the current subject lands, two separate Archaeological studies have been completed to date; the first by Bluestone Research Inc. for 2219 Ottawa Street South and 808 Trussler Road completed in 2017, and the second by Parslow Heritage Consultancy Inc. for 2159 Ottawa Street South, completed in 2021.

6.6.1 2219 Ottawa Street South & 808 Trussler Road

The report titled *Stage 1-2 Archaeological Assessment of 2219 Ottawa Road South and 808 Trussler Road, part of Lots 129, 131 and 132, German Company Tract, Township of Waterloo, Regional Municipality of Waterloo, Ontario* authored by Bluestone Research Inc. dated November, 2017 was entered into the Ontario Public Register of Archaeological Reports on June 13, 2018. The report was completed in compliance with the Provincial Policy Statement which states that decisions affecting planning matters must be consistent with the policies outlined in the larger Ontario Heritage Act (1990b). According to Section 2.6.2 of the PPS, "development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved." The report made the following recommendations:

- Two residential structures with associated driveways, a ruined barn, and a large greenhouse on a gravel lot within the study area were all deemed to not retain archaeological potential;
- If construction plans change to incorporate new areas that were not subject to a Stage 2 field survey, these must be assessed prior to the initiation of construction;
- All construction and demolition-related impacts (including, for example, machine travel, material storage and stockpiling, earth moving) must be restricted to the areas that were archaeologically assessed and cleared by the Ministry of Tourism, Culture and Sport; and
- As no archaeological resources were found on the subject property, no further archaeological assessment of the property is required.

6.6.2 2159 Ottawa Street South

The report titled *Stage 1 and 2 Archaeological Assessment of 2159 Ottawa Street South, Part Lot 129, German Company Tract, Township of Waterloo, Regional Municipality of Waterloo, Ontario* was written by Parslow Heritage Consultancy Inc. was entered into the Ontario Public Register of Archaeological Reports on May 6th, 2021. The report, dated January 28th 2021, was completed to gather information about the project location's geography, history, current land conditions as well

as any previous archaeological research and listed archaeological sites on or within the vicinity. The report made the following recommendations:

- Based on the findings of this Stage 1 and 2 archaeological assessment the study area does not retain any Cultural Heritage Value or Interest, and no further archaeological assessment is recommended for the property located at 2159 Ottawa Street South, Waterloo Ontario.

6.7 Heritage Impact Assessment

A *Scoped Heritage Impact Assessment*, dated March 14, 2022, was prepared by CHC Limited for the Subject Lands. The report made the following conclusions and recommendations:

- It is the opinion of the author that the Shantz house, including the attached garage, meets the criteria for designation under Part IV of the Ontario Heritage Act. The Shantz house warrants conservation and it, and its heritage attributes listed in the report, are recommended for designation under Part IV of the Ontario Heritage Act;
- The proposed development is not expected to have a negative impact on the heritage resource. At the subdivision design stage, no alterations to the building are being proposed;
- Access to the property will be re-routed via the former Mannheim Road road allowance, which was the original access to the property;
- The house will be situated within sufficient land area to avoid any grade changes and preserve more than the area of the originally cultivated garden. At the Site Plan stage, and when a use has been determined for the property, a detailed examination of potential impacts and a Conservation Plan will be required;
- Until a use is determined and vetted for potential impacts, the house should continue to be secured and monitored; and,
- Construction of the subdivision is not expected to have any negative impacts on the property as it is on a generous lot with more than adequate distance protection from adjacent grading and servicing.

6.8 Hydrogeological Investigation Report

The report titled *Hydrogeological Investigation 2219 & 2159 Ottawa St. and 808 Trussler Rd., Kitchener, ON* written by Palmer and dated December 15, 2021 outlines the hydrological assessment of the lands in accordance with a pre-consultation meeting with the City of Kitchener to support the development of the site. The report made the following conclusions and recommendations:

- The site is underlain by high permeability deposits of the ice-contact stratified deposits from the Upper Waterloo Moraine Sediments Aquifer. This was found to be consistent with regional surficial geology mapping. A unit of sandy silt till was encountered upon surface in the northwest corner of the site area;

- Majority of the wells on site were found to be consistently dry to depths greater than 10.04 mbgs, except for BH4 which is completed in the lower permeability till deposits. The deep-water table on site was measured at the Residential Well located at 808 Trussler Rd of greater than 30 mbgs or an elevation of below 333.69 mASL;
- Based on the measured water levels across the site, it is expected that groundwater flow is dominantly downwards and groundwater is drained by the sand unit encountered. Lateral groundwater flow direction is westwards across site towards Trussler Rd;
- The hydraulic conductivity of the sand and gravel unit was calculated to be 2.1×10^{-4} m/s. The hydraulic conductivity of the sand unit was calculated to be 2.6×10^{-5} m/s, and lastly, the hydraulic conductivity of the clayey silt till was calculated to be 3.3×10^{-9} m/s. These calculations were based off empirical grain size analysis;
- The infiltration rate of the unsaturated in-situ soils were measured between November 25 and 27, 2020 at 8 locations across site. Testing was completed using a constant head well permeameter method (Guelph Permeameter). Field calculated infiltration rates ranged from 39 mm/hr to 99 mm/hr, with a site average of 72 mm/hr. This is consistent with Stantec's infiltration testing results where the site average was calculated to be 79 mm/hr. With a safety correction factor of 2.5, the calculated infiltration rate ranged from 15.6 to 39.6 mm/hr, with a site wide average of 29 mm/hr;
- The wetland feature on-site was monitored from 2018 to 2021. Groundwater and surface water measurements at both shallow drivepoint piezometers (DP1-18S and DP2-18S) were measured to be dry in 2021. However, during Stantec's visits between September 10, 2018 to August 11, 2020, DP2-18S had groundwater levels ranging from 1.28 to 1.61 mbgs, with a dry measurement on October 25, 2019. The groundwater level measurements in the deeper DPs (DP1-18D and DP2-18D) ranged from 1.31 to 2.18 mbgs within the feature, or at elevations of 357.80 to 359.77 mASL. This likely represents perched groundwater beneath the wetland;
- The wetland feature was found to be dry (i.e., surface water levels were dry) during each of Palmer's visits from March 2021 to December 2021;
- In order to assess the potential changes in surface runoff volume to the feature, a Thornthwaite & Mather feature-based water balance (FBWB) assessment was completed for the wetland. With Stantec's CWC System accounted for in the post-development FBWB, the pre-to-post development change results in a 0% change in runoff, and an 87% increase in infiltration on-site;
- From a hydrogeological perspective, with the CWC system in place, there is little risk of adverse effects to the wetland feature as the pre-to-post development runoff to the feature is balanced, and the in-situ hydrogeologic testing completed suggest the feature has good infiltration capabilities;
- A pre-to-post development water balance was completed in Stantec's Stormwater Management Report (2021) using the Thornthwaite and Mather methodology. Under pre-development conditions, there is 25,750 m³/year of runoff and 26,801 m³/year of recharge/infiltration calculated over the site area. Based on the Preliminary Site Concept

Plan (Polocorp, 2021), the site runoff is calculated to be 73,824 m³/year, and recharge/infiltration is calculated to be 12,893 m³/year post-development;

- The post-development site balance with infiltration augmentation considers the use of a Clean-Water Collection (CWC) System that captures 80% of the impervious rooftop runoff into infiltration trenches. With this system in place, the final recharge/infiltration on site is calculated to be 50,481 m³/year (88% increase) and the final runoff is calculated to be 36,236 m³/year (44% increase);
- The site has favourable conditions for LIDs with a deep-water table and high permeability soils. Groundwater mounding is not expected to be an issue for LID design;
- A groundwater sample was collected on November 27, 2020, from the Residential Well on-site, and was analyzed for a suite of water quality parameters including physical parameters, nutrients, and metals. The groundwater sample from the Residential Well met all AOs and OGs except for turbidity, hardness (as CaCO₃), Total Iron, Total Manganese, Total Coliforms, Total Lead, and Sodium. Some of these exceedances are likely related to the high turbidity of the water sample. Exceedances in the Total Lead and Total Iron concentrations could also be a result of plumbing with rusty water in the well or from plumbing with lead solder, and are not likely to be reflective of the groundwater quality in the upper aquifer;
- Assuming a typical basement foundation installed to 3.5 mbgs, under the hydrogeological conditions found at the site, the foundation is expected to be above the water table and significant dewatering is not expected to be required within the thick sand deposits. Near BH4 where a unit of sandy silt till was encountered near surface, construction dewatering rates on the order of 10,000 L/day or less would be expected for a typical excavation with the existing site conditions and be manageable by a sump pump in the sandy silt till soils;
- A PTTW or a registration on the EASR is not expected to be required. Based on this, the radius of water table drawdown would be minimal, no adverse effects to local water wells or natural features would be expected from the minor dewatering predicted;
- The Ontario Source Water Protection Information Atlas identifies that parts of the site are located within a WHPA-A, WHPA-B, WHPA-C, and WHPA-D due to the Mannheim Municipal Supply Wells located east of the site. The site is additionally located in WHPA-Q1 and Q2 (Recharge Management Area), and an SGRA. No IPZs or HVAs were identified on site. The southwest corner of the site near 808 Trussler Rd was additionally identified to be an issue contributing area for Nitrate;
- Several future activities are prohibited in the WHPA-A & B where the vulnerability is equal to 10 on site including: the application of road salt; the handling and storage of road salt; the storage of snow; the storage and handling of fuel; and the storage and handling of dense non-aqueous phase liquids (DNAPL);
- A Risk Management Plan is required in a WHPA-B where the vulnerability is equal to 10, and if there will be handling and storage of DNAPLs in WHPA-B & C where the vulnerability is equal to 6 or 8. The Risk Management Plan shall include, as a minimum, measures to reduce the likelihood of spills and leaks, and contain and respond to spills; and,

- Since the site is located within a WHPA-Q1 and WHPA-Q2, it is therefore subject to the recharge management policy. This policy states that a hydrogeological assessment and water balance must be completed to ensure pre-development infiltration volumes at the site are maintained post-development. This report fulfills the requirement of a hydrogeological assessment and water balance.

6.9 Geotechnical Investigation Report

Two geotechnical investigations were undertaken of the subject land; the first by Palmer Environmental Consulting Group Inc. for 2219 Ottawa Street South in 20219, and the second by Chung & Vander Doelen Engineering Ltd. for 2219 Ottawa Street South and 808 Trussler Road in 2018.

6.9.1 Palmer Environmental Consulting

The Report *titled Preliminary Geotechnical Investigation - 2219 Ottawa Street South, Kitchener, Ontario* was prepared by Palmer Environmental Consulting Group Inc. on February 22, 2019. The purpose of this investigation was to determine the subsurface conditions at borehole locations and from the findings in the boreholes make preliminary engineering recommendations for the following:

- Foundations;
- Floor slab and permanent drainage;
- Excavations and backfill;
- Earth pressures;
- Seismic considerations; and,
- Pavements.

The following considerations were provided in support of the Proposed Development:

- Topsoil with thickness ranging from 180 to 380 mm was encountered at surface in all boreholes;
- Fill materials consisting of clayey silt, sand and gravel, sandy silt, and sand were encountered below the topsoil in all boreholes and extended to depths ranging from about 0.8 m to 2.2 m below the existing ground surface. The existing fill in the boreholes is generally not suitable for reuse as backfill. The native soils free from topsoil and organics can be used as general construction backfill;
- The undisturbed native soils below the topsoil and fill materials are suitable for the construction of spread and strip footings and underground services founded on the undisturbed native soils for a bearing capacity of 100 to 300 kPa at SLS (serviceability limit states), and for a factored geotechnical resistance of 150 to 450 kPa at ULS (ultimate limit states);

- Foundations designed to the specified bearing capacity at the serviceability limit states (SLS) are expected to settle less than 25 mm total and 19 mm differential;
- All foundations exposed to seasonal freezing conditions must have at least 1.4 metres of soil cover for frost protection;
- It should be noted that the (glacial) tills are non-sorted sediments and therefore may contain boulders. Possible large obstructions such as buried concrete pieces and existing foundations are also anticipated at the site and in the fill material. Provisions must be made in the excavation contract for the removal of possible boulders in the till or obstructions in the fill material;
- No groundwater accumulation was observed in all boreholes upon completion of drilling. All three installed monitoring wells were also found dry on September 19, 2018;
- No major problems with groundwater are anticipated for excavations to a depth of about 6.0 m. It is expected that any seepage above these depths, which occurs, can be removed by pumping from sumps;
- In accordance with OHSA, the fill would be classified as Type 3 Soils above the groundwater table. The cohesionless soils of sandy silt, sand, sand and gravel are Type 2 Soils above the groundwater table. The soft to very stiff clayey silt (till) fall into the category of Type 2/3 Soils above the groundwater table and Type 4 Soils below the groundwater table; and,
- Based on the borehole information and according to Table 4.1.8.4.A of OBC 2012, the subject site for the proposed building can be classified as Class 'C' for seismic site response.

6.9.2 Chung & Vander Doelen

The study titled *Synopsis of Subsurface Conditions Proposed 12 Hectare Residential Subdivision 2219 Ottawa St S and 808 Trussler Rd, Kitchener* was prepared by CVD Engineering Ltd and dated November 9, 2018. The objective of the study was to determine the subsurface conditions on the subject lands. While the study

6.10 Phase I Environment Site Assessment

Two Phase 1 of the Environment Site Assessments were completed for the Subject Lands.

Phase One Environmental Site Assessment (ESA) 2219 Ottawa Street South & 1259 Trussler Road, Kitchener, ON was prepared by Palmer Environmental Consulting Group and dated September 27, 2018. The objective of this report was to determine the likelihood that contaminants affecting the Site are present on, in or under the property and to identify actual or potential contamination which might pose a hazard to humans or the environment, or which may have a significant impact on the value of the property. The following conclusion was made:

- Based on the findings of the Phase One ESA, current and historical PCAs which could adversely affect environmental condition of the Site were identified; therefore, a Phase Two

ESA is recommended to characterize soil and groundwater quality prior to the redevelopment of the Site.

A second report titled *Phase I Environmental Site Assessment (ESA) 808 Trussler Road, Kitchener, Ontario* prepared by Palmer was dated July 28, 2020. The objective of this report was to document and identify any actual or potential environmental sources of contamination associated with the Site pursuant to the CSA Phase I ESA Standard. The report made the following conclusions:

- Recommended conducting a Phase II ESA in the described areas of potential environmental concern.
- Based on the age of the building, a designated substance survey should be conducted prior to any demolition or renovation of the existing Site building.
- For general housekeeping purposes, all scattered waste and debris observed along the Site exterior should be collected and disposed of off-Site at a licensed landfill.

