

REVISED PLANNING JUSTIFICATION REPORT

OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT
APPLICATION

Southwest Corner of Huron and Strasburg Road
Kitchener

Date:

October 2023

Prepared for:

2517293 Ontario Inc.

Prepared by:

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1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC”) has been retained by 2517293 Ontario Inc. (the “Owner”) to seek approvals for an Official Plan Amendment and Zoning By-law Amendment to facilitate a residential development, comprised of four multiple-residential towers with on site amenity space and structured parking. The lands are located at the southwest corner of Huron and Strasburg Road in the City of Kitchener herein referred to as “the subject lands”. The amendments are required in order to facilitate the residential towers of the development as proposed.

The subject lands are located within a Community Node intended to serve what are commonly referred to as the Huron and Brigadoon neighbourhoods. The subject lands have frontage along both Huron and Strasburg Road as illustrated on **Figure 1 Location Map**. The subject lands are approximately 3.416 hectares (8.441 acres) in size.

The Owner is proposing to redevelop the subject lands as follows:

- Four residential towers oriented to take advantage of views and to minimize impact on existing low-rise residential development in the area;
- A separate 2-storey building for amenity area facing Huron Road;
- Two structures, underground and surface parking including EV ready parking stalls;
- Indoor secure bicycle parking; and
- Landscaped amenity areas.

This Planning Report has been revised to reflect an updated concept plan and includes the following:

- An introduction and general description of the subject lands, surrounding land uses and existing conditions to provide an understanding of the locational context;
- A description of the revised development concept and revised Official Plan and Zoning By-law Amendments;
- An updated review and assessment of the existing Provincial, Regional and Municipal policy framework in relation to the proposed redevelopment;
- A summary of the proposed Public Consultation process;
- A review and summary of revised technical reports prepared in support of the revised planning applications.

An Official Plan Amendment and Zoning By-law Amendment is required to implement the proposed residential development within the Mixed Use designation.

2.0 SITE DESCRIPTION & CONTEXT

The subject lands are located in the City of Kitchener and Region of Waterloo. The subject lands are located within a Community Node and have frontage along both the Huron Road and Strasburg Road corridors. The subject lands are currently vacant and are within a prime location for development given the proximity to existing transit and the identification of the lands as being within a Community Node. Further, the site is close to existing residential neighbourhoods and associated amenities as well as employment areas to the north and north east.

The subject lands are split designated Commercial, Mixed Use, and Natural Heritage Conservation and are currently vacant.

The immediate surrounding area includes a mix of land uses including planned commercial, employment, residential and institutional. The surrounding land uses are illustrated on **Figure 1** and include the following:

NORTH: Employment uses are located directly to the north of the subject lands (on the north side of Huron Road and the west side of Strasburg Road). A vacant parcel proposed to be developed for mixed-use is also located on the north side of Huron Road. An existing secondary school (Huron Heights Secondary School) is located at the northeast corner of Huron and Strasburg Road.

EAST: To the east of the subject lands along the east side of Strasburg Road is a vacant parcel that is planned to accommodate commercial and/or mixed-use development. An existing residential subdivision is also located east of the subject lands. This neighbourhood is comprised of a range of residential uses including single detached, townhouse and multiple-residential developments.

SOUTH: Directly to the south of the subject lands is an existing church (Apostolic Christian Church Nazarean). Environmental features, including a large woodlot, are also located to the south (primarily east of Strasburg Road). Existing and emerging residential development is also located south and southwest of the subject lands.

WEST: Natural heritage features, including valleylands associated with Strasburg Creek are located immediately to the west of the site. Lands on the opposite

side of the valley are developed as a residential neighbourhood. An existing multi-use trail is also located to the west.

As discussed above, the subject lands are located within a Community Node and along an existing transit route. Transit stops are currently located at the intersection of Huron and Strasburg Road with additional stops located to the west and east of the subject lands along Huron Road and the north along Strasburg Road. It is anticipated that once the Strasburg Road corridor is completed, transit will eventually be extended south along Strasburg connecting the Huron West and Doon South communities.

Existing multi-use trails run along both the Strasburg Road and Huron Road frontages of the subject lands. The Huron Road multi-use trail extends a significant distance to the west (approximately 2 kms), currently terminating at Fischer-Hallman Road.

The subject lands location within a Community Node and with direct access to services, existing transit and active transportation networks makes this site a prime candidate for development.

3.0 DESCRIPTION OF REVISED PROPOSAL

This section describes the revised development concept as well as the planning applications required to implement the proposal, including the proposed Official Plan Amendment and Zoning By-law Amendment applications.

The development proposal includes four multiple residential apartment buildings with a separate on site amenity building along Huron Road and a combination of structured and surface parking. Full build out of the subject lands is anticipated to occur in phases. Vehicular access to the proposed development is proposed from both Huron and Strasburg Roads with two accesses from Huron Road and one access from Strasburg Road.

The OPA and ZBA applications have been submitted in support of the revised development. The proposed residential buildings will contain a mix of 1, 2 and 3 bedroom units with a total of 760 residential units. To support the development, below grade and 2-storeys of structured parking are proposed. Additional parking is located within a surface parking area located between the amenity and residential buildings (primarily located internal to the site).

The gross floor area of the four residential towers is approximately 74,750.3 m² with a Floor Space Ratio (FSR) of 4.0. A copy of the revised site plan, site plan statistics and renderings can be reviewed in **Appendix A** of this report.

The first residential building is oriented perpendicular to Huron Road to take advantage of view opportunities along Strasburg Creek. This building includes a stepback from Huron Road above the third storey. The proposed building is rectangular in shape with a proposed height of 12 storeys and a total of 136 units. Access to the underground parking is located to the south of the building. It is anticipated that this building will be the first phase of development.

The second and third residential buildings are located along the southern boundary of the subject lands directly in front of the structured parking and are oriented to be parallel with Huron Road. Building 2 has a proposed height of 24 storeys and 271 units. It is anticipated that Building 2 will be constructed in the second phase of development. Building 3 has a proposed height of 20 storeys and has 223 units. It is anticipated that Building 3 will be developed as the third phase of development. Building 4 has a proposed height of 12 storeys and has 130 units. It is anticipated that building 4 will be developed in the fourth and final phase of the development. The orientation of the buildings with differing building heights will provide a varied roof line and views from surrounding lands.

One level of underground parking and two storeys of above ground structure parking are proposed, which will serve all four residential buildings. The parking will likely be built in multiple phases with a knock down wall between the phases of development.

The proposed 2 storey amenity building will front Huron Road, parallel in orientation. No amendments are contemplated to facilitate this portion of the development.

Amenity Space

The four residential buildings will benefit from a shared amenity space located on the northern portion of the subject lands. The common indoor amenity space is located in a 2-storey building. Additional amenities will be provided in the form of outdoor amenity and landscaped areas; private balconies and/or terraces and a landscaped roof deck (Building 1). Pollinator gardens and beehives are being considered within the landscaped areas of the site. Natural and native plant materials are also expected to be an integral component of the landscape design.

Parking and Access

As previously noted, access to the proposed development will be provided from both Huron Road and Strasburg Road. The western most access on Huron Road will be a full (all turn) access. The Huron access just west of the roundabout will be a right-in/right-out access. The Strasburg Road access is aligned with Templewood Drive and will be a full (all turn) access. Parking proposed for the site will be provided through a combination of underground, surface, and 2 storeys of above ground structured parking. A total of 775 parking spaces have been provided for the site with 262 of the parking spaces located within the underground parking structure, 434 of the parking spaces located within the above ground parking structures, and the remaining 79 parking spaces located across the site in the form of surface parking. Electric Vehicle ready parking has also been accommodated on-site.

In order to encourage active transportation, Class A and Class B bicycle parking stalls will be provided with 386 bicycle parking stalls proposed to serve the residential buildings.

Servicing and Infrastructure

The development will be connected to sanitary, water and storm sewers. For further details about sizing and capacity for the proposed service connections please refer to the Revised Functional Servicing Report prepared by WalterFedy dated September 20, 2023, submitted concurrently with the Official Plan Amendment and Zoning By-law Amendment Applications. A summary of the updated servicing and other technical studies can be reviewed in **Section 5** of this Report.

3.1 Official Plan Amendment

In order to implement the proposed development scheme an Official Plan Amendment (OPA) is required. The purpose of the OPA is to amend the text of the existing special policy that applies to these lands. The Official Plan Amendment relates specifically to policy 15.D.12.40 of the Official Plan, which provides special policies that apply to both the Southeasterly and Southwesterly corners of Huron Road and Strasburg Road. The purpose of the OPA is to allow for a maximum building height of 24 storeys within the portion of the subject lands that is designated 'Mixed Use'. No changes are required to the Official Plan Schedules.

A comprehensive review of the revised Official Plan Policies can be reviewed in detail in **Section 4.1** of this report. A draft Official Plan Amendment is included as **Appendix B**.

Existing Policy: 15.D.12.40
Southeasterly and southwesterly corners of Huron Road and Strasburg Road

Notwithstanding the Commercial and Mixed Use land use designations and policies on the lands located at the southeasterly and southwesterly corners of Huron Road and Strasburg Road:

- a) dwelling units will not be permitted on the lands designated Commercial at the southwesterly corner of Huron Road and Strasburg Road, notwithstanding these lands may be used for parking and access to uses permitted on the Mixed Use designated portion of the site;*

- b) dwelling units will be permitted on the lands designated Commercial at the southeasterly corner of the Huron Road and Strasburg Road provided that they are located in the same building as compatible commercial uses and are not located on the ground floor to a maximum Floor Space Ratio of 2.0;*

- c) for the lands designated Commercial, at the southeasterly and southwesterly corners of Huron Road and Strasburg Road, the full range of retail and commercial uses listed in Policy 15.D.5.16 and Policy 15.D.5.17 a), save and except retail commercial centres and major office, will be permitted; and*

d) for the lands designated Mixed Use, the full range of uses listed in Policy 15.D.4.2 and Policy 15.D.4.3, will be permitted. Non-residential uses will be encouraged on the ground floor of any building within 25 metres of the Strasburg Road lot frontage, with provisions in the Zoning By-law to require the ground floor of any building, within such area, to have a minimum height of 4.5 metres.

Proposed Policy: The following additional clause is proposed to be added to Special Policy 15.D.12.40:

e) for the lands designated Mixed Use, the maximum permitted height shall be 24 storeys.

The current Official Plan policies were prepared almost 10 years ago and do not reflect the current realities of the housing market. In our opinion the increase in height is appropriate given the location of the subject lands within a Community Node, along an existing transit corridor and along an existing multi-use trail. It has been demonstrated through technical studies included with the complete application (including wind and shadow impact studies) that the additional height can be accommodated without adverse impact to existing low-rise residential development in the area.