6.11 Phase II Environmental Site Assessment

Two Phase 2 of the Environment Site Assessments were completed for the Subject Lands.

A *Phase II Environmental Site Assessment (ESA) 2219 Ottawa Street South & 1259 Trussler Road, Kitchener, ON* was prepared by Palmer and dated October 16, 2018. The purpose of the Phase II ESA was to investigate soil and groundwater quality for potential environmental impacts due to pesticide use on-site, the presence on-site of imported fill material, and the presence of off-site hazardous waste generation and the operation of a water treatment facility (Kitchener Mannheim Water Treatment Plant) in accordance with the findings of the recent Phase One ESA. The following recommendations were made:

- It is recommended that the groundwater table should be re-measured in the newly installed monitoring wells and, in the case they are still dry, at least one borehole should be drilled and a monitoring well installed to a depth that intersects the water table.
- Soil and groundwater samples should be collected and submitted for parameters as outlined in APEC 3 (PHCs, VOCs, PAHs and metals and inorganic parameters (As, Sb, Se, Na, B-HWS, Cl-, CN-, Cr(VI), Hg, low or high pH, EC and SAR).

A second *Phase II Environmental Site Assessment (ESA) 808 Trussler Road, Kitchener, Ontario* was prepared by Palmer and dated August 19, 2020. The purpose of this Phase II ESA is to investigate soil and ground water quality for potential environmental impacts due to pesticide use on-site, and the presence of a silicone fluid AST on-site in accordance with the findings of the recent Phase I ESA. The report made the following conclusion:

- No appreciable impacts to the subsurface or other environmental concerns have been identified in association with the subject property based on our Phase II ESA. Therefore, in our opinion, no further actions are currently warranted.
- Based on the findings conducted to date on 808 Trussler Road, depth to ground water beneath the Property, and short duration of small-scale greenhouse operations, it is

Palmer's opinion that a RSC is not necessary in support of the proposed residential redevelopment, as the existing main use of the Property is considered to be residential and no appreciable impacts to the subsurface have been identified.

6.12 Noise Feasibility Study

The Report titled *Noise Feasibility Study Proposed Residential Development Lingwood Heights Kitchener, ON* was prepared by HGC Engineering and dated April 8, 2022. The purpose of the study was to identify the primary noise sources on the Subject Lands. The report made the following recommendations:

- Central air conditioning will be required for Block 3 and Block 12;
- Forced air ventilation systems with ductwork sized for future installation of central air conditioning systems will be required for the dwellings adjacent to Ottawa Street and dwellings closest to Trussler Road in Blocks 1, 2, 10, 11, and 13;
- Acoustic barriers are required in the rear yards adjacent to Trussler Road and/or Bleams Road in Blocks 2 and 3;
- Upgraded glazing constructions are required for the first row of dwellings adjacent to Trussler Road in Block 3 and 12. When detailed floor plans and building elevations are available for the dwelling units with exposure to the roadways, window glazing construction should be refined on actual window to floor ratios;
- Noise warning clauses are required for the above-mentioned blocks to inform future occupants of the traffic sound level excesses and the presence of the neighbouring water treatment plant;
- The use of warning clauses in the property and tenancy agreements and offers of purchase and sale is recommended to inform future residents of traffic noise issues; and,
- For all other units, building constructions meeting the minimum requirements of the Ontario Building Code will provide sufficient acoustical insulation for indoor spaces.

6.13 Urban Design Brief

The report titled *Urban Design Brief 2219 Ottawa Street South & 808 Trussler Road City of Kitchener* was prepared by Polocorp Inc in April of 2022. The purpose of the brief was as follows:

- Provide a site description and detail the existing conditions of the lands;
- Outline the intended vision and goals for the development of the Site;
- Review the proposed design elements of the Site to ensure compatibility with the surrounding context and existing heritage structure;
- Summarize how the proposed design responds to the City of Kitchener's Urban Design policies; and,
- Provide a summary of conclusions regarding the proposed redevelopment of the lands.

The report made the following conclusions:

- Provide a mix of housing types with higher density uses along arterial roads;
- Ensure priority lots respond to adjacent uses and provide active frontage along arterial roads;
- Preserve the Shantz House as a focal point through the block pattern and surrounding park and open space blocks;
- Propose massing and materials that respect the Shantz House's Prairie style architecture;
- Provide a circulation pattern that prioritizes active transportation and connects to the existing and future transportation network;
- Creating an attractive, safe streetscape using complete streets principles and traffic calming;
- Provide a range of park and open spaces in a central location with convenient access;
- Protect and supporting the natural heritage through the wetland buffer and fencing; and,
- Ensure a continuous circulation network and active frontages to maximize natural surveillance.

6.14 Sustainability Statement

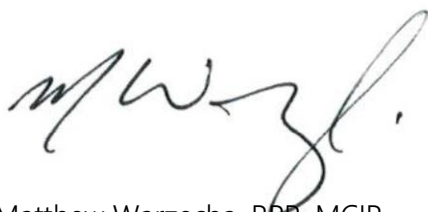
The document titled *Sustainability Statement 2219 Ottawa Street South & 808 Trussler Road City of Kitchener* was written by Polocorp Inc and dated April 2022. The purpose of the sustainability statement was to identify the sustainable initiatives in place for the proposed development. The report determines that the proposed development has considered and includes numerous elements that encourage environmental sustainability, and that the construction, operation and on-going use of the Site will contribute to the sustainable improvement of the community.

7.0 CONCLUSION

This Planning Justification Report concludes that the proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications for the lands municipally known as 2219 Ottawa Street and 808 Trussler Road are appropriate and desirable, while representing good planning for the following reasons:

- The proposed development has regard for matters of Provincial Interest, as identified through the policies of the Provincial Policy Statement (2020) and Planning Act (1990). The development conforms to the policies contained within the Growth Plan (2020), Regional Official Plan (2015), and City of Kitchener Official Plan (2014);
- The proposed development makes efficient use of the municipal infrastructure through context sensitive intensification;
- It provides residential development and intensification within the 'Built-Up Area' and 'Designated Greenfield Area', identified by the Region and City;
- It supports alternative modes of transportation and offers a range of housing options including single-detached, townhouse, and multi-unit dwellings;
- It conserves an identified cultural heritage resource (Shantz House) and provides recommendations for designation under Part IV of the Ontario Heritage Act;
- It provides for the conservation of natural heritage features within an open space zoning, while enhancing the public access of these features through the provision of public trails. These features will also be conveyed to the municipality to ensure that they are available to the public realm; and
- The proposed development is supported through technical reports that have been submitted as part of the planning applications in support of the proposed development.

Respectfully submitted,

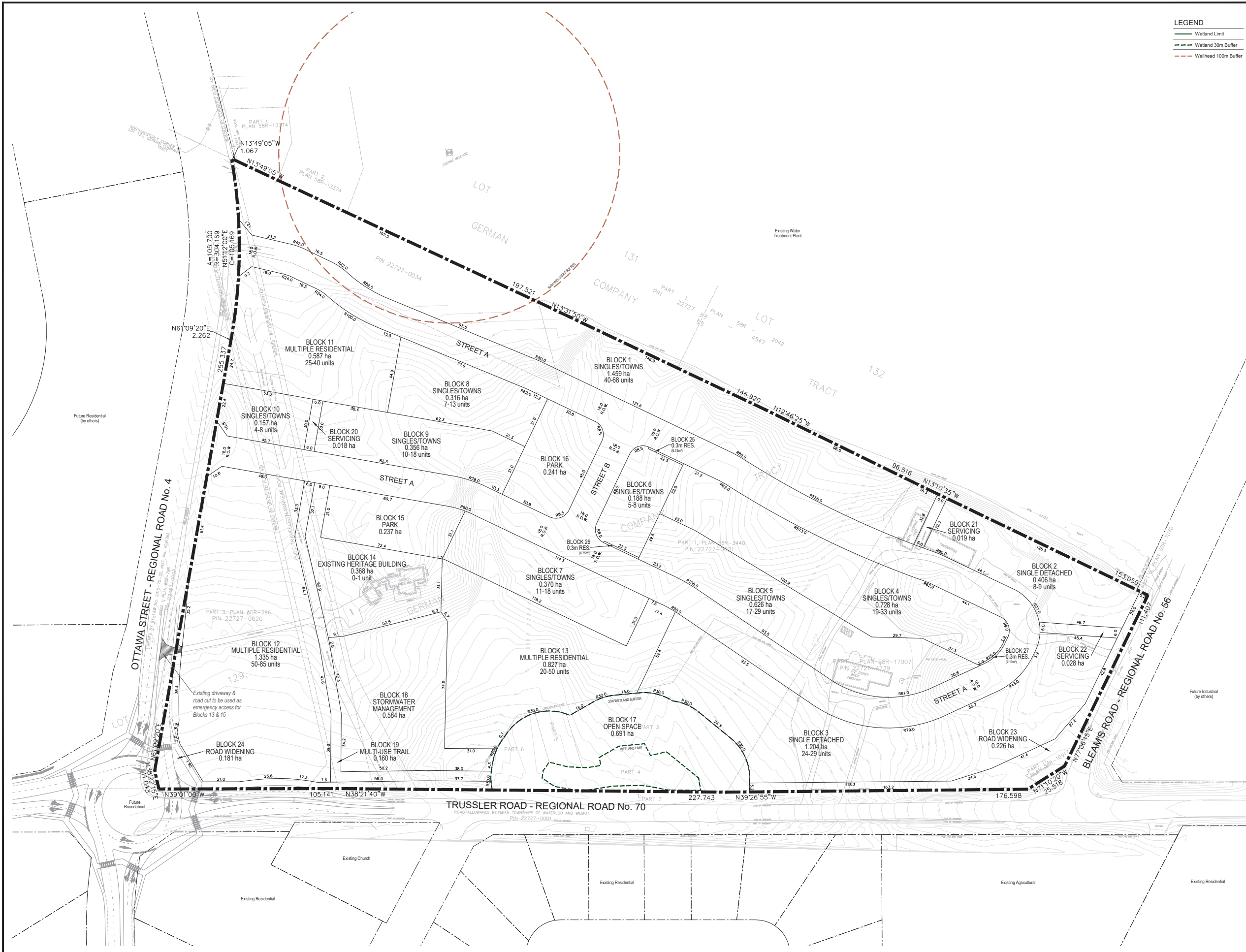


Matthew Warzecha, RPP, MCIP
Director of Planning and Development



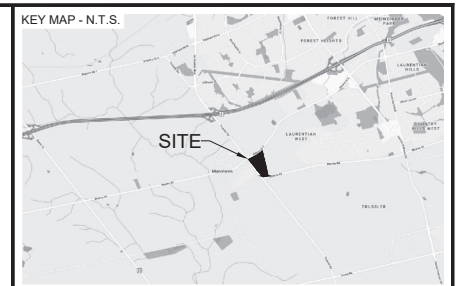
Ruth Tregenza, CPT
Designer/Planner

**APPENDIX A:
DRAFT PLAN OF SUBDIVISION**



LEGEND

- Welland Limit
- Welland 30m Buffer
- Wellhead 100m Buffer



DRAFT PLAN OF SUBDIVISION

2159 & 2219 OTTAWA STREET SOUTH & 808 TRUSSLER ROAD

PART OF LOT 129 GERMAN COMPANY TRACT
(GEOGRAPHIC TOWNSHIP OF WATERLOO)
CITY OF KITCHENER
REGIONAL MUNICIPALITY OF WATERLOO

LAND USE SCHEDULE

DESCRIPTION	BLOCKS	UNITS	AREA(ha)
Single Detached	2-3	32-38	1.609
Single Detached / Street Townhouses	1, 4-10	113-195	4.201
Multiple Residential	11-13	95-175	2.749
Existing Heritage Building	14	0-1	0.368
Park	15-16	-	0.478
Open Space	17	-	0.691
Stormwater Management Pond	18	-	0.584
Trail	19	-	0.160
Servicing	20-22	-	0.066
Road Widening	23-24	-	0.407
0.3m Reserve	25-27	-	0.002
Roads	-	-	2.018
TOTAL		240-409	13.332

INFORMATION REQUIRED
UNDER SECTION 51 (17) OF THE PLANNING ACT, R.S.O. 1990, c.P.13 AS AMENDED
INFORMATION REQUIRED BY CLAUSES a,b,c,d,e,f,g,j AND l ARE AS SHOWN ON THE DRAFT PLAN.
(h) Municipal Water Supply
(i) Sandy Loam
(k) Municipal Sanitary and Storm Sewers

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

[Signature] **July 13 / 21**
DAN DZALDOV, O.L.S. DATE
Schaeffer Dzaldiv Bennett Ltd.

OWNER'S CERTIFICATE
I HEREBY CONSENT TO THE FILING OF THIS PLAN BY POLOCORP INC., IN DRAFT FORM

[Signature] **November 15, 2021**
Kitchener Trussler Holdings Inc. DATE
(c/o Filipe Dias)

OWNER'S CERTIFICATE
I HEREBY CONSENT TO THE FILING OF THIS PLAN BY POLOCORP INC., IN DRAFT FORM

[Signature] **November 15, 2021**
Kitchener Trussler Holdings Inc. DATE
(c/o Filipe Dias)

APPROVALS

REGIONAL MUNICIPALITY OF WATERLOO APPROVAL BLOCK

[Signature]
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL PLANNER, WITHIN THE MEANING OF THE ONTARIO PROFESSIONAL PLANNERS INSTITUTE ACT, 1994.

APPROVED: DATE:

DATE	BY	REVISIONS	DESCRIPTION
2021-07-13	JH	TAYLOR LANDS ADDED TO DRAFT PLAN, ROAD NETWORK AND BLOCKS EXPANDED	
2021-11-04	RT	0.3M RESERVES REMOVED FROM REGIONAL ROADS, BLOCK 25 ROAD WIDENING EDGE REVISED	
2021-11-15	RT	OWNER SIGNATURE UPDATED	
2022-03-03	RT	REVISIONS TO BLOCK UNIT COUNTS AND TYPES, RE-NUMBERING OF BLOCKS, SHIFT OF BLOCK 20 SERVICING	

POLOCORP
379 Queen Street South, Kitchener | N2T 1W6 | 519-745-3249 | polocorpcorp.com

DATE: March 3, 2022 SCALE: 1:1,000 (metric)
PROJECT: 2022 (Terrot) DRAWN BY: JHRT
DWG. FILE NAME: dpe2022a-2022.03.dwg

**APPENDIX B:
PRE-CONSULTATION RECORDS**

Record of Consultation

Development Services Department - Planning



www.kitchener.ca

Project Address: 2219, 2159 Ottawa Street South & 808 Trussler Road

Application Types: OPA/ZBA & Plan of Subdivision

Date of Pre-Submission Consultation Meeting: Not Required

Applicant: Kitchener Trussler Holdings Inc.