3.2 Zoning By-law Amendment

The City of Kitchener Zoning By-law 2019-051 is being completed in stages through the comprehensive review of zoning by-law (CRoZBy) process. Stage 1 (non-residential zones) was approved in April 2019 and is in full force and effect. Through the CRoZBy process the subject lands were split zoned General Commercial (COM-2), Mixed Use Three (MIX-3) and Natural Heritage Conservation (NHC-1). The Zoning By-law implements the Official Plan. Site specific regulations (119) and (120) also apply to the subject lands and further implement Site Specific Policy 15.D.12.40 of the Official Plan.

No amendments are proposed to the COM-2 and NHC-1 portions of the site and no development is proposed within the NHC-1 portion of the property. The four residential towers are located fully within the portion of the subject lands zoned MIX-3. The MIX-3 zone permits multiple residential development in a free-standing building and as such, no special use provisions are required.

Site Specific Provision (120) found within Section 19 of the Zoning By-law applies to the MIX-3 portion of the subject lands. It is proposed that the further site specific regulations sought through the Zoning By-law Amendment be added through an amendment to Section 19, and specifically an amendment to Site Specific Provision (120). No changes are required to the existing Zoning By-law Schedules.

Existing Site Specific Provision (120):

Within the lands zoned MIX-3 and shown as affected by this provision on Zoning Grid Schedule 152 and 165 of Appendix A, the following shall apply:

- a) The ground floor of any building located within 25 metres of the Strasburg Road street line shall have a minimum height of 4.5 metres;*
- b) No minimum or maximum percent of non-residential gross floor area is required; and,*
- c) Regulation 8.2 (1) shall not apply.*

Proposed Amended Site Specific Provision (120):

Within the lands zoned MIX-3 and shown as affected by this provision on Zoning Grid Schedule 152 and 165 of Appendix A, the following shall apply:

- a) *The ground floor of any building located within 25 metres of the Strasburg Road street line shall have a minimum height of 4.5 metres;*
- b) *No minimum or maximum percent of non-residential gross floor area is required; and,*
- c) *Regulation 8.1 (1) shall not apply. (This is a minor housekeeping amendment as the existing site specific references 8.2 (1) instead of 8.1 (1).*
- d) *The maximum building height shall be 24 storeys and 80 metres and the maximum FSR shall be 4.0.*
- e) *No minimum Ground Floor Street Line Façade Width as a Percentage of the Width of the Abutting Street Line shall apply.*

An analysis of the proposed zoning and site specific regulations is contained at **Section 4.2** of this Report.

4.0 PLANNING ANALYSIS

The original Planning Justification Report contained a detailed policy analysis. Our analysis including our conclusions remain unchanged as it relates to Provincial and Regional policies.

The proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision are consistent with the policies of the Provincial Policy Statement and conform to the Growth Plan and Regional Official Plan.

4.1 City of Kitchener Official Plan

Council for the Regional Municipality of Waterloo approved Official Plan Amendment No. 103, which had the effect of amending the Official Plan of the City by replacing it with a new Official Plan for the City of Kitchener, in part, with modifications, on November 19, 2014. The Region's decision was released in a Notice of Decision dated November 24, 2014. The Region's decision was subject to a 20-day appeal period under the Planning Act and a number of policies and parts of maps were appealed and filed to the Ontario Municipal Board (OMB). The appeals of the Official Plan were dealt with and the majority of the Official Plan, including all policies relevant to the subject lands, is now in full force and effect.

This section includes an analysis of the Official Plan, primarily in light of the proposed Official Plan Amendment described in Section 3.1 of this report. The proposed OPA relates only to the 'Mixed Use' portion of the subject lands. No amendments are proposed to the 'Commercial' and 'Natural Heritage Conservation' designations that also apply to the subject lands.

The proposed Official Plan Amendment seeks to amend site specific policy 15.D.12.40 to allow a maximum building height of 24 storeys within the portion of the lands designated 'Mixed Use'.

4.1.1 Urban Structure

The subject lands are located within the Designated Greenfield Area (DGA), per Map 1 of the Official Plan. The DGA is located between the urban area boundary and the built boundary. Policy 3.1.3 of the Official Plan makes provision for mixed uses and medium to high density uses in appropriate locations within the DGA and Policy 3.C.1.2 confirms that *Intensification Areas* can be located within both the Built-Up Area and the Designated Greenfield Area.

Notwithstanding the Region's minimum density target of 50 residents and jobs combined per hectare for the entire DGA, the City's Official Plan notes that areas serving primarily a residential function will meet or exceed a minimum average density of 55 residents and jobs combined

per hectare. The subject lands are located within an area that provides primarily a residential function.

Policy 3.C.1.16 confirms that the City will identify and designate locations for mixed use and density near and along existing and planned transit corridors and within nodes to assist in achieving the density target for the DGA. The subject lands are located along an existing transit corridor and are further located within a community node, satisfying the locational criteria for mixed use and increased density.

Section 3.C.2 of the Official Plan contains the Urban Structure policies. Urban Structure components are illustrated on Map 2 of the Official Plan (**Figure 2** of this report). The subject lands are identified as 'Community Node' on this plan. The urban structure policies are to be read in conjunction with policies related to the more specific land use designations identified on Map 3 (**Figure 3**).

The Community Node generally applies to all properties at the intersection of the Huron and Strasburg Road, including the existing church and high school but excluding the existing employment use at the northwest corner of the intersection.

The Urban Structure is composed of Intensification Areas which include the Urban Growth Centre (Downtown), Major Transit Station Areas, City Nodes, Community Nodes, Neighbourhood Nodes, Urban Corridors and Arterial Corridors. The Intensification Areas are connected by transit corridors and the integrated transportation system which are key elements in shaping growth and built form. As Intensification Areas, these areas are generally intended to provide for a broad range and mix of uses in an area of higher density and activity than surrounding areas.

The City's Intensification Areas are identified in a hierarchical manner. The hierarchy is intended to establish priority areas for intensification. These intensification areas serve different city, community and neighbourhood scaled planned functions and may be different in terms of character, scale, function, and potential to accommodate growth. Figure 6 in the City's Official Plan illustrates this hierarchy and identifies Primary and Secondary Intensification Areas. Community Nodes are identified as a Primary Intensification Area. The Official Plan prioritizes higher densities within Intensification Areas than in surrounding areas and directs higher densities within walkable proximity of transit stop locations.

As previously noted, the subject lands are located within a Community Node. Community Nodes are located along existing or planned transit corridors. The planned function of Community Nodes is to provide for commercial uses with a mix of residential and institutional uses necessary to support and complete surrounding residential communities.

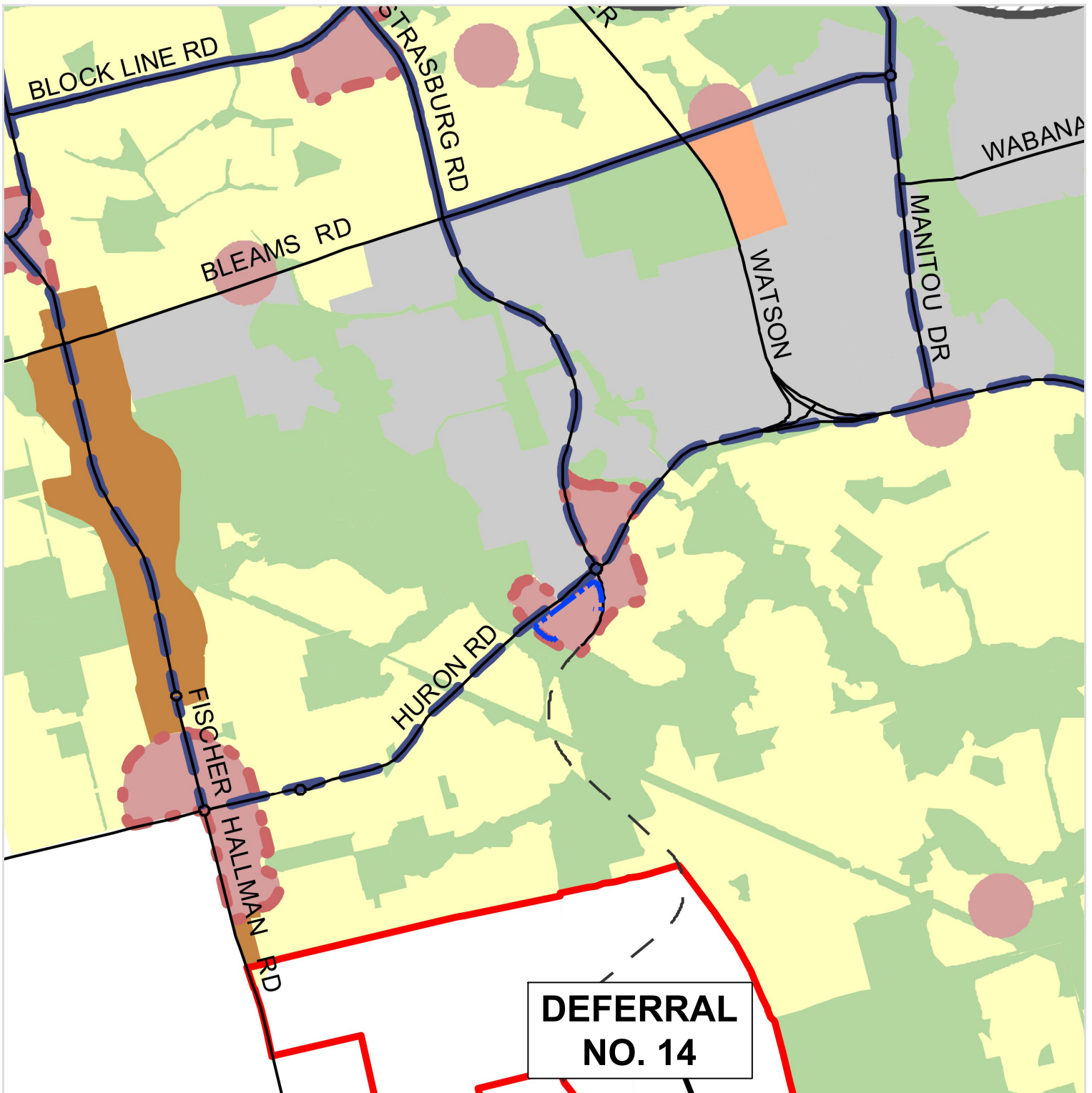


Figure 2
**City of Kitchener
 Official Plan:
 Map 2 - Urban
 Structure**

Huron Rd & Strasburg Rd
 City of Kitchener
 Region of Waterloo

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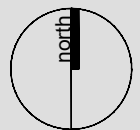
- Subject Lands
- Intensification Areas**
- Community Node
- Neighbourhood Node
- Urban Corridor
- Arterial Corridor
- Other Areas**
- Community Areas
- Industrial Employment Areas
- Green Areas
- Transit**
- Existing Transit Corridor
- Planned Transit Corridor