Agent: Polocorp c/o M. Warzecka

File Planner: Brian Bateman, 519-741-2200 x7869, brian.bateman@kitchener.ca

CONFIDENTIAL DOCUMENT

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

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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Record of Consultation

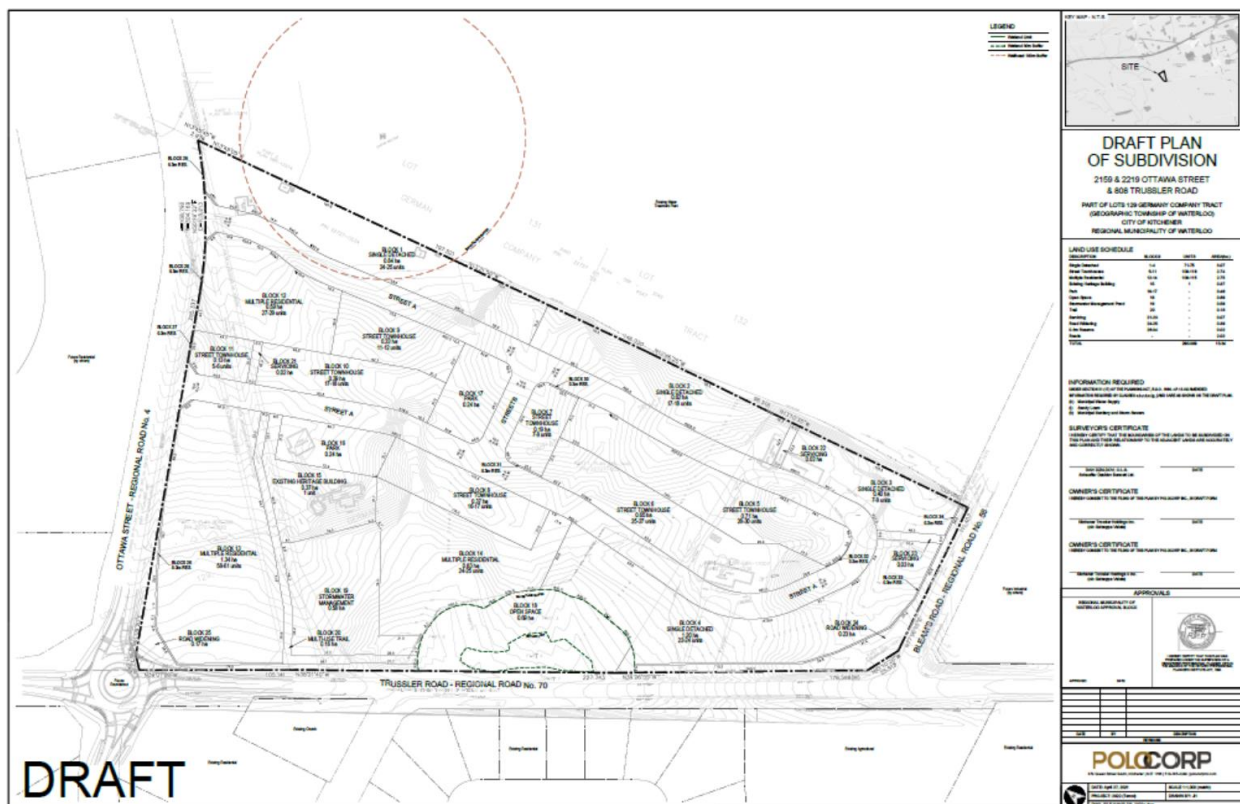
Development Services Department - Planning



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PART 1 – DESCRIPTION OF DEVELOPMENT PROPOSAL

The proposal is for a residential plan of subdivision consisting of single and semi-detached lots and blocks for low rise multiple dwellings. A Pre-submission Record was prepared for these lands in September 2019. It remains in effect as most of the plan is unchanged except for the property addressed as 808 Trussler Road. The previous concept in the 2019 Pre-Submission Record identified these lands as a singular residential block of land, whereas the current proposal extends the road network and several new residential blocks are now proposed. As a result, this record is being scoped as an update to accompany the 2019 Pre-Submission Record.



Implementation of the plan of subdivision requires an Official Plan Amendment, a Community Plan amendment and a Zoning By-law Amendment application.

Record of Consultation

Development Services Department - Planning



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PART 2 – SUMMARY OF SITE-SPECIFIC COMMENTS

Please refer to the comments and discussion provided in the Record of Consultation dated January 8, 2019. In addition to the submission requirements identified in 2019, the following additional information and materials are also required to be submitted as part of a complete application:

- Sustainability Statement
This should be prepared in accordance with our standard terms of reference (kitchener.ca/sustainability-statement)
- AODA compliance with respect to reports submitted digitally

Please refer to the updated charts below for submission requirements, formats and other details such as AODA requirements which may have been updated.

Overall Key Considerations.

Key site design considerations for the subject proposal are:

- Discouragement of back-lotted development
- Providing a range and mix of uses at corner of Ottawa/Trussler in accordance with the OP designation
- Consideration of providing some affordable housing and a range of housing types
- Ensuring 5% parkland dedication is provided and shown on the DP
- Identifying and requesting new Residential (RES) zones in By-law 2019-051 instead of (R) zones in By-law 85-1
- Satisfying Engineering's concern regarding sanitary allocation methodology
- Identify additional lands required for future roundabout at Ottawa/Trussler
- Any future tree removals are to be carried out in accordance with City's Tree Management Policy within the context of the subdivision approvals

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.

Note: At the time of preparing this record of pre-submission, City facilities were closed due to COVID19. All reviews are currently through digital format only. **Please contact Brian Bateman prior to submission to verify if any hard copies will be required.**

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2019 Pre-submission Requirements Plus any Additional Requirements in 2021 (highlighted & bolded)

Other Information and Materials	#	To the Satisfaction Of:	Notes:	AODA: (Y/N)
Standard Requirements				
Completed Application Forms, Fee(s)	1	Planning	+ Regional, GRCA and Twp. of Wilmot Fees	N
PDF of all submission materials	1	Planning	Files may be provided through City's ShareFile or consultant's file sharing service.	Y
Draft Plan & ZBA Map 1 in accordance with Digital Submissions Standards	1	Planning		N
Other Required Plans and Studies				
Planning Justification, Subdivision and Implementation Report	*	Planning Region Twp. of Wilmot		Y
Subdivision Urban Design Report	*	Planning		Y
Scoped Environmental Impact Statement & General Vegetation Overview	*	Env. Planning Region GRCA		Y
Sustainability Report	*	<i>Environmental Planning</i>		Y
Functional Servicing Plan & Report	*	Engineering Region Twp. of Wilmot GRCA		Y
Preliminary Grading Plan	*	Engineering Region Twp. of Wilmot GRCA		N
Preliminary Storm Water Management Report	*	Region Engineering Twp. of Wilmot GRCA		Y

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Traffic Impact Assessment	*	Region Transportation Planning Twp. of Wilmot		Y
Hydrogeological Study	*	Region Engineering GRCA Twp. of Wilmot		Y
Salt Impact Report	*	Region of Waterloo		Y
Geotechnical Investigation	*	Engineering Region Twp. of Wilmot		Y
Scoped Heritage Impact Statement	*	Heritage planning		Y
Conservation Plan	*	Heritage Planning		Y
Archaeological Assessment	*	Region		Y
Spill Prevention, Response and Contingency Plan	*	Region		Y
Environmental Noise Study	*	Region		Y
Stationary Noise Study	*	Region		Y
Record of Site Condition	*	Region	For portions of the site and excluding lands to be dedicated to Region	Y

***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/>.

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Record of Consultation

Development Services Department - Planning



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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. 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.

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

These minutes shall be considered valid until November 1, 2022.

October 19, 2021

Brian Bateman
Senior Planner

Date

October 19, 2021

Garett Stevenson
Manager of Site Development

Date



RECORD OF PRE-SUBMISSION CONSULTATION
City of Kitchener
Community Services Department
Planning Division, 6th Floor 200 King Street West
Kitchener, Ontario N2G 4G7
Phone: 519-741-2426
Fax: 519-741-2624

CONFIDENTIAL

This document contains confidential information that is not part of a Planning Act application.

The purpose of the Pre-Submission Consultation meeting is to review a proposed development and identify the need for, and scope of, the *other information and materials* necessary for a thorough and complete review of the proposal. This Record of Pre-Submission Consultation documents the required *other information and materials* that must be submitted in conjunction with the application form and fees. It will be used by Planning Staff to determine whether the application is complete.

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

Date of Pre-Submission Consultation Meeting: October 3, 2019

Address: 2219 Ottawa Street S. & 808 Trussler Road

Planner/ Staff on File: Brian Bateman

Present: Brian Bateman, Niall Melanson, Karen Leasa & Leon Bensason (City of Kitchener); Shilling Yip & Joginder Bhatia (Region), Paul Puopolo, Amanda Stellings (Polocorp); Joe Valela, David Cogliano, Filipe Dias (Tercot); Zack Harris (Dougan & Associates); Owen Scott (CHC); Peter Fitzgerald (Stantec)

Applicant: Polocorp. c/o Paul Puopolo & Amanda Stellings (Polocorp Inc.)

Owner: KTHI & S.Taylor

Type of Application(s): OPA/ZBA /Subdivision

Pre-Submission Fee in the amount of \$2,218 has been paid in full. Receipt #'s 210202.

PART I. SUMMARY OF PROPOSAL

A proposed residential plan of subdivision to be comprised of singles, semis, townhomes and multiple dwellings as well as some mixed use and open space on approximately 12 ha of land

located in Laurentian West. To implement this proposal, an OPA/ZBA and Plan of Subdivision are required.

PART II. DEPARTMENT/ AGENCY COMMENTS

The following constitutes the minutes of the Pre-Submission Consultation Meeting and provides a summary of the comments and concerns raised by the various commenting agencies and divisions.

a. Planning Comments

- Local Official Plan Designation: Mixed Use (policies under appeal), Natural Heritage Conservation (policies under appeal) and Low Rise Residential (some policies under appeal).
- 1994 Plan Designation: Low Rise Residential, Mixed Use and Open Space
- Laurentian West Community Plan: Phase 3b (no Land use assigned)
- Existing Zoning: Agricultural One (A-1)
- Proposed Zoning: Residential Six (R-6 – By-law 85-1) or Residential Five (R-5 – By-law 2019-051), Mixed Use 1 (MU-1), Open Space (P-1 and P-3) (OSR-2,3) and Natural Heritage Conservation (NHC-1)
- Growth Management Plan – Portion under Priority B, balance of lands within Built Up Area

Urban Structure

The subject lands are located within a Neighbourhood Node, Community Area and Green Area. The planned function of Neighbourhood Nodes is to serve the day to day commercial needs of surrounding residential areas (Official Plan policy 3.C.2.34). Additionally, the planned function of Community Areas is to provide for residential uses as well as non-residential supporting uses intended to serve the immediate residential areas (Official Plan policy 3.C.2.50). The planned function of Green Areas is to protect and conserve the ecological functions and features and passive and active recreation that these areas provide (Official Plan policy 3.C.2.57). These policies should be addressed within the Planning Justification Study for this development application. Additionally, an amendment to the urban structure for the green areas would be required to facilitate this development application.

Land Use Designation/ Other Policies

The subject lands are designated Low Rise Residential, Mixed Use and Natural Heritage Conservation and in the City's Official Plan (2014). The Low Rise Residential land use designation is intended to accommodate a full range of low density housing types. The mixing and integrating of innovative and different forms of housing to achieve and maintain a low-rise built form is encouraged. The Mixed Use land use designation permits medium and high rise residential uses and a range of non-residential uses. A compatible mix of uses is promoted within the same building or on the same site and a mix of uses within the same building is preferred. In accordance with 15.D.4.17 and 15.D.4.22, lands designated mixed use within Neighbourhood nodes, shall have minimum Floor Space Ratio of 0.6 and a maximum of Floor Space Ratio of 1.0 and generally no building shall exceed 4 storeys or 14 metres in height, whichever is greater, at the highest grade elevation. The primary intent of the Natural Heritage Conservation land use designation is to protect and/or conserve our natural heritage features and their ecological functions. Section 7.C.2 – Natural Heritage System contains numerous policies regarding the protection, conservation, restoration

and/or enhancement of Kitchener's natural heritage system (KNHS). The KNHS is comprised of several features, including locally significant wetlands and regionally significant woodlands both of which, at the time of the preparation of the KNHS and Official Plan, were identified on portions of the subject properties. Accordingly these features were assigned a Natural Heritage Conservation land use designation to ensure their protection and conservation. Given the identification of these features on the subject properties, policies within this section that are relevant include (but are not limited to) 7.C.2.1 to 7.C.2.6; 7.C.2.7; 7.C.2.11 to 7.C.2.12 and; 7.C.2.19 to 7.C.2.23. Additional environmental studies may be required as part of any development application of the subject properties. The Planning Justification Study should include rationale for the proposed change in land use of a portion of the subject properties from Natural Heritage Conservation to Low Rise Residential. Both the land use policies and natural heritage systems policies should be addressed. Policies 11.C.1.26-11.C.1.28 should also be considered together with policies within section 17.E.23.

Wellhead Protection Sensitivity Areas (WPSA)/ Regional Recharge Area

The subject lands are within close proximity to the Region's Manheim East well field and within WPSA 2 and WPSA 3. Further, they are within a Regional Recharge Area. In accordance with Policy 7.C.1.3, development applications within these areas shall be in conformity with applicable policies in the Regional Official Plan.

Laurentian West Community Plan

The subject properties are located within phase III of the Laurentian West Community Plan. Land uses for phase III were not contemplated at the time of the preparation of the Community Plan. As such, an amendment to the Laurentian West Community Plan is required to facilitate any development on this property. The amendment should confirm the density for the subject lands. Further, consideration should be given to the general policies and residential policies of the Community Plan (e.g. neo-traditional design, range of housing types etc.) for the subdivision application.

Comprehensive Review of the Zoning By-law (CRoZBy)

Stage 1 of CRoZBy (By-law No. 2019-051) was passed by Council in April 2019 and is currently under appeal. Stage 1 comprised of most zones, but not residential zones. Although Stage 1 of the new comprehensive Zoning By-law created new mixed use zones and new natural heritage conservation zones, these zones were not applied to the subject lands. The intent was to apply new CRoZBy zones to the lands at the time of the subdivision process.

Stage 2a of CRoZBy includes 7 new Residential zone (RES) categories and associated permitted uses and regulations and will be considered by the Planning and Strategic Initiatives Committee on October 22nd. In general, the new RES-5 zones is comparable to R-6. Stage 2a does not apply the zones geographically to any properties. Instead the new RES zones will be applied through subsequent projects.

Accordingly, the existing A-1 zoning still applies to the lands and any applicable CRoZBy zones (will depend on the timing of the complete application and the status of By-law No. 2019-051) should be applied to the lands at the time of subdivision to implement the Official Plan land use designations.

Kitchener Growth Management Plan

A portion of the subject properties have been identified in the Kitchener Growth Management Plan 2019-2021 as a growth area and Priority 'B' status. The remainder of the subject properties are within the Built-Up Area. Development parcels within the Built-Up Area, but outside intensification areas, may upon written request, be identified as Site Specific Intensification Opportunities (SSIOs) at the discretion of the Direction of Planning. SSIOs have Priority A status.

Subdivision Design Brief

Urban design policies are intended to address the visual character, aesthetics and compatibility of land use including heritage features. The objective of Urban Design policies is to create a sense of place, pedestrian friendly street networks and streetscapes and access to public transit and public amenities, such as parks and open spaces.

Part B: Urban Design Briefs – Sections 4.2, 6 and 7 of the Urban Design Manual provides design and development expectations for new development located in suburban neighbourhoods.

An Subdivision Design Report should be prepared to identify how the subdivision design complies with the design guidelines for suburban development. Among other requirements outlined in the Subdivision Brief, the report should at minimum include the following:

- A vision statement and design principles for the subdivision and how it could best fit and complement the neighbourhood;
- Identification and discussion of opportunities and constraints and how these have informed the site layout;
- Identification of how the subdivision achieves the 9 Primary Design Objectives, with specific attention to walkability;
- A discussion of how the design of the site is consistent with the Suburban Development & Neighbourhood Mixed Use Centres Design Brief;
- A conceptual plan of the main subdivision elements within the neighbourhood (i.e. connectivity arrows/routes, illustration of the 5-minute walk rule in this instance to the park block, key viewsheds, nearest transit stop and primary routes thereto, any priority street or special design treatment area)

Planning Justification Study

With any land use application(s), a Planning Justification Study is required. Staff suggest that the following should be included in the Study, along with other requirements:

- Illustrate and identify how the proposal achieves the objectives of the Official Plan including the overall goal of a healthy and complete community;
- Provide justification for the change in land use from Natural Heritage Conservation to Low Rise Residential
- A detailed terms of reference is attached

- A Sustainability Statement that identifies what energy, water and waste conservation measures will be included in the design and construction of the subdivision, lots and individual buildings to support provincial, regional and city policies, particularly Sections 7.C.4 -7.C.8 of the Kitchener Official Plan. Consideration should be given as to whether there are lots, blocks or a Stage that could be identified for incorporating Passive House design, net zero emissions, LEED or solar PV for example. Further, there are a number of sustainable options that could be offered to property owners at the time of detailed design, including indoor and/or outdoor water conservation and reuse systems, a high-efficiency building envelope and high-efficiency lighting to lower ongoing energy costs, and on-site energy generation technologies including air source or ground source heat pumps or solar thermal for hot water requirements. Terms of reference for the statement can be found at www.kitchener.ca/sustainabilitystatement.

Sale of City-owned Lands

KTHI has requested to acquire the old Ottawa Street ROW in order to consolidate this parcel of land with the balance of their holdings. Staff is recommending the sale of the property and will be seeking direction from Council on this matter.

Summary

In summary, given the policy direction in the Official Plan (2014 policies and 1994 policies), Planning requests that a Planning Justification Study and Subdivision Design Brief be submitted as part of a complete application and include the items outlined above and as attached to this record.

b. Environmental Planning Comments

The Kitchener Official Plan (KOP, 2014) designated a majority of the lands at 2219 Ottawa Street South, the northwest corner of 808 Trussler Road, and the west portion of 2159 Ottawa Street South as Natural Heritage Conservation because the Region had identified a (Regionally) Significant Woodland on these properties. Also designated Natural Heritage Conservation in the KOP is a Locally Significant Wetland in the southwest corner of 2219 Ottawa Street South with its regulated area extending onto 808 Trussler Road to the south.

In addition, other guiding documents with respect to development at these properties are:

- *Alder Creek Watershed Study and Upper Strasburg Creek Watershed Plan* (CH2MHill and North-South Environmental Inc., January 2008)
- *Laurentian West Community Plan Environmental Review* (Gore & Storrie Limited for the City of Kitchener, 1993)
- *Kitchener Natural Heritage System Technical Background Study* (City of Kitchener, rev. June 2014)
- *Tree Management Policy* (City of Kitchener, rev. 2001)

All relevant policies in these documents must be addressed in the supporting environmental documentation (e.g. EIS) submitted as part of a complete application.

The Region provided comments in the Pre-Submission Consultation (PSC) Record (808 Trussler Road and 2219 Ottawa Street South) dated 27 September 2017 outlining their issuance of a woodland removal permit under their Woodland Conservation Bylaw. The applicant's non-compliance with conditions of that permit notwithstanding, the majority of the woodland was removed. The size of remaining woodland does not now meet the minimum size requirements for either a Regionally or Locally Significant Woodland.

However as noted above, Kitchener has also identified a Locally Significant Wetland on the property which comprises part of the Kitchener Natural Heritage System which is still there, and regulated by the GRCA.

A Scoped EIS has been requested by the GRCA and the Region as outlined in the previous PSC Record.

This Scoped EIS should include the requirements for a General Vegetation Overview as required by the City's Council-adopted Tree Management Policy (rev. 2001, <https://www.kitchener.ca/en/city-services/tree-management-policy.aspx>). This consolidated document will be required to be submitted in support of, and as part of, a complete application. All trees that remain on the site (> or equal to 10cm DBH) are to be reviewed and documented per: the methods outlined in Kitchener's *Tree Management Policy*.

Application of Kitchener's Tree Conservation Bylaw and Tree Management Policy to All 3 Properties

Furthermore, and importantly, no trees of any kind on 2219 Ottawa Street South, 808 Trussler Road and/or 2159 Ottawa Street South can be removed without a permit under the City of Kitchener's Tree Conservation Bylaw whether there is a development review process occurring or not (i.e. the properties are all >1 acre in size). And, since a development process commenced with the Pre-Submission Consultation (PSC) in 2017, all trees are to be retained and assessed as part of the any development review as required by the City's Council-adopted *Tree Management Policy* (rev. 2001, <https://www.kitchener.ca/en/city-services/tree-management-policy.aspx>). A General Vegetation Overview (or other, depending on the type of development application) will be required to be submitted in support of, and as part of, a complete application.

c. Heritage Planning Comments

Heritage Planning staff has reviewed the pre-submission consultation meeting request form and supporting materials for the proposed Official Plan Amendment, Zoning By-law Amendment and draft Plan of Subdivision on the lands municipally addressed as 2219 and 2159 Ottawa Street South and 808 Trussler Road.

The property municipally addressed as 2219 Ottawa Street South is identified on the City's Heritage Kitchener Inventory of Historic Buildings.

Section 2 of the Planning Act indicates that Council shall have regard to matters of Provincial interest such as the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest. In addition, Section 3 of the Planning Act requires that decisions of Council shall be consistent with the Provincial Policy Statement. Policy 2.6.1 of the Provincial Policy Statement requires that significant built heritage resources and significant cultural heritage landscapes shall be conserved. The Provincial Policy Statement defines significant as resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people and notes that while some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Regional and municipal policies and guidelines also address the conservation of cultural heritage resources. The Regional Official Plan contains policies that require the conservation of cultural heritage resources. The City's Official Plan contains policies that require development to conserve cultural heritage resources. These policies also establish the requirement for the submission of studies as part of complete applications. The City's Laurentian West Community Plan indicates that prior to development, properties on the inventory shall be studied and considered for designation under the Ontario Heritage Act. In addition, the City's Urban Design Guidelines for New Neighbourhoods encourage the establishment and preservation of views and vistas to prominent on-site cultural heritage resources, and that this could be accomplished through the strategic location of park and open spaces and street design.

The development proposal outlines a proposed draft plan of subdivision that conserves the existing

cultural heritage resource. A partial draft scoped Heritage Impact Assessment (HIA), dated October 25, 2018 and prepared by CHC Limited and a Heritage Impact Opinion, dated November 22, 2018 and prepared by CHC Limited, were submitted to Heritage Planning staff. The partial draft scoped HIA and Heritage Impact Opinion states that the dwelling located on the property municipally addressed as 2219 Ottawa Street South has cultural heritage value or interest and meets the criteria for designation under Part IV of the Ontario Heritage Act.

Heritage Planning staff provided comments on January 10, 2019 in response to a draft subdivision proposal with 3 different park block locations. Heritage Planning staff's comments focused on the heritage resource as a focal point within the proposed subdivision, lack of street frontage for the heritage block, and the preservation of prominent views and vistas.

An updated HIA, assessing in particular the views that have been established through the proposed subdivision layout, and the submission of a Conservation Plan will be requirements of a complete planning application. In addition, Heritage Planning staff will require the Planning Justification Report and/or Urban Design Brief to respond to the guidelines for the conservation of heritage resources found in Part A of the City's Urban Design Manual for New Neighbourhoods.

In summary, Heritage Planning staff will require the following as part of a complete application:

- The submission of an updated scoped Heritage Impact Assessment;
- The submission of a Conservation Plan; and
- A response to the guidelines for the conservation of cultural heritage resources found in Part 'A' of the City's Urban Design Manual for New Neighbourhoods.

d. Transportation Services Comments

1. If the Region of Waterloo is seeking a Transportation Impact Study (TIS), the city would like one hard copy and an electronic copy.
2. Driveway locations and on-street parking plan to be submitted for review prior to draft approval.
3. Sidewalks are required on both sides of all streets.
4. The City of Kitchener Development Manual outlines the requirements for roadway cross sections and right-of-way widths.
5. If a private site access is being proposed along Trussler Rd, ensure that the access point is opposite Knechtel Ct in Mannheim.
6. Traffic calming measures to be provided along Streets A & B.

e. Engineering Comments

- Sanitary Sewer Capacity must be confirmed for this development to proceed, upgrades may be necessary to the municipal system. This sanitary system flows to the proposed Ottawa Trussler Pumping Station. Sanitary zoned and actual peak flows should be provided to verify capacity. Please note the Ottawa Trussler Pumping Station has been designed to receive a peak sanitary flow (including infiltration) of 15.9L/s from this development.
- A Functional Servicing Report including a water distribution analysis must be submitted to support the zone change and plan of subdivision. This is to be reviewed by Kitchener Utilities and the Region of Waterloo.

- This subdivision must be designed in accordance with current City standards. Roads under eventual City ownership will need to be designed to current City standards (min. 18m right-of-way width).
- A Stormwater Management Report is required to address:
 - Quality – Enhanced Level,
 - Quantity – 5 & 100 year post to pre,
 - Retention – 12.5 mm over the entire site,
 - Water Balance
- A sanitary sewer extension will be required for this development to proceed at the Developer's expense. MECP approval will be required.
- A Grading and Drainage Control Plan and details will be required to the satisfaction of the Engineering Division.
- A Site Servicing Plan showing outlets to the municipal servicing system will be required to the satisfaction of the Engineering Division.
- An Erosion and Sedimentation Control Plan will be required to the satisfaction of the Engineering Division.
- All proposed street Plan and Profile drawings will be required to the satisfaction of the Engineering Division.
- Where major overland flow routes are not on municipally owned lands, the owner must deed to the City a minimum 6.0 m wide drainage corridor.
- Sidewalks will be required on all internal streets.
- Any impacts to private wells and septic systems are the responsibility of the subdivider to address. It should be considered in the Servicing Report whether the surrounding residences could be serviced. If the private wells fail to function due to the development of the subdivision, the subdivider is responsible to provide water supply and other services to the affected residences. The appropriate conditions identifying this requirement should be incorporated into the subdivision agreement.
- Any collateral / structural damage to neighboring properties is the responsibility of the subdivider to rectify.
- All public right-of-ways and all services shall be designed and constructed to the standards specified in the City of Kitchener Standards, Regional Standards and other applicable Provincial Standards without exception.
- All SWM systems including infiltration requirements must meet current City of Kitchener design standards and applicable Regional and Provincial standards.
- All SWM systems must be constructed above the Regional 100yr Flood Elevation, including the SWM pond outlet pipe elevation.
- Decommissioning of all existing wells and any septic systems must be done in accordance with the applicable Ontario Regulation.
- All service easements are to have a minimum 5.0 meter width or 2 x service depth, whichever is greater, and ability for servicing vehicles to enter and exit.

- Detailed Geotechnical/Hydrogeological Investigation Report must be submitted to the City for review. This report must distinguish the suitability of soils to support the infiltration of stormwater. A minimum of two years of groundwater elevation monitoring is required at the time of detailed design submission. Where lots are proposed within an area of concern, the geotechnical consultant shall provide the minimum underside of footing elevation for those lots, and it is to be shown on lot grading plan. A letter is required from the geotechnical consultant certifying the minimum elevations are correct.
- A minimum 0.6m separation from the underside of footing to groundwater must be demonstrated using seasonally high groundwater elevations prior to approval.
- Additional comments will be provided during the subdivision design review process.

f. Building, Fire & Utilities Comments

No comments

g. Community Services Comments

These comments are intended to contribute to discussions concerning the City's requirements for trail corridors and park parcels, and how these can be integrated into a future draft plan of subdivision and in relation to the City-owned right-of-way that splits the subject lands.

PARK LAND DEDICATION

A park parcel(s) estimated to total 0.50 hectares in area is required to be conveyed as active community parkland, representing 5% of developable land, calculated as follows:

1. Total Non-developable land: 0.69 hectares (Block 20)
2. Total KTH land holdings: 10.73 hectares
3. Less line 1 (0.69 hectares) 10.04 hectares
4. Park Land Dedication (5% of line 3) 0.502 hectares.

Please note that the Draft Plan for '2219/2159 Ottawa St. S. [KTH Lands]' indicates that Parkland in this draft plan of subdivision totals 0.49 hectares. Based on the above calculation, Park Land dedication is deficient by 0.012 ha of land within this application. Subsequent submissions require that adequate Parkland amount based on 5% developable land is shown.