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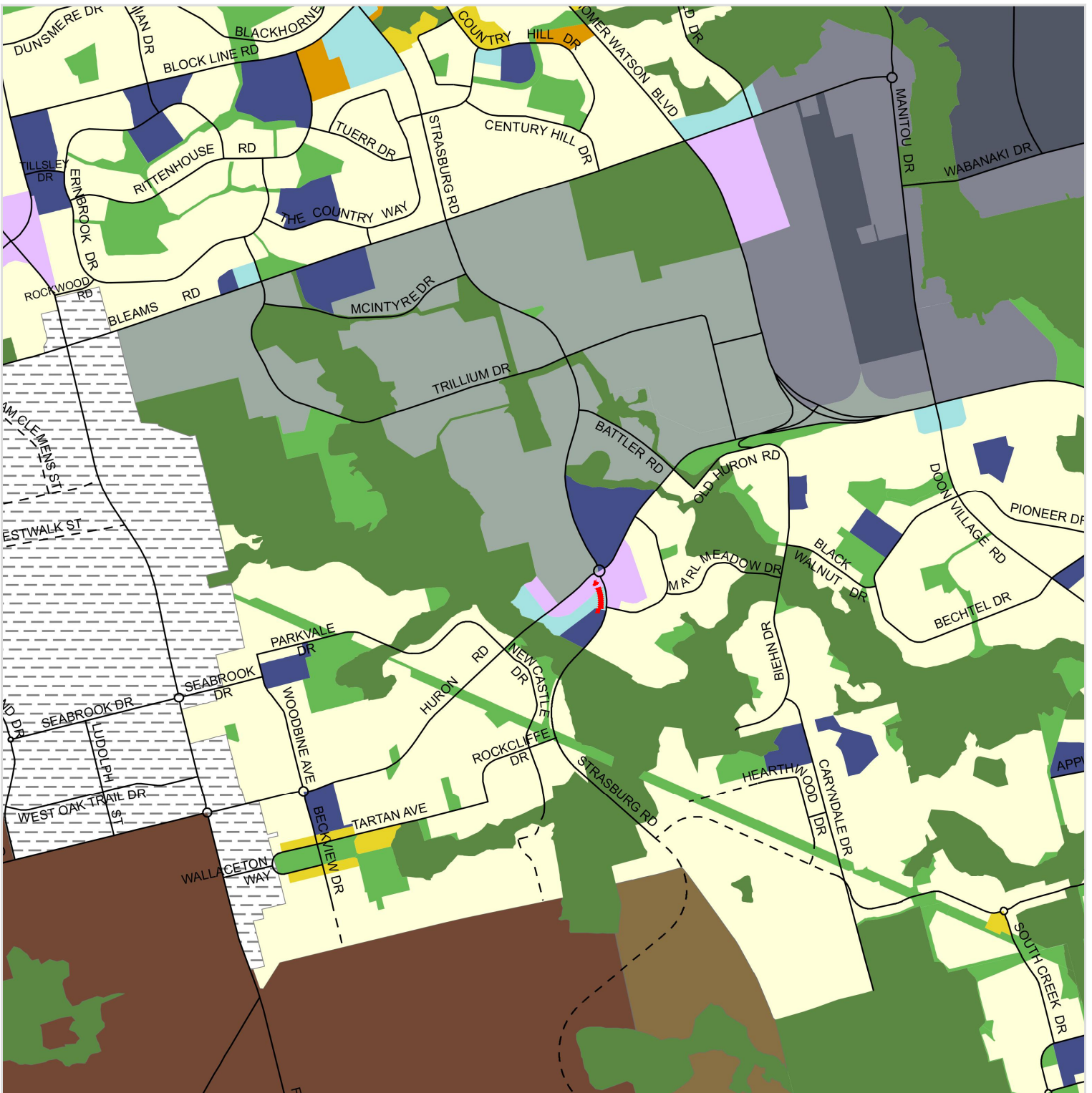


Figure 3
City of Kitchener
Official Plan:
Map 3 - Land Use

Huron Rd & Strasburg Rd
 City of Kitchener
 Region of Waterloo

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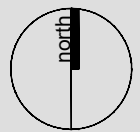
- Subject Lands
- Refer to Secondary Plan For Detail
- Low Rise Residential
- Medium Rise Residential
- High Rise Residential
- Mixed Use
- Commercial
- Heavy Industrial Employment
- General Industrial Employment
- Business Park Employment
- Institutional
- Prime Agriculture
- Rural
- Natural Heritage Conservation
- Open Space

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Community Nodes primarily serve an interneighbourhood market and are intended to intensify, be transit-supportive and cycling and pedestrian-friendly (3.C.2.31).

Where the Community Node is located at the intersection of existing or planned transit corridors as identified on Map 2, the predominate land use designation on lands abutting the intersection of the transit corridors will be Mixed Use (3.C.2.32). The proposed development achieves this objective through the proposed development of a vacant site as a residential development containing high density uses four apartment buildings along the frontage of Huron Road and Strasburg Road. The site has been designed to allow for potential commercial uses in the future.

4.1.2 Housing

General housing policies are contained within Section 4 of the Official Plan. These policies strive to achieve a range, variety and mix of housing types and styles, densities, tenure and affordability throughout the city. The subject lands are located within the Huron and Brigadoon communities. Residential development in the surrounding area has been predominantly ground oriented low-density residential with freehold ownership or condominium ownership tenure. The proposed development proposes rental apartment units, which will introduce a new form of housing in terms of density, type and tenure within the broader surrounding community.

Policy 4.C.18 provides where zoning regulations are required to facilitate residential intensification or a redevelopment of lands, the overall impact will be reviewed to ensure that:

- a) *Any new buildings and any additions and/or modifications to existing buildings are appropriate in massing and scale and are compatible with the built form and the community character of the established neighbourhood.*
- b) *Where front yard setback reductions are proposed for new buildings in established neighbourhoods, the requested front yard setback should be similar to adjacent properties and supports and maintain the character of the streetscape and the neighbourhood.*
- c) *New additions and modifications to existing buildings are to be directed to the rear yard and are to be discouraged in the front yard and side yard abutting a street, except where it can be demonstrated that the addition and/or modification is compatible in scale, massing, design and character of adjacent properties and is in keeping with the character of the streetscape.*
- d) *New buildings, additions, modifications and conversions are sensitive to the exterior areas of adjacent properties and that the appropriate screening and/or buffering is provided to mitigate any adverse impacts, particularly with respect to privacy.*

- e) *The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the site.*
- f) *The impact of each special zoning regulation or variance will be reviewed prior to formulating a recommendation to ensure that a deficiency in the one zoning requirement does not compromise the site in achieving objectives of compatible and appropriate site and neighbourhood design and does not create further zoning deficiencies.*

In response to the above policy:

- The subject lands are physically separated from existing residential development by Strasburg Creek to the west and Strasburg Road to the east.
- Shadow studies demonstrate that the proposed buildings will not cause adverse shadow impacts on existing development.
- The subject lands are located within a Primary Intensification Area and as such are intended to be developed at a higher intensity than those areas designated as Low Density Residential.
- No reductions to front yard setbacks are proposed.
- The proposed development meets the minimum parking requirement of the Zoning By-law.
- The proposed development meets and exceeds the minimum Landscape Area requirement of the Zoning By-law.

Policy 4.C.1.16 directs that 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. The subject lands are greater than two hectares in size, and are proposed to be developed with multiple residential buildings, exceeding the minimum target for new residential units as set out in Policy 4.C.1.16.

In our opinion the proposed amendments support the City's general housing policies and the City's preference for a land use pattern that mixes and disperses a full range of housing types both across the City and within neighbourhoods.

4.1.3 Natural Heritage & Environmental Management

Natural Heritage Conservation policies are contained within Sections 7.C.2.1 and 15.D.9 of the Official Plan. The primary intent of the Natural Heritage Conservation land use designation is to protect and/or conserve natural heritage features and their ecological functions. The western

most portion of the subject lands, adjacent Strasburg Creek, is designated Natural Heritage Conservation. No development is proposed within this designation.

The Strasburg Creek valley on and adjacent to the subject lands is identified as a Core Natural Heritage Feature (CNHF) on Map 6 of the Official Plan (**Figure 4** of this report). The Strasburg Creek valley is also identified as a Core Environmental Feature (CEF) in the ROP.

Policy 7.C.2.20 states: "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."

Policy 7.C.2.23 states: "Development, redevelopment or site alteration will only be permitted on lands adjacent to the Natural Heritage Conservation features where an Environmental Impact Study or other appropriate study has determined to the satisfaction of the City, Region, GRCA and/or province, as appropriate, that approval of the proposed development, redevelopment or site alteration would not result in adverse environmental impacts on the natural heritage feature or the ecological functions of the feature."

The EIS prepared in support of the development applications confirms that no development or site alteration is proposed with CNHFs or SNHFs; these will be maintained in full, with development setbacks and buffer enhancements. Development on adjacent lands (i.e., the successional cultural meadow habitat encompassed by the development envelope) will result in no adverse impacts to features and functions of natural areas on adjacent lands, with implementation of recommended retention, protection and mitigation measures discussed herein.

The western edge of the subject lands is identified as a Slope Erosion Hazard on Map 7 of the Official Plan (**Figure 5** of this report). No development is proposed within this portion of the subject lands and a Geotechnical Report has been prepared to determine the appropriate development setback from the stable top of slope.

4.1.4 Sustainable Development

Sustainable Development policies are contained within Section 7.C.4 of the Official Plan. These policies speak to a broad range of practices, including: developing communities and buildings that are energy and water efficient; reducing greenhouse gas emissions; using environmentally friendly building materials; efficiently managing stormwater; reducing and/or managing solid waste; and, creating complete, healthy, walkable, transit-supportive, cycling and pedestrian-friendly communities are often associated with sustainable development.

A Sustainability Statement has been prepared (and updated) in accordance with the Complete Application Requirements Policies in Section 17.E.10 of the City's Official Plan.