MUP TRAIL CORRIDOR

The following provides further description of the requirements for the Multi-Use Pathway based on the Multi-Use Pathway & Trails Masterplan (2012):

Type 1 Multi-Use Pathway (MUP)

Parks proposes that a paved Type 1 MUP, 4.0 metres wide, be planned to provide a continuous connection between the Regional MUT within the Ottawa St South right-of-way and Trussler Rd. This MUP would be located within 2 parcels, both to be owned by the City: 1. Within the RoW of Street A, which may need to have a narrow trail corridor conveyed to the City through park dedication in order to accommodate a 4.0 metre wide trail. This short distance of Type 1 MUP might substitute for a conventional 1.5 metre wide sidewalk along Street A; 2. Within the City-owned former Ottawa St South right-of-way, linking the proposed Street A MUP with Trussler Rd frontage.

Trail Corridor: Grading Plan Required

The trail corridors above must be City-owned. The Street A MUP may require a narrow trail corridor between Block 1 and Street A be conveyed to the City through park land dedication, in order that Street A can accommodate a 4.0 metre wide MUP. The MUP that would link Street A to Trussler Rd, is proposed on City-owned land. The location and width of this corridor must be confirmed by detailed trail and grading design to be prepared by the Applicant as part of their Draft Plan planning

work. Once the trail corridor is confirmed by the Applicant's design work to the City's satisfaction, Parks staff would be in position to recommend that the remaining City-owned land (former Ottawa St South) is surplus to the City's needs.

The Applicant will note that trail corridors are wider than the actual paved trail surface. Trail corridors are normally minimum 6.0 metres in width, in order to create 1.0 setbacks on both sides of the paved trail surface. Less than ideal conditions, including corridors on sloping lands, lands with wet soils or vegetated areas, will require wider corridors in order that 5% accessible gradients are achieved i.e. trails may need to meander in order to meet accessibility requirements, demanding wider corridors. For these reasons, and since the proposed MUP corridor is sloping, a detailed Grading Plan is required to be prepared by the Applicant in order that the City can review the dimensions of the proposed Trail Corridor.

Access to Heritage Home

In previous comments it was indicated that if the Applicant's intent is to establish a driveway within the City-owned Ottawa St South parcel, such driveway should be identified on a suitably configured and privately-owned parcel completely independent of the MUP Corridor. It appears that Block 3 is showing an extension for this driveway access to Street A. As noted above, clarification should be provided for how the MUP will interface with Block 4 parkland with this driveway access for the heritage home separating the two blocks.

MUP and Block 20 Conservation Area

There is no Parks requirement to link the proposed MUP within the City-owned Ottawa St RoW with Block 20. There is also no Parks requirement to create a trail within the Block 20 Buffer setback.

Park Parcel

The applicant's letter dated August 16, 2019 indicates that the bifurcated park has been provided in response to comments from the City's park staff and that it allows for a portion of parkland to abut the heritage house, ensuring public access and appropriate views to the property (Block 4). The remaining parkland provides frontage onto three streets (Block 15). Parks staff would like to see the following items provided by the applicant prior to approving the location of these proposed park blocks:

- Preliminary grading plans for the park blocks that indicate grades are meeting all requirements outlined in the COK Development Manual.
- Stormwater management report to show there are no proposed sub-surface infiltration galleries located within the park blocks.
- Clarification of how the MUP will interface with Block 4 parkland with a driveway access for the heritage home separating the two blocks.
- Revised draft plan that allocates for the required 5% parkland (0.64 ha) Parks generally supports providing parkland adjacent to the MUP corridor, and is in agreement with our Heritage staff regarding the value in providing green space adjacent to the existing heritage home property.

h. Grand River Conservation Authority Comments

A portion of the subject property is regulated by the Grand River Conservation Authority (GRCA) under Ontario Regulation 150/06. As such, GRCA staff will partake in a review of the formal Official Plan Amendment, Zone Change Application, and Plan of Subdivision for this proposal. Additional information, as outlined below, is required for our review of this development, and a GRCA permit may ultimately be required

Resource Issues:

Information currently available at this office indicates that the subject property contains a wetland and the associated allowance to the wetland.

2. Legislative/Policy Requirements and Implications:

Due to the presence of the resource feature noted above, a portion of the subject property is regulated by the GRCA under Ontario Regulation 150/06.

In order for GRCA staff to comment on the proposed applications for this site, we request the following supporting materials:

- Preliminary Grading and Drainage Plan, showing existing and proposed grades;
- Preliminary Stormwater Management Report and Servicing Plan that demonstrates how the proposed SWM strategy will meet the recommendations and targets of the Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update (CH2MHill, 2008), including water quantity and quality, infiltration and water balance targets;
- A Scoped Environmental Impact Study (EIS) to assess potential impacts to the wetland. A Terms of Reference (TOR) was previously reviewed by GRCA in early 2019. Should the proposed plans and/or TOR change, please recirculate to GRCA staff for review to help scope the EIS prior to commencement of the study. Note that additional background material for the subject property may be found in the City of Kitchener's Laurentian West Community Plan Environmental Review (April 1993).

In the absence of the above studies, it is premature to comment on the preliminary Official Plan Amendment, Zone Change and Subdivision proposals. Please consider these comments preliminary in nature as we may have additional comments upon receipt of the above information.

Further to the above, please be advised that a GRCA permit pursuant to Ontario Regulation 150/06 will be required for any development proposed within the regulated area. The permit process involves submission of a permit application to our office, the review of the application by GRCA staff, and the subsequent approval/refusal of the permit application by the GRCA. More information can be found on our website at www.grandriver.ca.

Plan Review Fees:

Please be advised that the GRCA applies a review fee for Planning Act applications in our area of interest. Where multiple related applications are circulated for the same property, one fee is charged at the highest rate. In this case, our Subdivision Review Fee is the highest fee and will be required upon circulation of the formal applications. The applicable fee schedule at the time of submission should be consulted to determine the appropriate fee.

i. Region of Waterloo Comments

Planning Justification Report

A Planning Justification Report (4 copies, 1 digital) is required as part of the complete Planning Act applications.

Water Services

A servicing report will be required as part of complete application submission for both proposals. Detailed comments follow below.

Kitchener Trussler Holdings Inc. (2219 and 2159 Ottawa Street S.)

The subject property is located in Kitchener Zone 6 with a static hydraulic grade line of 427 mASL. Any development with a finished road elevation below 370.8 mASL will require individual pressure reducing devices on each water service in accordance with Section B.2.4.7 of the Design Guidelines and Supplemental Specifications for Municipal Services for January 2019.

There are several regional watermains located adjacent to this application. The applicant should be made aware that no connections to regional watermains will be permitted in accordance with Section B.2.1.4.1 of the Design Guidelines and Supplemental Specifications for Municipal Services for January 2019. The watermains are as follows:

1. A Regional 300 mm PVC on Ottawa St services Pressure Zone 5 Mannheim.
2. A Regional 600 mm PVC, on Ottawa St services Pressure Zone Mannheim newly installed in 2019.

3. A Regional 450 mm PVC, on Ottawa St services Pressure Zone 6, but stops just before the northeast corner of the property and continues south inside the Region's property along the westerly side of the Mannheim Water Treatment Plant Site. Please refer to the attached Ottawa St drawing (Contract T2018-128, Tender Drawings Sheet 58).
4. It is anticipated that the old Regional 450 mm AC along the old road will be removed during the week of September 16, 2019.
5. A local 200 mm PVC on Trussler Rd services Pressure Zone 5 Mannheim.

Water Services staff provides the following additional comments:

1. The Polocorp letter to the City of Kitchener Planning Division dated August 16, 2019:
 - a. Comments regarding the Ottawa Street reconstruction noted new watermains were installed that could service the lands. This assumption is incorrect, no Zone 6 watermain was extended beyond the existing Zone 6 watermain that is located to the east of the subject property. A provisional local 300 mm watermain was identified in the contract, but was not constructed as no decision was made prior to construction.
 - b. Comments regarding a portion of the subdivision being within 100m of a Region well will be reviewed by Don Corbett in our Hydrogeology and Source Water group.
 - c. Comments regarding sanitary connection to the new pumping station on the Activa subdivision north of Ottawa St. S., the current submission did not include any servicing concepts, as previous submission on this property looked at connectivity from Trussler Road to minimize any conflicts with the two watermains on Ottawa Street and the recent reconstruction of Ottawa Street. Water Services recently installed a new potable watermain on Ottawa Street. Previous designs looked at maintaining the required distance separation between the watermain and the sanitary line near the intersection of Ottawa and Trussler. Please contact Boris Latkovic at BLatkovic@regionofwaterloo.ca for current information regarding the Ottawa Street reconstruction.
 - d. Comments regarding assumption on infrastructure to connect to the subject development. The 450 mm Zone 6 watermain currently terminates east of the subject lands. Please see attached drawings (Contract T2018-128, Tender Drawings Sheets 58, 59 and 60). There is also an existing Zone 6 watermain that is located on the westerly side of the Region's property. An extension of a local watermain on Ottawa Street will be required to service the subject property. If both proposed street connections to Ottawa Street are approved, staff has no concerns. If only one street access is approved for Ottawa St., staff previously acknowledged a possible easement with the City to provide two connections to the 450 mm Regional watermain on the Region's property for this development.
 - e. Regarding the 200 mm local (Township of Wilmot) watermain, this will not be permitted as it services a different pressure zone.

The servicing report must address:

1. Identification of any required PRVs.
2. A servicing plan which shows extension of local watermains and connectivity to Regional Zone 6 watermains.
3. A drawing showing alignment of the new sanitary collection system connecting to the pumping station and any crossing of the Regional watermain on Ottawa Street.
4. All regional wells and their buffers must be shown on the servicing plan.

Taylor (808 Trussler Rd)

The subject property is located in Kitchener Zone 6 with a static hydraulic grade line of 427 mASL. Any development with a finished road elevation below 370.8 mASL will require individual pressure reducing devices on each water service in accordance with Section B.2.4.7 of the Design Guidelines

and Supplemental Specifications for Municipal Services for January 2019.

Given the proximity to a 450 mm PVC regional watermain, the applicant should be made aware that no connection to regional watermains will be permitted in accordance with Section B.2.1.4.1 of the Design Guidelines and Supplemental Specifications for Municipal Services for January 2019.

Services for the application can come from two options connecting to the proposed water and sanitary design for the proposed application of 2219 and 2159 Ottawa St S or if they wish to proceed on their own a local watermain can be extended off the regional watermain on Bleams Rd in which a service connection can be made. As the current proposal shows the applicant will be creating one multi residential block the block will only be permitted one service connection. Sanitary solutions will be required. This will be responded by the City of Kitchener. If their capacity is accounted for in the Sanitary Pumping Station with the Activa Site north of Ottawa St. at Trussler Rd. design of the collection system with the crossing at Ottawa St and Trussler Rd will need to be aware of the new 600 mm dia watermain recently installed. Please contact Boris Latkovic at BLatkovic@regionofwaterloo.ca for current information regarding Ottawa Street at Trussler Rd.

Corridor Planning

Regional Road Dedication

Dedicated road widenings of various width at various sections along property frontage along Bleams Road (RR #56), Trussler Road (RR #70) and Ottawa Street (RR #04) up to 15.24m from road centre lines will be required to comply with the Regional Official Plan (ROP) designated road width of 30.48m, for all these road sections.

As the section of old Ottawa Street currently under the jurisdiction of the City of Kitchener is being acquired by the proponent, the portions of these land will be also be required along the Ottawa Street and Trussler Road property frontages as mentioned above.

At the minimum 15.24m daylight triangle will be required at the intersection of Bleams Road and Trussler Road along the new property lines and daylight triangles of 7.62m will be required on both sides of the proposed the municipal 'Street A' & 'Street B' intersections on Ottawa Street South.

A roundabout at Trussler/Bleams intersection is already screened in. Additional dedicated lands will be required to be conveyed to the Region for the future roundabout subject to findings of the TIS/ICS and further functional plans to be provided by the developer as mentioned in the following comments. Due to prevailing grades in the abutting lands and the road alignment/profile for the intersecting roads, additional lands may be required for the road and intersection / roundabout improvements. However, the detailed design for the Regional road reconstruction and the roundabout projects are not available at this stage.

A roundabout at Trussler/Ottawa intersection is already approved and scheduled for construction during 2024. Additional dedicated lands will be required to be conveyed to the Region at the future roundabout at Trussler/Ottawa intersection as per preliminary design available.

The Concept Plan provided with the application is not correctly showing the road dedication along the easterly parts of frontage along Ottawa Street; the southern frontage along Trussler Road and entire frontage along Bleams Road. The detailed development plans must identify all the road dedication lands correctly.

Additional lands may also be required for any noise walls, as may be identified through the detailed/preliminary environmental noise study.

The dedication of lands would be required at Plan of Subdivision stage; or a Consent application stage.

Environmental Site Assessment (ESA)

ESA report 1 / 2 may be required for the portions of lands to be dedicated to the Region and would be accepted in accordance with the Region's "Implementation Guideline for Road Allowance Dedication on and Adjacent to Potentially Contaminated Sites". For further information regarding ESA requirements please contact: Alana MacKinnon @ 519-575-4506 Email: AMacKinnon@regionofwaterloo.ca.

The portions of lands to be dedicated to the Region must be excluded from the Record of Site Condition (RSC).

Traffic Site Circulation and Access

Two municipal streets on Ottawa Street are proposed to provide access to the proposed subdivision.

The proposed municipal streets on Ottawa Street South are close to a horizontal and vertical curve section to the east, which makes the visibility very marginal and vary along property frontage along Ottawa Street South. The consultant must confirm and document the in the TIS, that the required visibility of minimum 150m towards east is available at both the proposed municipal streets. Both accesses on Ottawa Street must meet Regional standards.

City staff proposed an additional municipal street within the plan with access onto Trussler Road, in addition to the proposed entrances on Ottawa Street. KTHI indicated this can be reviewed in conjunction with a potential re-design of the street layout. KTHI indicated the landowner at 808 Trussler Road has no plans for development of its lands at this time, and furthermore that KTHI wished to move forward independent of 808 Trussler Rd including not having to provide access to 808 Trussler through KTHI lands as currently proposed.

The feasibility of any proposed municipal street access to Trussler Road must be assessed through the transportation impact study. KTHI must ensure that a municipal street access is feasible on Trussler Road for the above lands being developed, combined with or separately for the property at 808 Trussler Road, as the case may be; so that the lands of 808 Trussler Road are not landlocked in any case.

Each municipal street access on Ottawa Street South/Trussler Road would require a Regional Access permit and \$230 application fee. Access permit would also be required for closing the existing entrances on Bleams Road, Trussler Road and Ottawa Street; but there is no application for access closure.