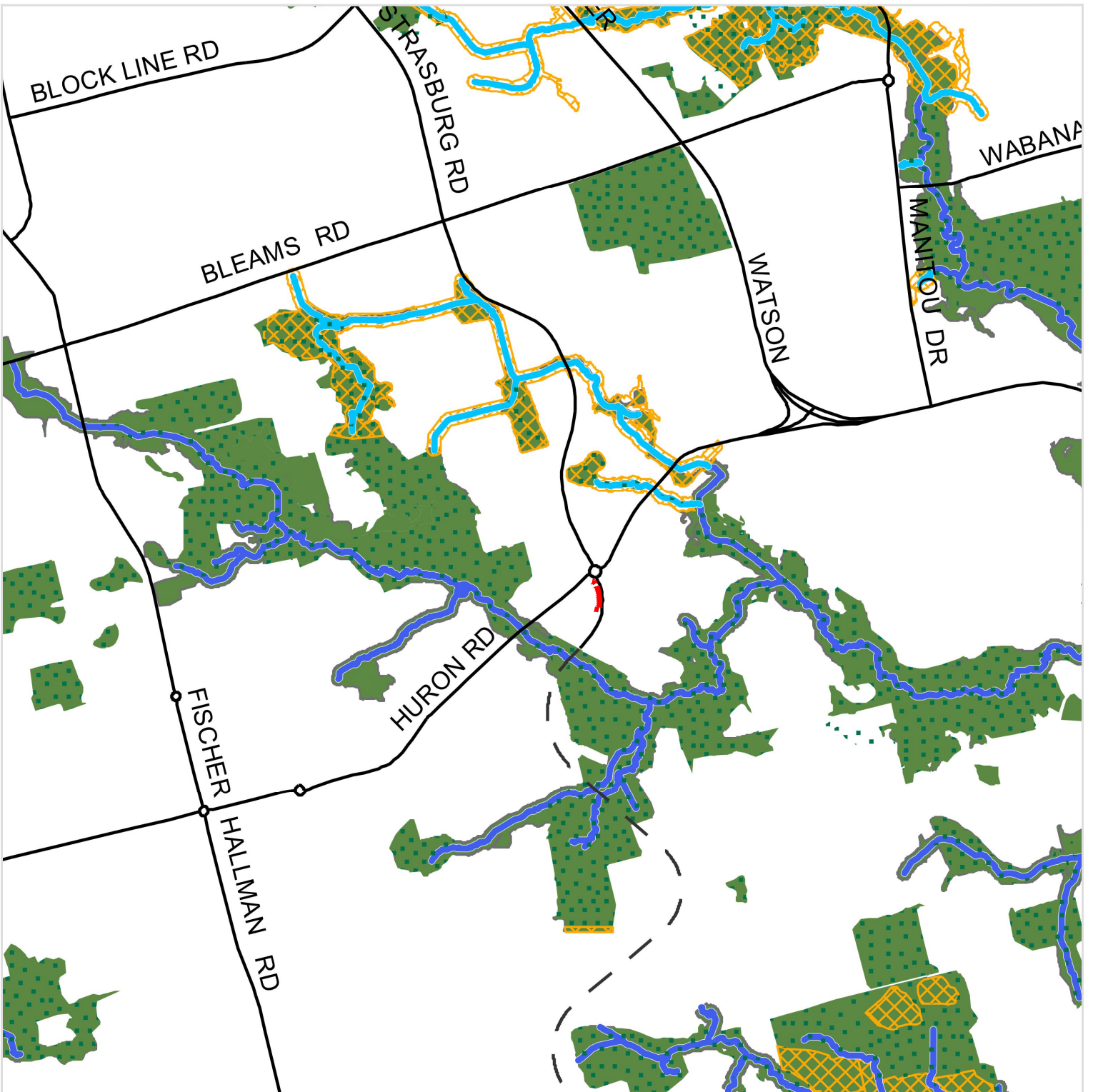


Figure 4
City of Kitchener
Official Plan:
Map 6 - Natural
Heritage System

Huron Rd & Strasburg Rd
 City of Kitchener
 Region of Waterloo

LEGEND

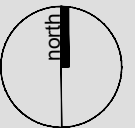
-  Subject Lands
-  Kitchener Core Natural Heritage Features
-  Significant Wildlife Habitat and Significant Landforms
-  Ecological Restoration Areas
-  Region Core Environmental Features
-  Stream - Ecological Restoration
-  Stream

DATE: July, 2022

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MHBC PLANNING
 URBAN DESIGN
 & LANDSCAPE
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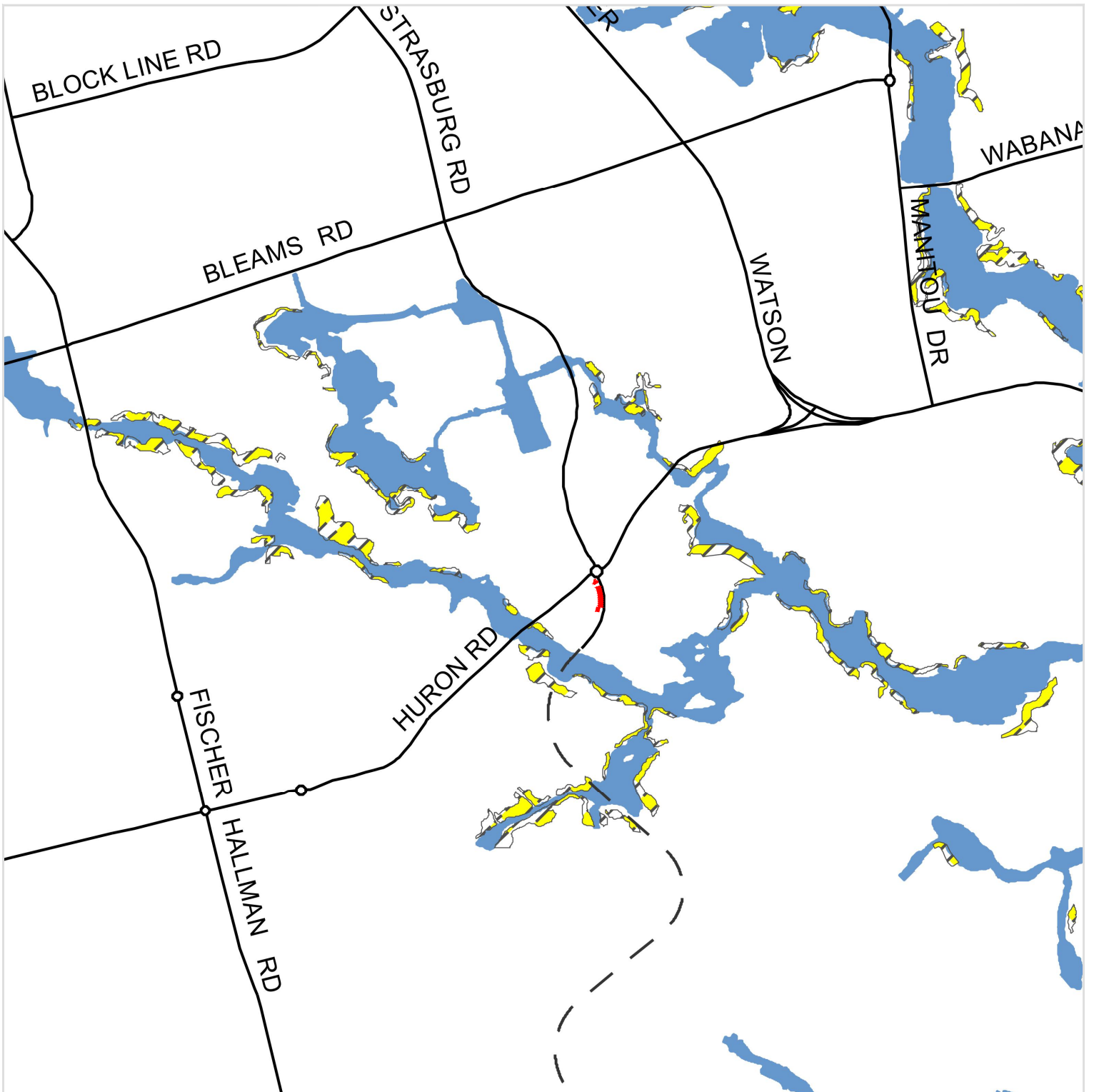


Figure 5
City of Kitchener
Official Plan:
Map 7 - Natural
Hazards

Huron Rd & Strasburg Rd
 City of Kitchener
 Region of Waterloo

LEGEND

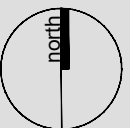
- Subject Lands
- Flood Plain Policy Area**
- One Zone Flood Plain Policy Area
- Two Zone Flood Plain Policy Area
- Slope Erosion Hazard**
-

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The Sustainability Statement demonstrates that the proposal meets the sustainable development policies of the Plan and that sustainable development design standards are achieved. The revised Sustainability Statement is included as **Appendix D** of this report.

4.1.5 Integrated Transportation Systems

Section 13 of the Official Plan contains policies related to the City's transportation systems. The integrated transportation system is illustrated on Map 11 of the Official Plan (**Figure 6** of this report). This includes policies related to active transportation, public transit, transit oriented development, the street system itself and parking. These policies recognize the relationship between transportation and land use. It is an objective in the Official Plan to promote land use planning and development that is integrated and conducive to the efficient and effective operation of public transit, and encourages increased ridership of the public transit system.

In terms of active transportation, the policies encourage a mix of land uses to ensure that residents' access to basic community infrastructure, amenities and services does not depend on car ownership or public transit use (13.C.1.6). The subject lands are well served by existing and future active transit corridors. This includes the existing multi-use pathway along the Huron and Strasburg frontages, and the identification of Huron Road as a future cycling route.

Multi-Use pathways, including the multi-use pathway along Huron Road are considered a four-season transportation corridor under section 13.C.2.2 of the Official Plan. The proposed development will include direct pedestrian connections to the multi-use pathway. Indoor secure and outdoor short term bicycle parking will be provided in support of cycling as an alternative mode of transportation.

The public transit policies confirm that the City will locate lands designated for high rise residential, office, retail, community services, institutional and other high transit trip generators in close proximity to existing and planned transit services (13.C.3.6). This policy has been implemented through the identification of a Community Node at the intersection of Huron and Strasburg Road, within which the subject lands are located.

The proposed development conforms to the City's general Integrated Transportation Policies and will promote active transportation and public transit use.

4.1.6 Servicing and Utilities

Servicing policies are contained within Section 14 of the Official Plan. Consistent with Provincial and Regional Plans the policies prioritize development on full municipal services. The policies also promote cost-effective development patterns and standards to assist in minimizing servicing costs. Priority is given to 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.1.10).