Functional Servicing Report

It has been mentioned in the application that the proposed development will be serviced through the pumping station on Activa Lands on north of Ottawa Street; and storm sewer and water main connections on Ottawa Street. City staff indicated the sanitary pumping station on the Activa lands north of Ottawa St. will have sufficient capacity to serve the proposed development. A preliminary Servicing report must be submitted for review and approval by the Region at OPA/ZCA application stage.

Stormwater Management

KTHI indicated if the 808 Trussler Rd lands are developed separately, those lands would need a separate SWM facility. It was also mentioned that a retaining wall separating the two developments may be considered.

Storm sewers within the Regional road right-of-way are generally sized and designed to only accommodate stormwater from the right-of-way and in some instances off road surface drainage under existing conditions.

A private stormwater connection to any storm sewer on Ottawa Street / Trussler Road / Bleams Road will be discouraged where an alternate stormwater connection is available, including infiltration of soil conditions and Source Protection under the Clean Water Act permit, or if it is determined that the Regional storm sewer does not have the sufficiency (condition and capacity) to accommodate private stormwater flows from this site. It is the responsibility of the applicant' s engineering consultant to determine an appropriate stormwater outlet from this site and the sufficiency of the receiving storm system if there is no other option available and to include this information in the stormwater management report. The applicant or their consultant should contact Mr. Malcolm Lister, manager, Technical Services for the Region of Waterloo at 519-575-4432 or mlister@regionofwaterloo.ca to

determine if any engineering plans and/or further technical information for any Regional road is available which may be of assistance.

The applicant must submit electronic copies of detailed Site Grading & Drainage Control Plan(s) and Site Servicing Plan(s) along with a SWM report for Regional review and approval. This should include drainage details for the subject property, abutting properties and the public road allowance so as to ensure compatible drainage and to show thereon all existing and proposed connections to the municipal storm sewers, sanitary sewers and water mains and all detailed erosion and siltation control features, all to the satisfaction of the Regional Municipality of Waterloo.

The site grading on the lands abutting the Regional roads must be designed in compatibility with the existing and the future road grades/profiles and the future roundabouts, as acceptable to the Region. The site must be graded in accordance with the approved plan and the Regional Road allowance must be restored to the satisfaction of the Regional Municipality of Waterloo.

Transit Planning

- A roundabout at Trussler/Ottawa intersection is approved and currently scheduled for construction during 2024. However, the actual construction of this roundabout may be delayed. Therefore, until the roundabout is constructed at this location, a temporary loop/stop in the northwest corner of the site will be required for the potential future iXpress stop.
- Exact stop design and location for the transit stop and the temporary turnaround will be determined once more detailed plans are available for the Multi Block 1. The Regional staff will work with the developer's consultant to finalize those details. For any further information in this regard please contact Eric Pisani @ 519-585-7597 Ext 7385 Email: EPisani@regionofwaterloo.ca
- The developer will be required to provide funds for a landing pad, shelter pad and a shelter for the potential future transit stop for which the detailed amounts will be determined at future development application stage.
- The staff recommends that multiple blocks should be located within 300m walking distance from the intersection to make the development transit supportive.

Environmental Noise Study

A detailed environmental noise study will be required to assess the impacts of transportation road noise from Bleams Road (RR #56), Trussler Road (RR #70); Ottawa Street South (RR #04); and any municipal streets in the vicinity.

At the minimum, a feasibility study will be required at the OPA/Zone Change application stage to assess the impacts of environmental noise and the noise mitigation measures required for the proposed development, to ensure that the proposed development is feasible.

The preliminary/feasibility noise study must identify, if noise attenuation walls, berms or combination thereof would be required along Bleams Road, Trussler Road and Ottawa Street South, in order to ensure required blocks of lands are reserved, if necessary for these noise attenuation features.

It is the responsibility of the applicant to ensure that the proposed development and the existing developments in the vicinity are not adversely affected by anticipated transportation and any onsite and offsite stationary noise sources.

The noise level criteria and guidelines for the preparation of the transportation noise study are included in the Region of Waterloo Implementation Guideline For Noise Policies and noise report(s) must comply with the Ministry of the Environment and Climate Change (MOECC) NPC-300 Guideline.

The noise consultant preparing the noise report must be pre-approved by the Region of Waterloo. The noise consultant is responsible for obtaining current information, applying professional expertise in performing calculations, making detailed and justified recommendations, submitting the Consultant Study Declaration and Owner/Authorized Statement along with 3 copies and an electronic copy of

the report to the Region of Waterloo.

There is a fee of \$250 for the preparation of traffic forecasts and review of Environmental Noise Studies. The noise consultant preparing the Environmental Noise Study must complete and submit a Transportation Planning Noise Assessment Fee Form and must request forecasted traffic data for the appropriate Regional roadways. The form can be found at:

http://www.regionofwaterloo.ca/en/doingbusiness/resources/noise_assessment_application_fee_form.pdf

As indicated on the form, traffic forecasts for noise assessments will be prepared within 15 business days of the data of the request, but will be withheld if payment has not been received.

Transportation Capital Projects

Bleams Road

Bleams road from Fischer-Hallman Road to Trussler Road is scheduled for reconstruction and urbanization during the year 2021. Preliminary design proposes that Bleams road would have 3.0m wide multiuse trail on both sides.

Also there is potential future roundabout at the intersection of Trussler/Bleams intersection, as mentioned in the above comments. The detailed designs for Bleams Road reconstruction and the future roundabout at Trussler/Bleams intersection are not available at this stage and may be provided once available. For any further information about these projects please contact further Greg Proctor, Senior Project Manager @ 519-575-4729 Email: GProctor@regionofwaterloo.ca

Trussler Road (RR #70) from Bleams Road to HWY 7/8 is scheduled for widening to 4 lanes, including a roundabout at Trussler/Ottawa intersection, during 2024. The Environmental Assessment (EA) is scheduled to start during the year 2020. This section of Trussler Road is designated as Neighbourhood Connector-Avenue (NAV) in the Context Sensitive Regional Transportation Corridor Design Guidelines and accordingly would have a 2.1 metre wide pedestrian walkway offset 0.9m from the (future) property line. For more information on widening of Trussler Road please contact Justin Armstrong @ 519-575-4400 ext 3164 Email: JuArmstrong@regionofwaterloo.ca

The reconstruction of Ottawa Street (RR #04) from Fischer-Hallman Road to Trussler Road including a multi-use trail on both sides is currently underway. The section of the road pavement has been completed; but still some works are underway in the vicinity of the proposed development. For further information on the reconstruction of Ottawa Street South, please contact Boris Latkovic @ 519-575-4457 Email: BLatkovic@regionofwaterloo.ca

Also Trussler Road from Bleams Road to Highway 7/8 is currently scheduled for widening to 4 lanes during 2024 which might also need property requirements near the southwest property limits depending upon the final designs and alignment of Trussler Road. The details of designs are not available at this stage and the Environmental Assessment (EA) is planned to start during 2020.

Further details for the required road and intersection improvements would be determined through a Transportation Impact Study (TIS) including an Intersection Control Study (ICS) to be provided by the developer. The TIS/ICS must be provided based on both the existing 2 lane and the future 4 lane conditions of Trussler Road.

Once the TIS is found acceptable, additional lands required to accommodate the development would be identified through functional plans. In case of unavailability of detailed design, the lands may be required based on a worse case scenario; and lands conveyed to the region, as may be found surplus by the Region in future, may be conveyed back to the owner, at owner's cost.

Trussler/Ottawa Roundabout

A roundabout at this intersection is approved at this location and is currently included in the Transportation Capital Project for construction during 2024.

The development plans must show the preliminary design for this roundabout.

The developer will be required to provide functional plan and cost estimates as required for various road and intersection improvements and dedicate all lands for this purpose; all at the developer's cost.

Additional lands to be dedicated would be identified through the functional plans for various road and intersection improvements, as may be identified through a Transportation Impact study and ICS.

Additional blocks of lands as might be required for any noise attenuation berms/walls, would be identified through a detailed noise study for the proposed subdivision.

An Ontario Land Surveyor (OLS) would determine the exact amount of widenings and provide a draft reference plan for review by the Regional staff, prior to depositing the reference plan(s) to the Land Registry office.

Transportation Impact Study (TIS)

A Transportation Impact Study (TIS) will be required to assess the impacts on the Regional and the City transportation system from the proposed development and identify the necessary road and intersection improvements required to accommodate the proposed subdivision.

The consultant would be required to provide an Intersection Control Study at the intersection of Trussler/Bleams intersection, as a roundabout is previously screened in at this location.

The scope of the study will be determined through a Pre-study meeting with developer's qualified transportation consultant and the Regional/City staff, prior to undertaking the TIS.

TIS must be prepared in accordance with the Region's guidelines which are available at below link:

[http://www.regionofwaterloo.ca/en/doingBusiness/resources/2014 Transportation Impact Study Guidelines.pdf](http://www.regionofwaterloo.ca/en/doingBusiness/resources/2014%20Transportation%20Impact%20Study%20Guidelines.pdf)

Further requirements will be identified through the TIS / ICS followed by the functional design and cost estimates.

Airport Zoning Regulated Area

The parts of the development lands are located under the runway take off approach surface. There would not be any specific concerns from the airport as approximately 137 metre height restriction would be available with 523.5 metres of proposed AZR height restriction for the flight path. However, the owners must be advised that the occupants of the development may be subject to presence and noise from flying aircraft.

Site Servicing / Work Permit / Municipal Consent

A Municipal Consent will be required for the installation of any proposed/required service connections. Also, a Region of Waterloo Work Permit must be obtained from the Region of Waterloo prior to commencing construction within the Region's right of way. In this regard, please visit <https://rmowroadpermits.mirasan.ca/> for further guidance.

Stationary Noise Study

A stationary noise study will be required for all multiple blocks. The study will need to address the impacts of on-site and off-site stationary noise sources on both on-site and off-site noise receptors.

Archaeology

The subject property possesses the potential for the recovery of archaeological resources due to the proximity of: a cemetery; an historic road, historically mapped buildings, a water course and an underlying land form associated with early inhabitants on the land. Staff understands a Stage 1 and 2 archaeological assessment has been completed and Ministry clearance provided. A copy of this assessment along with the Ministry clearance must be submitted to the Region as part of the complete application.

Staff has indicated that if a Stage 3 is recommended by the licensed Archaeologist, that the Region of Waterloo be circulated the Stage 1 and 2 Assessments and be consulted prior to beginning the Stage 3 Assessment. If a Stage 3 assessment was required, such report must accompany the complete application submission.

Environmental Planning

A scoped environmental impact statement and stormwater management report will be required.

The subject lands included a Core Environmental Feature (Significant Woodland) designated in the Regional Official Plan (ROP). However, the owner recently requested to remove most of this woodland through provisions in the Region's Woodland Conservation Bylaw. Upon review of the woodland removal permit application, Regional staff determined that this woodland did not meet

Significant Woodland criteria according to ROP Policy 7.C.6 as the woodland was a declining conifer plantation of primarily non-native species. As such, the Region approved Woodland Removal Permit 15-51 on August 17, 2016 to remove approximately four hectares of declining conifer plantation on condition that a small wetland area adjacent to Trussler Road and its 30-metre wooded buffer on the subject lands be protected. Subsequently, the owner and/or his contractors did not comply with certain requirements of the permit to mark conifer or invasive hardwood trees within the 30-metre buffer proposed for removal to the satisfaction of the Region prior to the tree cutting.

As a result, the previous landowner and the Region developed a conservation easement for the long-term protection and restoration of the wetland and buffer areas. The current landowner permitted registration of the conservation easement as Instrument WR1191632 June 18, 2019. Since the Region is a party to the conservation easement, the protection of the wetland and buffer areas are matters of Regional interest. Therefore, staff will require the submission of an Environmental Impact Statement (EIS) and stormwater management report to the satisfaction of the City, GRCA and Region. Furthermore, staff will require review of terms of reference for the EIS in collaboration with the City and the GRCA. Guiding documents for the terms of reference include, but may not be limited to, the ROP, City of Kitchener Official Plan, Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update and the conservation easement mentioned above.

The major terms of the easement were complied with (wire fencing, silt fencing and some replacement tree planting). There is nothing outstanding with regard to the easement and there are provisions in the easement (Schedule "A" – Environmental Stewardship Plan) that allows the owner to do additional tree removals (dead/declining conifers, dead ash, invasives etc.) as well as undertake other appropriate work.

Source Water Protection

Hydrogeology and Source Water staff (HSW) has indicated this proposed development is in close proximity to the Region's Mannheim East well field. A portion of the proposed development lies within 100m of a WPSA 1, and within a WPSA 2 and WPSA 3. In addition, the property lies within a Regional Recharge Area as defined by the ROP mapping.

Required Studies

The following studies will need to be completed to the satisfaction of the Region, City and GRCA in support of the Planning Act applications:

- 1) Hydrogeology Study
 - a. To include a pre-, during- and post-construction groundwater monitoring program
 - b. The consultant should contact HSW in advance to discuss an appropriate scope
- 2) Preliminary and Final SWM Plan in accordance with:
 - a. Infiltration targets presented in the Rosenberg Secondary Plan
 - b. Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Study Final Report (CH2M HILL, 2008)
 - c. Pre-development infiltration volumes should be matched or exceeded post-development, while minimizing the amount of salty water infiltrated across the development
- 3) Functional Servicing Report
 - a. Enhanced construction standards for all storm and sanitary sewer infrastructure within 200 m of Region supply wells, in accordance with the attached guideline document
 - b. Completion of a site specific spill mitigation/action plan for construction occurring within 200 m of Region supply wells, in accordance with the attached guideline document
 - c. Boulevards shall be clay-lined for all roads within 200 m radius of any municipal supply well
- 4) Spill Prevention, Response and Contingency Plan
 - a. For the proposed sanitary pumping station
- 5) Salt Management Plans

- a. To be completed at Site Plan control for any parking lots and/or private roads associated with multiple residential, commercial, institutional, industrial, or employment lands
- b. Snow storage shall be required to be on impervious surfaces

Additional Comments

- Geothermal wells will not be permitted for this development
- If underground parking is proposed for any development blocks, additional study will be required
- Any existing domestic wells will need to be decommissioned by a licensed well contractor in accordance with Ontario Regulation 903 (as amended)
- Any existing septic systems will need to be decommissioned in accordance with applicable provincial legislation
- HSW's records indicate that a Region-owned test well exists on the KTHI property at 2219 Ottawa Street South (northeast corner). HSW may want to keep this well for future groundwater monitoring purposes. HSW will review information about this monitoring location to determine if it should be maintained, or whether it should be decommissioned.