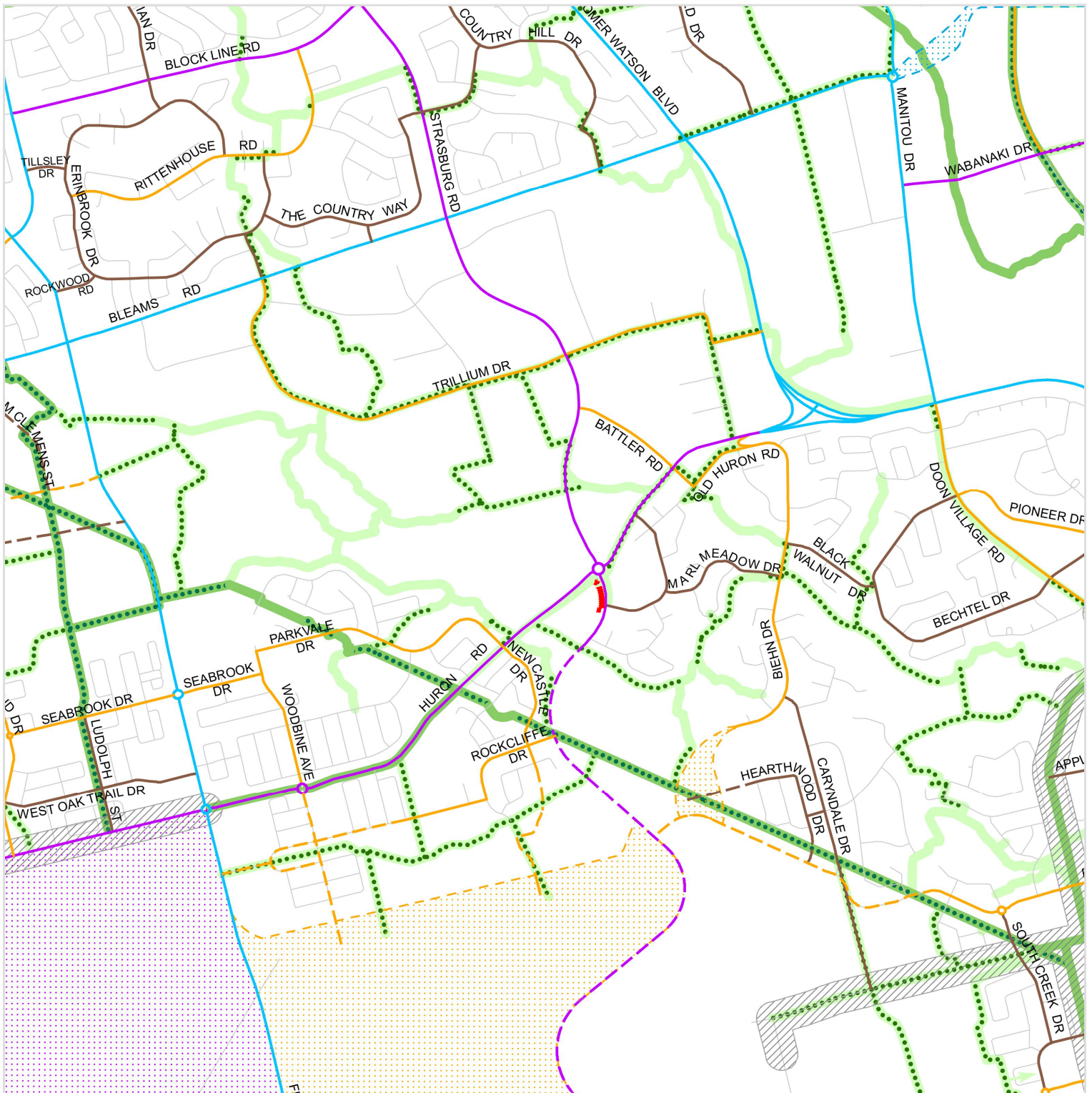






Figure 6
City of Kitchener
Official Plan:
Map 11 - Integrated
Transportation
System

Huron Rd & Strasburg Rd
 City of Kitchener
 Region of Waterloo


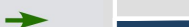
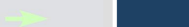
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 Subject Lands

Street Network
 Provincial Highway
 Regional Road
 City Arterial Street
 Major Community Collector Street
 Minor Neighbourhood Collector Street
 Local Street
 Heritage Corridor

Existing	Planned	Proposed Corridor
		
		
		
		
		
		

Multi-Use Pathway and On Road Connection Network
 Primary Multi-Use Pathway/Connection (Type 1)
 Secondary Multi-Use Pathway/Connection (Type 2)

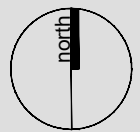
		
		

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A Functional Servicing Report has been prepared to confirm how the proposed development will be serviced using existing municipal services. This report is summarized within Section 7.0 of this report.

4.1.7 Urban Design

Urban updated Design policies are contained within Section 11 of the Official Plan. The City's overall Urban Design Objectives are intended to support and achieve a high standard of urban design in order to help create a complete and healthy community; to create visually distinctive and identifiable places, structures and spaces that contribute to a strong sense of place and community pride, a distinct character and community focal points; to minimize and mitigate potential adverse impacts of development and infrastructure works on surrounding land uses, the built and natural environments, the integrated transportation system and infrastructure through careful design considerations and solutions; and to create a safe, secure and walkable community dedicated to pedestrian activity.

An Urban Design Brief has been prepared in support of the revised development concept. The Design Brief demonstrates how the proposed development has considered the Urban Design Policies of the Official Plan, as well as the more detailed urban design guidelines contained within the City's Urban Design Manual. Detailed design, including building elevations and materials, landscape design and lighting design will continue to evolve through the more detailed sit plan process.

4.1.8 Land Use

Land Use Designations are identified on Map 3 of the Official Plan (refer back to Figure 3 of this report). As previously noted, there are three designations that apply to the subject lands: Natural Heritage Conservation; Commercial and Mixed Use. Map 5 (**Figure 7** of this report) also identifies the subject lands as being within Specific Policy Area 40. The proposed Official Plan Amendment relates only to the 'Mixed Use' portion of the subject lands and, specifically proposes an amendment to the Specific Policy text found in Section 15.D.12.40 of the Official Plan.

Mixed Use Policies

Mixed Use policies are contained within Section 15.D.4 of the Official Plan. According to the preamble, the Mixed Use designation is intended to be flexible and responsive to land use pattern changes and demands and permit a broad range of uses at different scales and intensities depending on the lands' geographic location and identification at the urban structure level. As such, an appropriate and compatible mix and range of commercial, retail, institutional and residential uses, at different scales and intensities will be encouraged and supported within lands designated Mixed Use depending on their location within the City's Urban Structure.

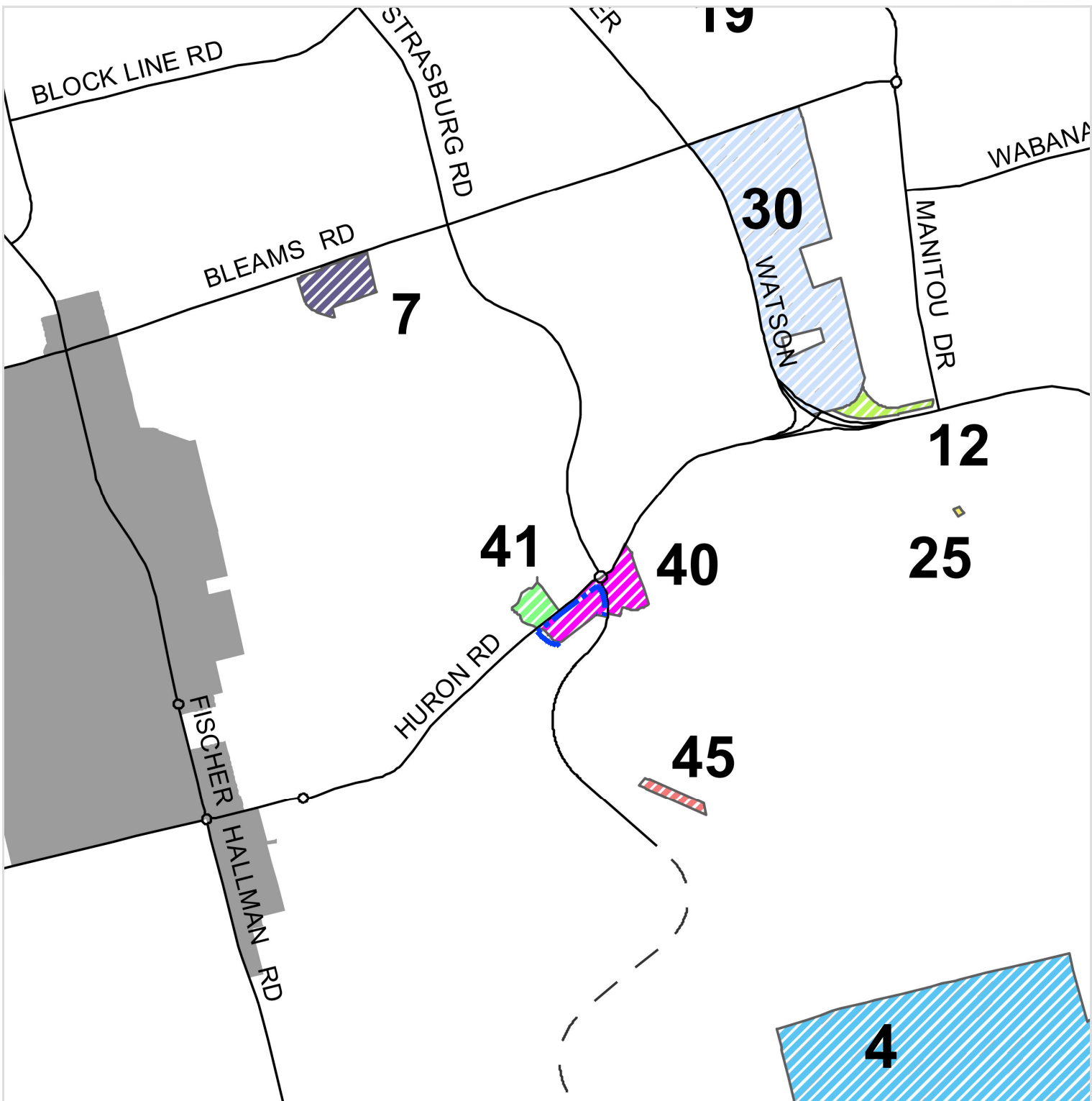












Figure 7
City of Kitchener
Official Plan:
Map 5 - Specific
Policy Areas

Huron Rd & Strasburg Rd
 City of Kitchener
 Region of Waterloo

LEGEND

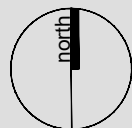
-  Subject Lands
-  4. Doon South
-  7. Steckle Heritage Homestead
-  12. 535 Manitou Dr
-  25. 689 Doon Village Rd
-  30. 1011 and 1111 Homer Watson Blvd
-  40. SE and SW Corners Huro Rd/Strasburg Rd
-  41. Huron Rd
-  45. Hydro Corridor in the Brigadoon subdiv.
-  Refer to Urban Growth Centre and Secondary Plans for details

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The implementing zoning will be applied to allow for and promote a compatible mix of uses within the same building or on the same site.

According to the Official Plan, lands designated Mixed Use have the capacity to accommodate additional density and intensification of uses. The permitted scale and intensity of uses and development may be dependent upon the Urban Structure Component the site is within and the context of the site. Development and redevelopment of properties will be encouraged to achieve a high standard of urban design, be compatible with surrounding areas, and be transit-supportive and cycling and pedestrian-friendly. In our opinion the proposed development achieves these objectives.

The subject lands are unique in that the majority of the Huron Road frontage is designated 'Commercial', with site specific policies and zoning that does not permit residential development given the industrial use to the north. To ensure that the lands could intensify with residential uses and commercial uses, the portion of the subject lands outside of the 70 metre separation distance was designated Mixed Use. As such, it was intended that for the subject lands, the mix of land uses would occur across the site as a whole, as opposed to within each individual building.