Record of Site Condition

A RSC will be required based on the current use of the 808 Trussler Road property (greenhouse facility) and adjacent uses.

Region Planning Review Fee

Pursuant to Region's fee By-law 19-016, the following review/approval fees apply:

- Noise study review \$250.00;
- Zone change application review \$1,150.00; and
- City of Kitchener Official Plan amendment approval \$5,750.00;
- Plan of Subdivision: Complete application \$6,525.00 plus \$250.00 per ha (to maximum of \$15,525.00); and registration release \$2,000.00 per phase
- Scoped EIS Review \$2,300.00
- Site plan review \$805.00

j. Township of Wilmot Comments

Fire Department and Recreation Department have no comments on the proposal.

Development Services comments have been addressed through the removal of any direct access to Trussler Road. As per our previous comments on other boundary applications the Township believes limiting direct access to Trussler is the best means by which to emphasize the importance of the Countryside Line and preserve the function of Trussler Road as a boundary road.

Public Works & Engineering Department requests the following documents and studies to review and consider the draft plan application:

1. Functional Servicing Report.
2. Preliminary SWM Report.
3. Preliminary Area Grading and Drainage Plan to determine/review the following:
 - If the applicant is required to secure a legal outlet for any storm runoff tributary to Trussler Road that outlets westerly into the Township of Wilmot.
 - In lieu of pursuing a legal outlet for storm water runoff, the applicant may wish to investigate the possibility of intercepting surface runoff from rear lots proposed to drain to Trussler Road and direct this surface runoff to a proposed storm sewer internal to the development.
4. Hydrogeological Report – confirm private wells located within close proximity to the proposed development will not be affected.
5. Traffic Impact Study – review traffic/pedestrian movements at Trussler Road and Knechtel Court.

In addition to these studies the Township would also request, copies of the applications package and drawings all in digital format- no paper required.

PART IV. OTHER INFORMATION AND MATERIALS

Other Information and Materials	# of Copies	To the Satisfaction Of:	Notes:
Standard Requirements			
Completed Application Forms, Fee(s) and *Subdivision Style Signage Required	10	Planning	+ Regional Fees +GRCA Fees
Draft Plan & ZBA Map 1 in accordance with Digital Submissions Standards		Planning	
PDF of all Reports & Plans		Planning	
Other Required Plans and Studies			
Planning Justification, Subdivision and Implementation Report	10	Planning Region Twp. of Wilmot	
Subdivision Design Report	10	Planning	
Scoped Environmental Impact Statement & General Vegetation Overview	10	Planning Region GRCA	
Functional Servicing Plan & Report	15	Engineering Region Twp. of Wilmot	
Preliminary Grading Plan	15	Engineering Region Twp. of Wilmot GRCA	
Preliminary Storm Water Management Report	15	Region Engineering Twp. of Wilmot GRCA	
Traffic Impact Assessment	15	Region Transportation Planning Twp. of Wilmot	
Hydrogeological Study	10	Region Engineering Twp. of Wilmot	
Salt Impact Report	5	Region of Waterloo	
Geotechnical Investigation	10	Engineering Region	
Scoped Heritage Impact Statement	5	Heritage planning	
Conservation Plan	5	Heritage Planning	
Archaeological Assessment	3	Region	

Spill Prevention, Response and Contingency Plan	5	Region	
Environmental Noise Study	5	Region	
Stationary Noise Study	5	Region	
Record of Site Condition	5	Region	For 808 Trussler only

Please ensure that any ToR required for a report should be vetted through applicable staff first to avoid any potential delay in staff accepting an application as being complete.

PART V- SIGNATURES

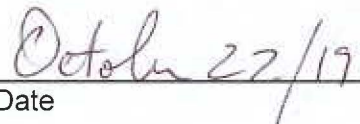
This Record of Pre-Submission Consultation only applies to the proposal as described and/or as provided for in the attached concept plan. This Record of Pre-Submission Consultation documents the required *other information and materials* that must be submitted in conjunction with the application form and fees. It will be used by Planning Staff to determine whether the application is complete. **If you have any concern with this Record of Pre-Submission Consultation please contact the Planner immediately.**

Please note that the feedback provided at this Pre-Submission Consultation Meeting does not constitute a detailed review of the proposed 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.

These minutes shall be considered valid until October 3, 2020.



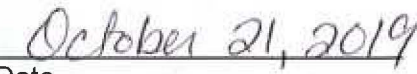
 Brian Bateman
 Senior Planner



 Date



 Della Ross
 Manager of Development Review



 Date

Attach:

- Proposed Draft plan submitted with application form
- Draft Terms of Reference for Planning Justification Studies



LEGEND
 Land to be acquired by applicant
 (2.37 ha.) from the City of Kitchener



BLOCK NO.	LAND USE	CH LAYOUT	
		NO.	AREA ACRES
1	Mixed Use	1.24	0.31
2	SWN	0.47	1.18
3	Residential	0.35	0.89
4	Professional	0.23	0.57
5	Residential	0.17	0.43
6	Residential	0.14	0.36
7	Residential	0.17	0.43
8	Residential	1.27	3.29
9	Residential	0.19	0.47
10	Residential	0.21	0.52
11	Residential	0.21	0.52
12	Residential	0.19	0.47
13	Residential	0.19	0.47
14	Residential	0.19	0.47
15	Residential	0.25	0.62
16	Residential	0.25	0.62
17	Multi-Store	0.11	0.27
18	Multi-Store	2.74	1.52
19	Open Space	5.18	0.48
20	Open Space	0.22	0.47
21	Open Space	0.19	0.47
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100	Open Space	0.19	0.47

TOTAL	10.72	24.81
SCALE	1:1000	
DATE	AUGUST 09, 2019	
DESIGNED	OTHERS	
2219 / 2159 OTTAWA ST. S (KITHLAUDS) CITY OF KITCHENER		
DRAFT PLAN		

POLCORP
 379 QUEEN STREET EAST, SUITE 100
 K1P 1H8, ONTARIO
 TEL: 519-321-1111
 WWW.POLCORP.COM

FILE: C:\Users\polcorp\Documents\2219-2159 Ottawa St S\2219-2159 Ottawa St S.dwg
 DATE: 2019-08-09 10:00:00
 USER: polcorp\polcorp
 PLOT: 2219-2159 Ottawa St S.dwg
 PLOT DATE: 2019-08-09 10:00:00
 PLOT USER: polcorp\polcorp

Draft Terms of Reference for Planning Justification Studies

A Planning Justification Study is a comprehensive planning study, prepared by a qualified professional, which is required to be submitted in conjunction with certain development applications. Such studies should address matters including, but not limited to the following:

1. Background:
 - a. Site location and description
 - b. Site history
 - c. Existing conditions
 - d. Surrounding context
 - e. Opportunities & constraints
2. Description of the proposal:
 - a. Proposal overview
 - b. Main characteristics
 - c. Outline of supporting studies submitted with the proposal
 - d. master plan
 - e. Elevations, renderings, photos of example development
3. Policy Review:
 - a. How the proposal relates to applicable policy/ legislation / regulation:
 - i. Provincial Policy (e.g., Provincial Policy Statement, Places to Grow)
 - ii. Regional Official Plan
 - iii. Current and new City Official Plans/ Secondary Plan
 - iv. Laurentian West Community Plan
 - v. Zoning By-law
 - vi. Any other City policies, plans, and studies
4. Analysis, planning rationale and justification:
 - a. Rationale and justification for the development application
 - b. Impact on the overall Urban Structure
 - c. Impact on neighbouring municipalities
 - d. Impact on the planned function of the area in which the proposal is located
 - e. Compatibility with and Impacts upon adjacent land uses, including how any impacts are proposed to be managed
 - f. Availability of services and Infrastructure
 - g. Pedestrian accessibility and connectivity
 - h. How the proposal is transit -supportive and/or transit-oriented
 - i. Transportation system implications, including operational improvements necessary to accommodate the proposal
 - j. Transportation Demand Management (TOM) measures
 - l. Urban design concepts for the site and proposed buildings
 - m. Provision of a Sustainability Statement identifying the energy, water and waste conservation measures to be included in the proposal to support Provincial, Regional and City policies
 - n. Description of the community benefits that the proposal will contribute to the surrounding area
5. Draft Plan of Subdivision
6. Implementation
 - a. OPA – description & policy amendment document
 - b. Community Plan amendment – description & amendment document
 - b. ZBA - description & By-law
 - c. Plan of Subdivision – description of lots and blocks, roads etc.
7. Neighbourhood Engagement Strategy
8. Conclusion:
 - k. Succinctly, why should City staff recommend approval of the proposal?

**APPENDIX C:
DRAFT OFFICIAL PLAN AMENDMENT**

AMENDMENT NO. _____ TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER

CITY OF KITCHENER

INDEX

SECTION 1	TITLE AND COMPONENTS
SECTION 2	PURPOSE OF THE AMENDMENT
SECTION 3	BASIS OF THE AMENDMENT
SECTION 4	THE AMENDMENT

APPENDICES

APPENDIX 1	OFFICIAL PLAN AMENDMENT SCHEDULE A
APPENDIX 2	OFFICIAL PLAN AMENDMENT SCHEDULE B

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 2219 Ottawa Street South and 808 Trussler Road by amending the boundaries of the 'Low Density Residential', 'Mixed Use' and 'Natural Heritage Conservation' designations shown on Map 3 – Land Use.

SECTION 3 – BASIS OF THE AMENDMENT

The effect of the amendment will be to facilitate development for Plan of Subdivision File No. _____ on the lands.

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 2 – Urban Structure by:
 - i. Designating the lands identified as Area 1, as shown on Schedule 'A', from Green Area to Community Area
 - b. Amend Map 3 – Land Use by:
 - i. Designating the lands identified as Areas 1, as shown on Schedule 'B', from Natural Heritage Conservation , Low Rise Residential and Mixed Use to Low Rise Residential;
 - ii. Designating the lands identified as Areas 2, as shown on Schedule 'B', from Natural Heritage Conservation and Mixed Use to Mixed Use;
 - iii. Designating the lands identified as Areas 3, as shown on Schedule 'B', from Mixed Use and Natural Heritage Conservation to Open Space;
 - iv. Designating the lands identified as Areas 4, as shown on Schedule 'B', from Mixed Use and Low Rise Residential to Open Space;
 - v. Designating the lands identified as Areas 5, as shown on Schedule 'B', from Natural Heritage Conservation to Open Space.

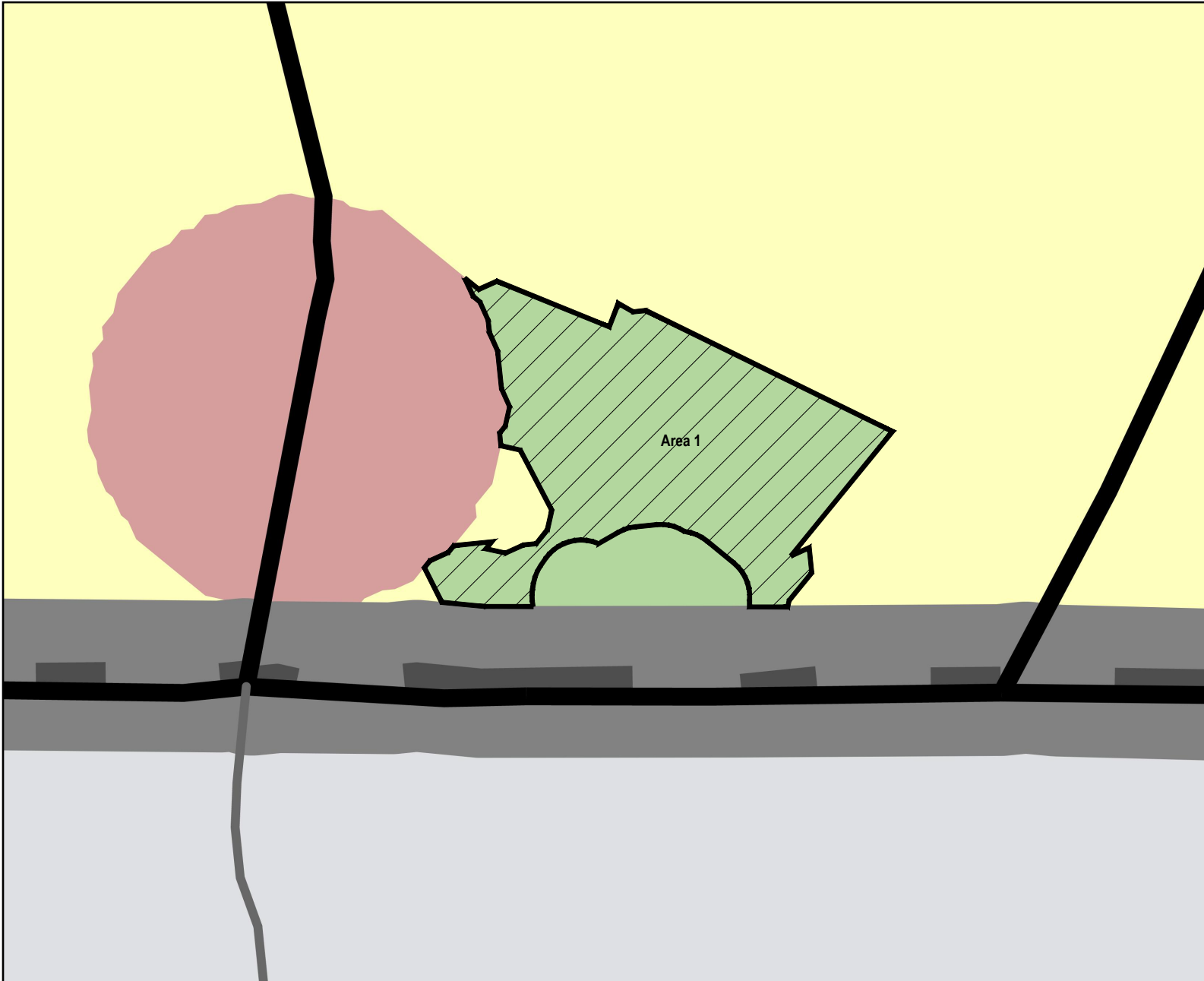


LEGEND
 (From City of Kitchener "Map 2- Urban
 Structure")

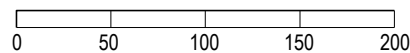
- Neighbourhood Node
- Green Areas
- Community Areas
- Municipal Boundary

AREA OF AMENDMENT

- From Green Area to Community Area



SCHEDULE 'A'