The 'Mixed Use' designation permits medium and high density residential uses. Four apartment buildings containing residential units are proposed within this designation. The majority of the residential units have been sited to minimize noise impacts from traffic along Huron and Strasburg Roads.

Section 15.D.4.17 of the Official Plan establishes minimum and maximum Floor Space Ratio (FSR) requirements for all new residential or mixed use building development within lands designated Mixed Use. For lands within a Community Node, the Official Plan establishes a minimum FSR of 0.6 and a maximum FSR of 2.0 (15.D.4.17 b). Notwithstanding Policy 15.D.4.17, there is a further policy in the Official Plan (15.D.4.19) which reads:

"Notwithstanding Policy 15.D.4.17 b), a minimum Floor Space Ratio of 1.0 and a maximum Floor Space Ratio of up to 4.0 will apply to individual properties where higher density development or redevelopment is desirable and appropriate. The following criteria will be considered as the basis for the implementing zoning:

- a) the property abuts or has direct access to an arterial or collector road;*
- b) the property is adequately buffered from lands designated Low Rise Residential; and,*
- c) there is adequate existing or planned infrastructure."*

In our opinion the property meets the criteria that would establish an increased FSR permission up to a maximum of 4.0 without an amendment to the Official Plan. The subject lands abut and have direct access to two arterial roads (Huron Road and Strasburg Road). The subject

lands are also adequately buffered from lands designated Low Rise Residential as illustrated on Figure 8 of this report. The closest Low Rise Residential lands are located on the east side of Strasburg Road, south of the subject lands. These lands are separated from the subject lands by Strasburg Road, as well as additional setbacks on the subject lands. The closest proposed residential building is setback more than 36 metres from Strasburg Road. The subject lands also have access to existing infrastructure including municipal services and transit service.

Section 15.D.4.22 confirms that generally buildings will not exceed 10 storeys within a Community Node. Notwithstanding, Section 15.D.4.23 of the Official Plan makes provision for increased building height of up to 50 percent of the permitted building height, which for the subject lands would be 15 storeys, without an amendment to the OP, provided the building is a mixed use building.

As such, under the current regulations, the mixed Use portion of the subject lands could be developed with a maximum FSR of 4.0 and a maximum building height of 15 storeys (provided a mixed-use building is provided). This would allow a 15 storey building along the Strasburg Road frontage in much closer proximity to low-rise residential uses. Instead, the mixed Use portion of the subject lands is proposed to be developed with four residential buildings located and oriented to minimize impacts on the low rise residential uses in the area. A maximum height of 24 storeys is proposed, and the two tallest buildings are located central to the site where it will be furthest from existing residential development. The maximum FSR will be 4.0 as contemplated in the Official Plan. The site in its totality will provide increased residential density and the orientation of amenity and residential buildings along the street frontages will facilitate an active street edge.

An Official Plan Amendment is required to allow for a maximum height of 24 storeys, whereas the existing Official Plan permits a maximum of building height of 15 storeys, and only where a mixed use building is provided. It is proposed that the text associated with the existing specific policy area identified on Map 5 of the Official Plan (Figure 7 of this report) be amended to add an additional provision for a maximum height of 24 storeys. No changes are required to the Official Plan mapping. The amendment is proposed to the text of the existing specific policy area found under section 15.D.12.40. In our opinion the proposed increase in height is appropriate and the proposed development is compatible with surrounding uses. Shadow studies and a preliminary wind study have been prepared and demonstrate that there will be no adverse impact to surrounding residential areas. These studies are summarized in the Urban Design Brief included in support of the OPA and ZBA applications.

Natural Heritage Conservation Policies

As previously noted, no development is proposed within the portion of the site that is designated Natural Heritage Conservation. An EIS has been prepared to analyze potential

impacts of the proposed development on adjacent natural features. The EIS concluded that the proposed development will result in no adverse impacts to features and functions of natural areas on adjacent lands, with implementation of recommended retention, protection and mitigation measures discussed herein.

No amendments are required to the portion of the site that is designated Natural Heritage Conservation designation.

4.1.9 Kitchener Official Plan Summary

The revised development conforms to the intent City of Kitchener Official Plan. The proposed development:

- Will contribute to the Greenfield density target of 55 persons and jobs combined per hectare through the development of vacant land with residential use.
- Will help to achieve the City's Growth Management objectives by providing a compact urban development that promotes public transit usage.
- Contributes to a broader range and mix of dwelling types to accommodate the various needs of Kitchener residents.
- Is well located with respect to nearby commercial and public service uses, existing transit and arterial roads.
- Encourages active transportation through the provision of sidewalks connecting to the multi-use pathways located along Huron and Strasburg Road.
- Supports the existing transit network; future residents will have convenient access to a range of transportation options including public transit.
- Protects, enhances and restores the natural heritage features on and adjacent to the subject lands; and
- Can be fully serviced through the municipal infrastructure.

The proposed development conforms to the broader policy framework of the Kitchener Official Plan.

4.2 Zoning By-law Analysis

The proposed Zoning By-law Amendment will implement the proposed development concept by amending the existing Site Specific regulation (120) that applies to the MIX-3 portion of the subject lands. No changes are proposed to the COM-2 or NHC-1 areas of the property.

Site Specific Provision (120) is proposed to be amended to add new sections d) and e) as follows:

- d) *The maximum building height shall be 24 storeys and 80 metres and the maximum FSR shall be 4.0.*
- e) *No minimum Ground Floor Street Line Façade Width as a Percentage of the Width of the Abutting Street Line shall apply.*

The current zoning permits a maximum height of 10 storeys and 32 metres. The Official Plan contemplates a maximum height of 15 storeys when a mixed-use building is proposed. The proposed development includes four residential buildings ranging from 12 to 24 storeys in height. Uses are mixed within the site as opposed to being mixed within individual buildings. The residential buildings have been located and oriented to minimize impact on existing residential uses in the area and to minimize noise impacts from surrounding roads. Given the subject lands location within a Priority Intensification (Community Node) and along an existing transit route and given the physical separation of the subject lands from low-rise residential uses, the proposed increase in height is, in our opinion, appropriate in this location.

The Official Plan permits a maximum FSR of 4.0 within the Mixed Use portion of the subject lands. The site specific zoning amendment seeks a maximum FSR of 4.0, which is in accordance with the maximum density contemplated in the OP. In our opinion, the increased density is appropriate given the subject lands satisfy the locational criteria within the OP that is used to justify increased density.

Given the split designation of the site it is challenging to conform to the Minimum Ground Floor Street Façade Width regulation. Relief is requested from this regulation in order to implement the proposed development concept. The overall design seeks to maximize building frontages along the public streets, meeting the intent of the zoning regulation.

In addition, existing provision c) is proposed to be amended to reference Regulation 8.1(2) as not applying, as opposed to 8.2(1). This is a housekeeping amendment in order to correct an error in how the Site Specific provision was worded. Regulation 8.2(1) relates to existing buildings and therefore would not apply to the site which is currently vacant. Regulation 8.1(1) does not allow multiple residential buildings along the street line, it was intended that this regulation would not apply to the subject lands, such that within the MIX-3 zone a multiple residential building could be constructed with frontage along Huron Road.

The proposed Zoning By-law Amendment is included as Appendix C of this report. Based on the foregoing, the proposed site specific zoning regulations are considered to be appropriate to implement the proposed development.

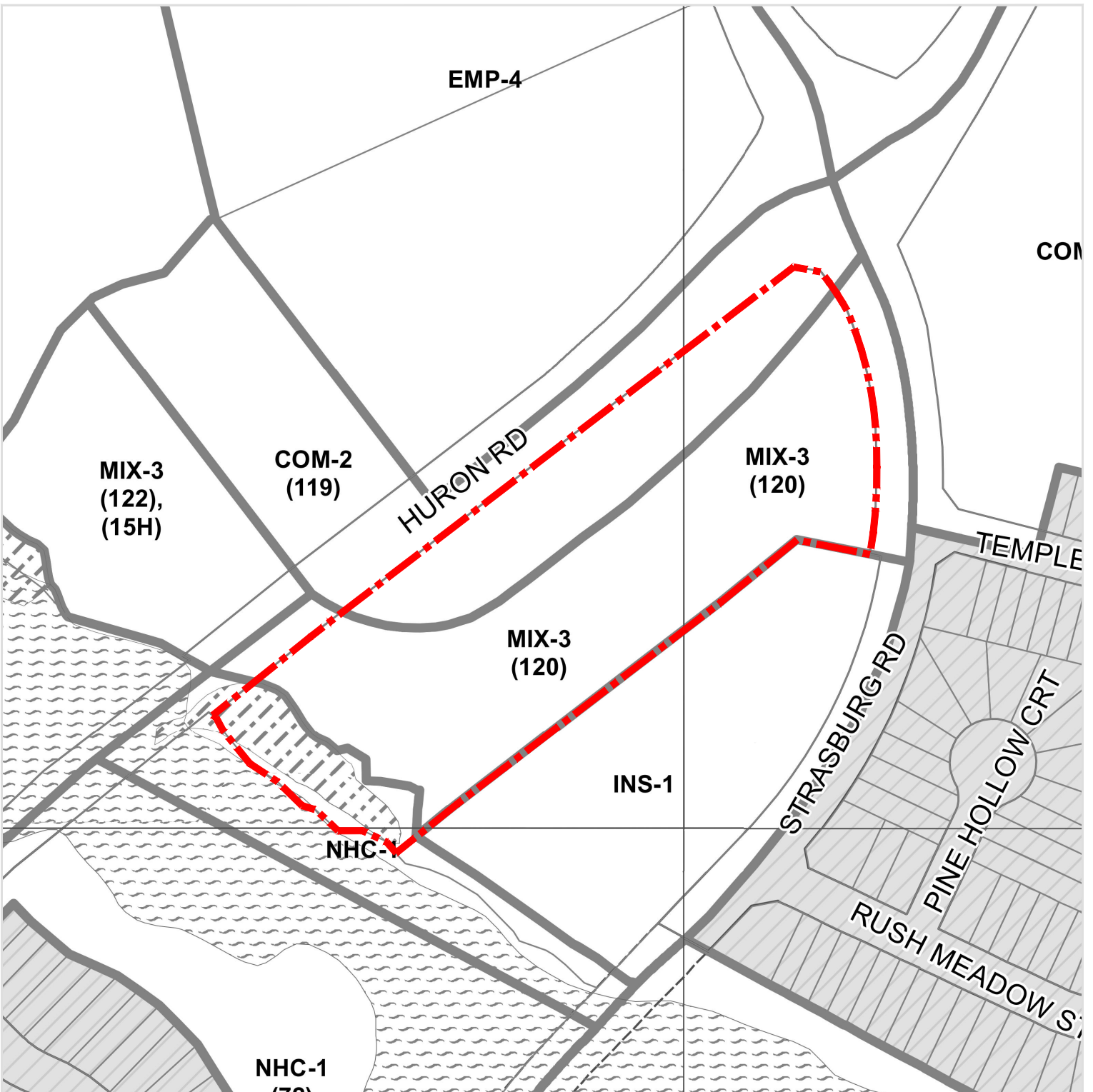






Figure 8
City of Kitchener
Zoning By-law
2019-051

Huron Rd & Strasburg Rd
 City of Kitchener
 Region of Waterloo

LEGEND

-  Subject Lands
-  Flooding Hazard
-  Slope Erosion Hazard
-  Lands not Subject to this Zoning By-law
- (88) Site Specific Provision Number

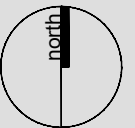
- MIX-3 Mixed Use Three
- COM-2 General Commercial
- INS-1 Neighbourhood Institutional
- NHC-1 Natural Heritage Conservation
- EMP-4 Service Business Park Employment

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5.0 REVIEW OF REVISED TECHNICAL REPORTS

5.1 Environmental Impact Study

An Environmental Impact Study was undertaken in support of the proposed development. The report concluded that the proposed development can be undertaken while protecting environmental features and their functions. The report further concluded that the recommended development setbacks ensure there will be no intrusion into the Strasburg Creek valley (and designed areas therein), and that this area will be retained in full and its ecological functions will be protected with setbacks, buffer enhancement, permanent fencing, temporary and permanent wildlife exclusion fencing, 'sensitive area' signage, provision of a stewardship brochure to homeowners and/or building managers.

With respect to water balance, the report concluded that the proposed SWM strategy will maintain hydrological (surface water) and hydrogeological (groundwater) inputs to Strasburg Creek and its associated wetland systems and provide enhanced surface water quality relative to the current uncontrolled condition – pending verification / refinement of recommendations at detailed design.

With implementation of recommended mitigation measures, the report found that the proposed development complies with the ESA and no impacts to SAR / SAR habitat are anticipated. Similarly, potential impacts to Candidate and Confirmed Significant Wildlife Habitat in areas adjacent to the development envelope will be mitigated with the proposed protection, mitigation and enhancement measures recommended within the EIS report. It is anticipated that conditions will be incorporated into a future Site Plan Application in order to implement the recommendations of the EIS report. The updated EIS confirms there are no changes to the original conclusions and recommendations as a result of the revised development concept.

5.2 Transportation Impact Study

Paradigm Transportation Solutions Limited completed a Transportation Impact Study for the proposed development. Based on the investigations carried out, Paradigm recommended that the development be approved with no requirement for off-site transportation improvements. This recommendation took into consideration that left-turn lanes on Huron Road and Strasburg Road are already in place at the two site driveways. No extensions to the storage lengths are required. It was concluded that 2026 Total Traffic (which includes existing traffic conditions,

development trip generation and background traffic) would see the study area intersections continue to operate with acceptable levels of service. The revised TIS confirms that the revised concept does not change the original recommendation.

5.3 Functional Servicing Report

WalterFedy completed a Functional Servicing Report in support of the proposed development. The purpose of this report was to outline how the subject lands can be developed with adequate municipal services. The following describes the servicing strategy proposed for the subject lands, based on the findings of the FSR:

- A 200-mm-diameter sanitary service at 1% to Huron Road can support the future commercial portion of the proposed development. The existing 200-mm-diameter sanitary service at 2.8% can support the residential portion of the proposed development.
- The existing 200-mm-diameter water service from Huron Road will provide domestic and fire water for the development. A fire hydrant flow test will be completed during detailed design to confirm adequate capacity is available in the municipal system.
- Stormwater quality, erosion control, and quantity control for the site is accommodated in the downstream SWM pond. The imperviousness of the site is designed below the 85% requirement accounted for in the subdivision SWM report; therefore, no additional site controls are required.
- Post-development groundwater recharge volumes will exceed the pre-developed recharge through the implementation of a 128 m³ roof runoff infiltration gallery to mitigate the impacts of the proposed impervious surfaces.
- Major overland flow from the development is directed toward the existing SWM pond which was designed to provide thermal and erosion mitigation control prior to outflow to Strasburg Creek. As such, no further controls are required for the subject site.
- Additional investigation and study will be required at the time of Site Plan Approval to confirm the extent to which the City of Kitchener 12.5 mm on-site retention requirement can be met, and how much cash-in-lieu may be owed.
- Grading has been coordinated to ensure that accessibility is not compromised and existing grades along property lines are maintained.

- Perimeter silt fence, silt fence at the base of all stockpiles, silt sacs in storm structures, and a construction access mud mat would be required to provide erosion and sediment control.

5.4 Geotechnical Investigation and Slope Setback Assessment

Chung & Vander Doelen (CVD) completed a Geotechnical Investigation and Slope Setback Assessment for the subject lands. Following completion of the Slope Setback Assessment the development concept was refined to ensure that all buildings would be outside of the recommended setback from the top of slope. The Geotechnical Investigation was completed to inform the detailed design of building footings and underground parking.

5.5 Hydrogeological Assessment

CVD also completed a hydrogeological assessment for the subject lands. The purpose of this assessment was to characterize the general hydrogeological setting at the property used available data and to support the various designs and investigations completed for the development proposal, in particular the architectural design (Martin Simmons Architects), the geotechnical investigation (CVD Engineering), the engineering stormwater management design (WalterFedy) and the environmental impact study (WSP Canada Inc). The report concluded the following:

- The original surficial geological material at the property prior to excavation (i.e., sandy silt Port Stanley Till) is estimated to have supported a modest amount of groundwater recharge.
- An enhanced recharge facility using clean roof-top water is recommended as part of the development proposal to match the pre-development groundwater recharge. The recommended location for the facility is along the western edge of the property, between the westernmost residential building and the top of slope of the Strasburg Creek. Water recharged at this location is expected to move relatively slowly (i.e., at a velocity of about 5 to 50 m/yr) through the moderately permeable fine sand-silt soils in a southwesterly direction and travel beneath the Creek valley soils at least 100 m (and likely more) before ultimately discharging to the Creek itself. The travel time and distance of this recharge water is expected to be similar to that which occurs during pre-development, and this will ensure a consistent amount of cooling of the recharged water prior to discharge to the Creek.

- It is recommended that the infiltration gallery recommended by WalterFedy be constructed to an elevation of about 320.75 mASL (i.e., about 1.5 or 5 feet below the fill layer found at BH9). The infiltration rate of fine sand / silt soil at this location is estimated to be in the 12 to 20 mm/hr (average of about 15 mm/hr), noting that this rate includes a 2.5 factor of safety consistent with the MOE/LID guidance.

5.6 Noise Impact Study

JJ Acoustic Engineering Ltd. prepared a Road Traffic and Stationary Noise Impact Study in support of the proposed development. The study includes an assessment of noise impacts from adjacent roads and industrial and commercial operation and recommended the following noise control measures for the proposed residential buildings:

- Building 1: Warning clauses and a requirement for air conditioning within the entire building. A minimum of STC 38 on all windows on the north façade and a minimum of STC 35 on all windows on the east façade.
- Building 2: Warning clauses and a requirement for air conditioning for the entire building. A minimum of STC 28 on all windows on the north façade.
- Building 3: Warning clauses and a requirement for air conditioning within the entire building. A minimum of STC 28 on all windows on the west façade. A minimum of STC 28 on all windows on the north and east façade.
- Building 4: Warning clauses and a requirement for air conditioning for the entire building. A minimum of STC 30 on all windows on the north, east, and south façade.

Details regarding the proposed Warning clauses are included in the report. It is anticipated that these clauses will be carried forward into the future Site Plan Agreement.

5.7 Urban Design Brief

MHBC Planning was retained to prepare an Urban Design Brief in support of the proposed development. The purpose of the Urban Design Brief is to describe the locational context of the subject lands and related design considerations, confirm the overall vision and design principles and provide design recommendations. The Urban Design Brief summarizes the design intent, provides analysis and response to City design policies and guidelines and provides design direction with the overall objective of achieving a high standard of design.

The Urban Design Brief concludes that the proposed development as revised is compatible with existing uses in the area; provides for an efficient use of land and existing infrastructure; and supports existing and proposed public transit and active transportation networks.

The proposed development addresses urban design policies contained within the City of Kitchener Official Plan and the City of Kitchener Urban Design Manual.

6.0 PUBLIC CONSULTATION STRATEGY

The Planning Act (specifically O. Reg 544/06, amended by O. Reg. 178/16) requires that applicants submit a proposed strategy for consulting with the public with respect to an application as part of the 'complete' application requirements. This section summarizes the proposed Public Consultation Strategy.

We propose that the public consultation process for the proposed Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision applications follow the Planning Act statutory requirements. The following points of public consultation are proposed:

- A Statutory public meeting advertised by the City and heard by the Planning Committee.
- Direct written responses to comments raised through the public consultation process will be provided to City Staff for their review and consideration in the preparation of a City Staff Report.
- Preparation of a City Staff Report, with the Report to be available to the public in advance of City Council's consideration of the applications. It is understood that City Staff will post information on the City's website for public review. This will include the City Staff Report and may also include technical studies and reports prepared in support of the applications.
- A Planning Committee Meeting, combined with the Statutory public meeting, at which time the City Staff Report, all available information, and public input will be considered.
- A Council Meeting, at which time the City Staff Report, all available information, and public input will be considered in Council's final decision.

In addition to the above, we anticipate that the City will host an informal Neighbourhood Meeting. The Neighbourhood meeting would occur prior to the Statutory Public Meeting and can be held at any time following the circulation of the applications. The consultation strategy proposed will provide members of the public with opportunities to review understand and comment on the proposed applications. The consultation strategy will be coordinated with City Staff and additional opportunities for consultation will be considered and may be warranted based on the input received.

7.0 SUMMARY & CONCLUSIONS

The purpose of this Planning Justification Report is to evaluate the proposed Official Plan Amendment and Zoning By-law Amendment applications to facilitate the development of the subject lands in the context of existing land use policies and regulations, including the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Region of Waterloo Official Plan, the City of Kitchener Official Plan and the City of Kitchener Zoning By-law. The analysis contained in this report demonstrates that the applications are in the public interest and represents good planning for the following reasons:

- The proposed development is consistent with the Provincial Policy Statement, 2020, and conforms to the policy framework if the A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020;
- The proposed development conforms to the policies of the Region of Waterloo Official Policies Plan;
- The proposed development conforms to the broader policy framework of the City of Kitchener Official Plan;
- The proposed development will contribute to the minimum Greenfield Density target for the City of Kitchener of 55 residents and jobs per hectare and will contribute to the City's growth management objectives through the mixed-use development of the subject lands;
- The proposed development can be adequately serviced through connections to municipal infrastructure;
- The proposed development has been designed to integrate with the existing and emerging community and provides direct access to the existing transit and active transportation corridors;
- The proposed development implements the Community Node policies as contemplated through the Official Plan; and
- The proposed Official Plan Amendment and Zoning By-law Amendments will result in the appropriate protection of existing natural heritage features on the subject lands.