CITY OF KITCHENER
 CITY WIDE

SCALE 1: 4,000

DATE: APRIL 26, 2022

OFFICIAL PLAN AMENDMENT

City of Kitchener
 COMMUNITY SERVICES DEPARTMENT, PLANNING

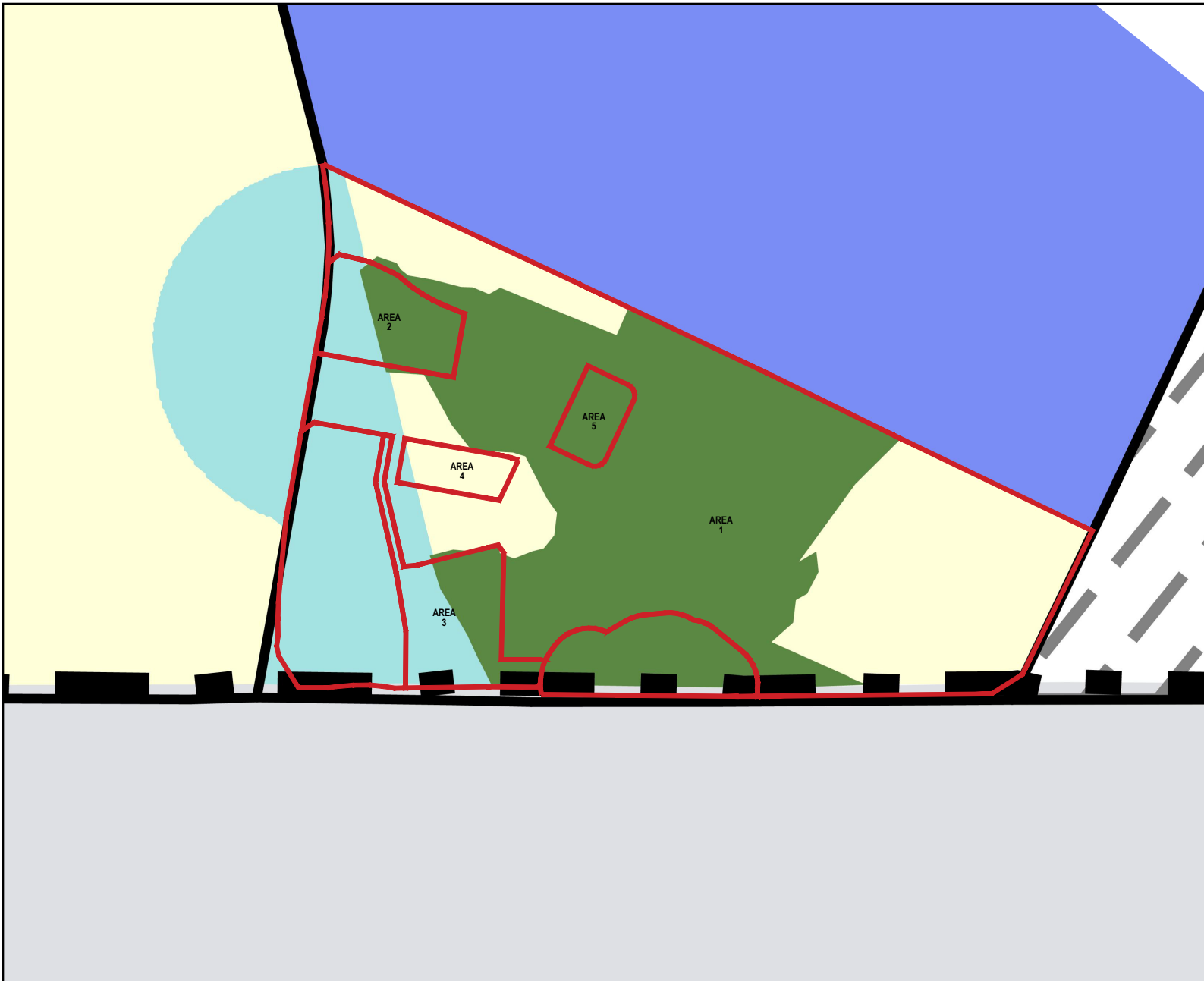


LEGEND
(From City of Kitchener "Map 3- Land Use")

- Mixed Use
- Natural Heritage Conservation
- Low Rise Residential
- Major Infrastructure and Utilities
- Open Space
- Refer to Secondary Plan for Detail
- City Boundary

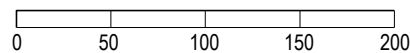
AREA OF AMENDMENT

- 1 Low Rise Residential
- 2 Mixed Use
- 3 Open Space
- 4 Open Space
- 5 Open Space



SCHEDULE 'B'

CITY OF KITCHENER
CITY WIDE



SCALE 1: 4,000

DATE: APRIL 26, 2022

OFFICIAL PLAN AMENDMENT

City of Kitchener
COMMUNITY SERVICES DEPARTMENT, PLANNING

**APPENDIX D:
DRAFT 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 – 2219 Ottawa Street South and 808 Trussler Road, 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 24 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 25 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 28 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 29 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.

5. Schedule Number 24 of Appendix "A" to By-law Number 2019-051 is hereby further 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 Low Rise Residential Five (RES-5) Zone, Low Rise Residential Five (RES-5) Zone with Site Specific Provision X, Low Rise Residential Five (RES-5) Zone with Site Specific Provision Y, Neighbourhood Institutional (INS-1) with Site Specific Provision Z, Recreation (OSR-1) Zone, Open Space: Stormwater Management (OSR-3) Zone and Natural Heritage Conservation (NHC-1) Zone

6. Schedule Number 25 of Appendix "A" to By-law Number 2019-051 is hereby further 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 Low Rise Residential Five (RES-5) Zone, Low Rise Residential Five (RES-5) Zone with Site Specific Provision X, Low Rise Residential Five (RES-5) Zone with Site Specific Provision Y, Neighbourhood Institutional (INS-1) with Site Specific Provision Z, Recreation (OSR-1) Zone, Open Space: Stormwater Management (OSR-3) Zone and Natural Heritage Conservation (NHC-1) Zone

7. Schedule Number 28 of Appendix "A" to By-law Number 2019-051 is hereby further 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 Low Rise Residential Five (RES-5) Zone, Low Rise Residential Five (RES-5) Zone with Site Specific Provision X, Low Rise Residential Five (RES-5) Zone with Site Specific Provision Y, Neighbourhood Institutional (INS-1) with Site Specific Provision Z, Recreation (OSR-1) Zone, Open Space: Stormwater Management (OSR-3) Zone and Natural Heritage Conservation (NHC-1) Zone

8. Schedule Number 29 of Appendix "A" to By-law Number 2019-051 is hereby further 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 Low Rise Residential Five (RES-5) Zone, Low Rise Residential Five (RES-5) Zone with Site Specific Provision X, Low Rise Residential Five (RES-5) Zone with Site Specific Provision Y, Neighbourhood Institutional (INS-1) with Site Specific Provision Z, Recreation (OSR-1) Zone,

Open Space: Stormwater Management (OSR-3) Zone and Natural Heritage Conservation (NHC-1) Zone.

9. Section 19 to By-law 2019-051 is hereby amended by adding Section 19 (X) thereto as follows:

“X. Notwithstanding Section 7.3, Table 7- 5 and Table 7 – 6 of this By-law within the lands zoned RES-5 and shown as being affected by this subsection on Schedule Number 24, 25, 28 and 29 of Appendix “A”, the following special regulations shall apply:

- a) Maximum Floor Space Ratio shall be 1.0
- b) Minimum interior side yard Setback shall be 2.5 metres
- c) Minimum exterior side yard setback from a lot line formed by a Corner Visibility Triangle shall be 0.5 metres”

10. Section 19 to By-law 2019-051 is hereby amended by adding Section 19 (Y) thereto as follows:

“Y. Notwithstanding Sections 4.14.7 and 7.3, Table 7- 5 and Table 7-6 of this By-law within the lands zoned RES-5 and shown as being affected by this subsection on Schedule Number 24, 25, 28 and 29 of Appendix “A”, the following special regulations shall apply:

- a) Maximum Floor Space Ratio shall be 0.75
- b) Minimum interior side yard Setback shall be 2.5 metres
- c) Unenclosed porches associated with a dwelling unit may project into an interior side yard provided that the porch is located a minimum of 1.5 metres from a lot line and the floor of the porch does not exceed 1 metre in height above the ground. A cold room may be located beneath the porch.

11. Section 19 to By-law 2019-051 is hereby amended by adding Section 19 (Z) thereto as follows:

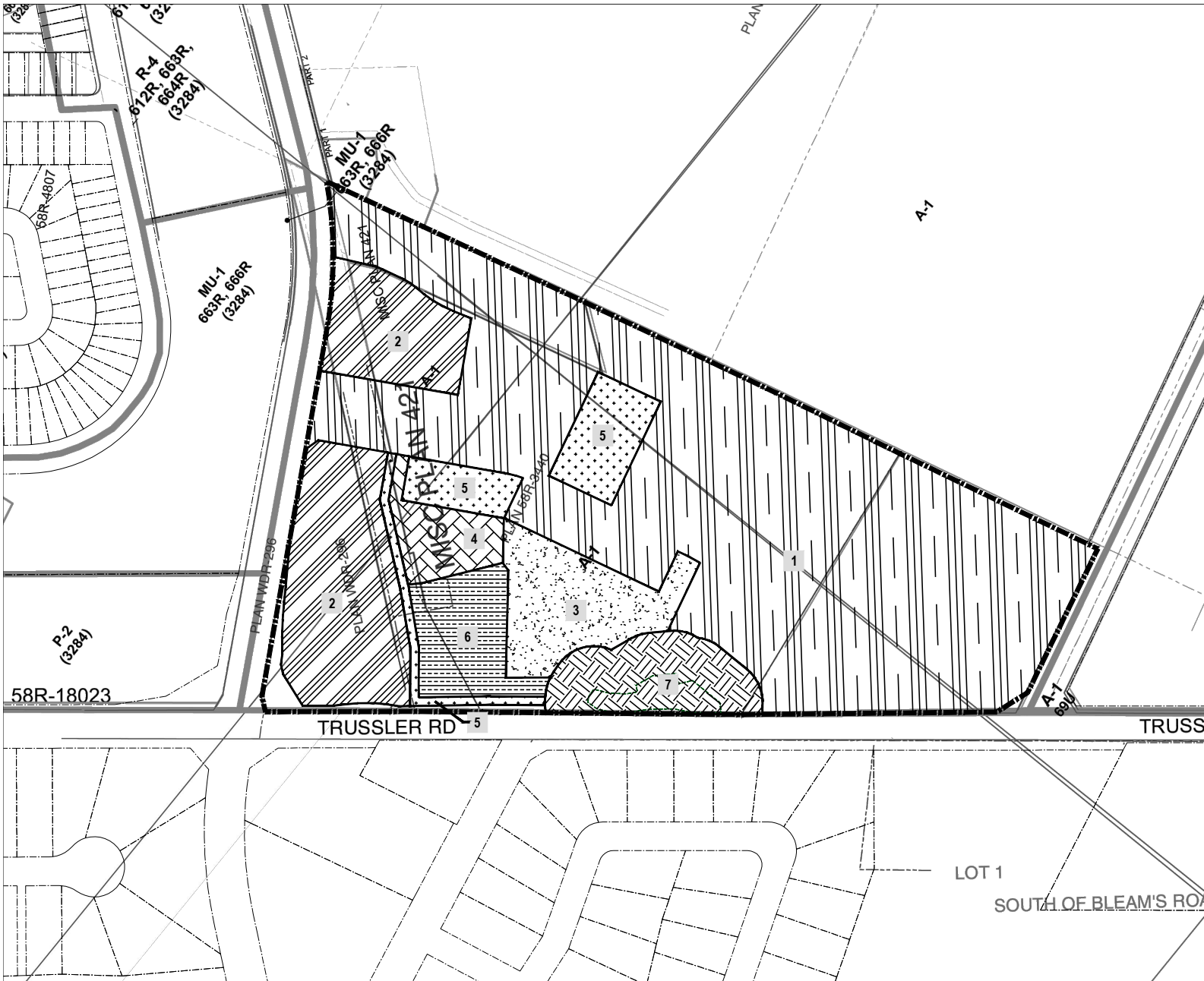
“Z. Notwithstanding Section 11.2, Table 11-1 of this By-law within the lands zoned INS-1 and shown as being affected by this subsection on Schedule Number 24, 25, 28 and 29 of Appendix “A”, the following special regulations shall apply:

- a) Use of a building existing on or before the passing of this by-law as a single detached dwelling shall be permitted.








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

Mayor

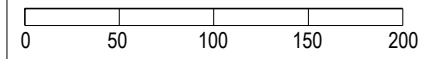
Clerk



LEGEND

-  From the Agricultural (A-1) Zone in By-law 85-1 to the Low Rise Residential Five (RES-5) Zone in By-law 2019-051.
 -  From the Agricultural (A-1) Zone in By-law 85-1 to the Low Rise Residential Five (RES-5 (X)) Zone in By-law 2019-051 with Site Specific Provision X.
 -  From the Agricultural (A-1) Zone in By-law 85-1 to the Low Rise Residential Five (RES-5 (Y)) Zone in By-law 2019-051 with Site Specific Provision Y.
 -  From the Agricultural (A-1) Zone in By-law 85-1 to the Neighbourhood Institutional (INS-1 (Z)) Zone in By-law 2019-051 with Site Specific Provision Z.
 -  From the Agricultural (A-1) Zone in By-law 85-1 to the Open Space: Recreation (OSR-1) Zone in By-law 2019-051.
 -  From the Agricultural (A-1) Zone in By-law 85-1 to the Open Space: Stormwater Management (OSR-3) Zone in By-law 2019-051.
 -  From the Agricultural (A-1) Zone in By-law 85-1 to the National Heritage Conservation (NHC-1) Zone in By-law 2019-051.
-
- A-1 Agricultural Zone
 - INS-1 (Z) Neighbourhood Institutional Zone with Site Specific Provision Z
 - NHC-1 National Heritage Conservation Zone
 - OSR-1 Recreation Zone
 - OSR-3 Open Space: Stormwater Management Zone
 - RES-5 Low Rise Residential Five Zone
 - RES-5 (X) Low Rise Residential Five Zone with Site Specific Provision X
 - RES-5 (Y) Low Rise Residential Five Zone with Site Specific Provision Y
- Zone grid reference
Schedule 24, 25, 28, 29 of Zoning Bylaw 85-1

MAP 1



DRAFT BY LAW

CITY OF KITCHENER
2219 Ottawa Street South and 808 Trussler Road

SCALE 1: 4,000
DATE: APRIL 26, 2022

City of Kitchener
COMMUNITY SERVICES DEPARTMENT, PLANNING