Based on these conclusions, it is our opinion that the Official Plan Amendment and Zoning By-law Amendment applications are appropriate and should be considered for approval.

Respectfully submitted,

MHBC



Andrea Sinclair, MUDS, MCIP, RPP
Partner

APPENDIX A

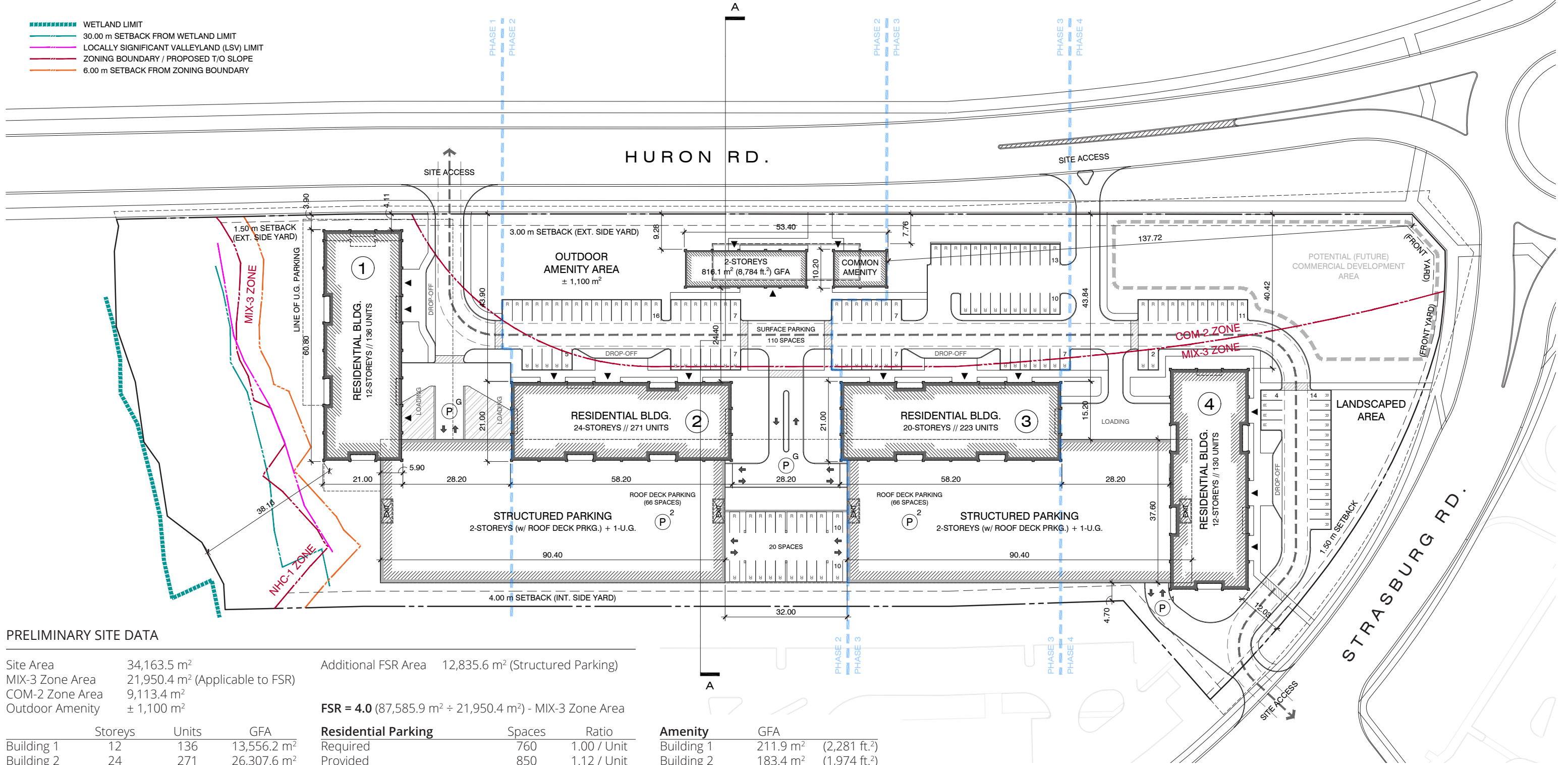
Proposed Site Plan Package



PERSPECTIVE

View from Huron / Strasburg Road

- ██████████ WETLAND LIMIT
- 30.00 m SETBACK FROM WETLAND LIMIT
- LOCALLY SIGNIFICANT VALLEYLAND (LSV) LIMIT
- ZONING BOUNDARY / PROPOSED T/O SLOPE
- 6.00 m SETBACK FROM ZONING BOUNDARY



PRELIMINARY SITE DATA

Site Area	34,163.5 m ²
MIX-3 Zone Area	21,950.4 m ² (Applicable to FSR)
COM-2 Zone Area	9,113.4 m ²
Outdoor Amenity	± 1,100 m ²

Additional FSR Area 12,835.6 m² (Structured Parking)

FSR = 4.0 (87,585.9 m² ÷ 21,950.4 m²) - MIX-3 Zone Area

	Storeys	Units	GFA
Building 1	12	136	13,556.2 m ²
Building 2	24	271	26,307.6 m ²
Building 3	20	223	21,831.6 m ²
Building 4	12	130	13,054.9 m ²
Total		760	74,750.3 m²

Residential Parking	Spaces	Ratio
Required	760	1.00 / Unit
Provided	850	1.12 / Unit
Provided (w/ 10% Loss)	775	1.02 / Unit

- 50% OF U.G. PARKING AREA (BLDG. 2/3/4) INCLUDED IN FSR CALCULATION(S)
- POTENTIAL SITE SURFACE PARKING (110 SPACES) INCLUDED IN CALCULATIONS

Amenity	GFA
Building 1	211.9 m ² (2,281 ft. ²)
Building 2	183.4 m ² (1,974 ft. ²)
Building 3	183.4 m ² (1,974 ft. ²)
Building 4	215.5 m ² (2,320 ft. ²)
Common	816.1 m ² (8,784 ft. ²)
Total	1,610.3 m² (17,333 ft.²)

SCHEMATIC SITE PLAN

MIX-3 Zone

Regulation	Required	Provided
Min. Lot Width	15 m	148.4 m
Min. Front Yard Setback	1.5 m	12.0 m
Min. Exterior Side Yard Setback	1.5 m	3.9 m
Min. Rear Yard Setback	7.5 m	38.1 m
Min. Interior Side Yard Setback	4 m	4.7 m
Min. Yard Setback Abutting a Residential Zone	7.5 m	N/A
Min. Ground Floor Building Height for Any Building w/ Street Line Facade	4.5 m	4.8 m (Bldg. 1) (Site Specific Provision 120)
Min. Building Height	11 m	11 m
Max. Building Height	32 m	78.4 m (Bldg. 2)
Max. Number of Storeys	10 Storeys	24 Storeys
Min. Number of Storeys in the Base of a Mid-Rise or Tall Building	3 Storeys	3 Storeys
Max. Number of Storeys in the Base of a Mid-Rise Building or Tall Building	6 Storeys	3 Storeys
Min. Street Line Stepback for Mid-Rise and Tall Buildings	3 m	3 m
Min. Stepback for Mid-Rise and Tall Buildings where the Base Abuts a Low-Rise Residential Zone	3 m	N/A
Min. Floor Space Ratio (FSR)	0.6	
Max. Floor Space Ratio (FSR)	2	4.0
Max. Total Retail GFA Within a Multi-Unit Building, Multi-Unit Development, Mixed-Use Building or Mixed-Use Development	10, 000 m ²	0 m ²
Min. Percent of Non-Residential GFA	20%	N/A (Site Specific Provision 120)
Min. Percent of Residential GFA	20%	N/A
Min. Ground Floor Street Line Facade Width as a Percent of the Width of the Abutting Street Line	50%	41% (Bldg. 1) 46% (Bldg. 4)
Min. Percent Street Line Facade Openings	50%	80% (Bldg. 1) 84% (Bldg. 4)
Min. Landscaped Area	15%	34%

Note:
All Non-Compliant Zoning Figure(s)
Above Noted in **RED**

COM-2 Zone

Regulation	Required	Provided
Min. Lot Width	15 m	147.4 m
Min. Front Yard Setback	3 m	137.7 m
Min. Exterior Side Yard Setback	3 m	7.7 m
Min. Interior Side Yard Setback	7.5 m	N/A
Abutting a Residential Zone		
Min. Interior Side Yard Setback	3 m	83.4 m
Abutting a Lot w/ a Zone Other Than a Residential Zone		
Min. Rear Yard Setback	7.5 m	142.9 m
Min. Rear or Side Yard Setback for a Non-Residential Use Abutting a Rail Right-of-Way or Hydro Corridor	1.5 m	N/A
Max. Building Height	15 m	8.4 m
Min. Landscaped Area	20%	59%
Max. Total Retail GFA Within a Multi-Unit Building, Multi-Unit Development or Mixed-Use Building	10, 000 m ²	0 m ²

Parking Requirements (Residential) MIX Zones

Multiple Residential Buildings	Required	Provided
Min. Parking Spaces	0.9 / Dwelling Unit	699 Spaces (0.92 / Unit)
Min. Visitor Parking Spaces	0.1 / Dwelling Unit	76 Spaces (0.10 / Unit)
Max. Parking Spaces (Including Visitor)	1.3 / Dwelling Unit	775 Spaces (1.02 / Unit)
Min. Class A Bicycle Parking Stalls	0.5 / Dwelling Unit w/o a Private Garage	380 Stalls (Location TBD)
Min. Class B Bicycle Parking Stalls	6 (>20 Dwelling Units on a Lot)	6 Stalls (Location TBD)

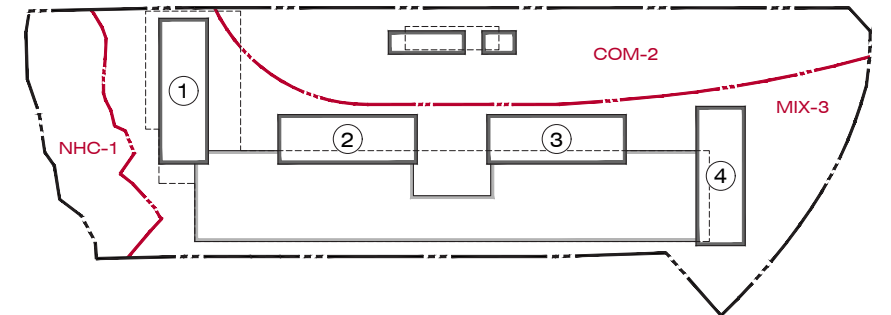
Barrier-Free Accessible Parking Requirements

Use	Required	Provided
Residential	18 Spaces (2 + 2% of Spaces Req.)	18 Spaces (Location TBD)

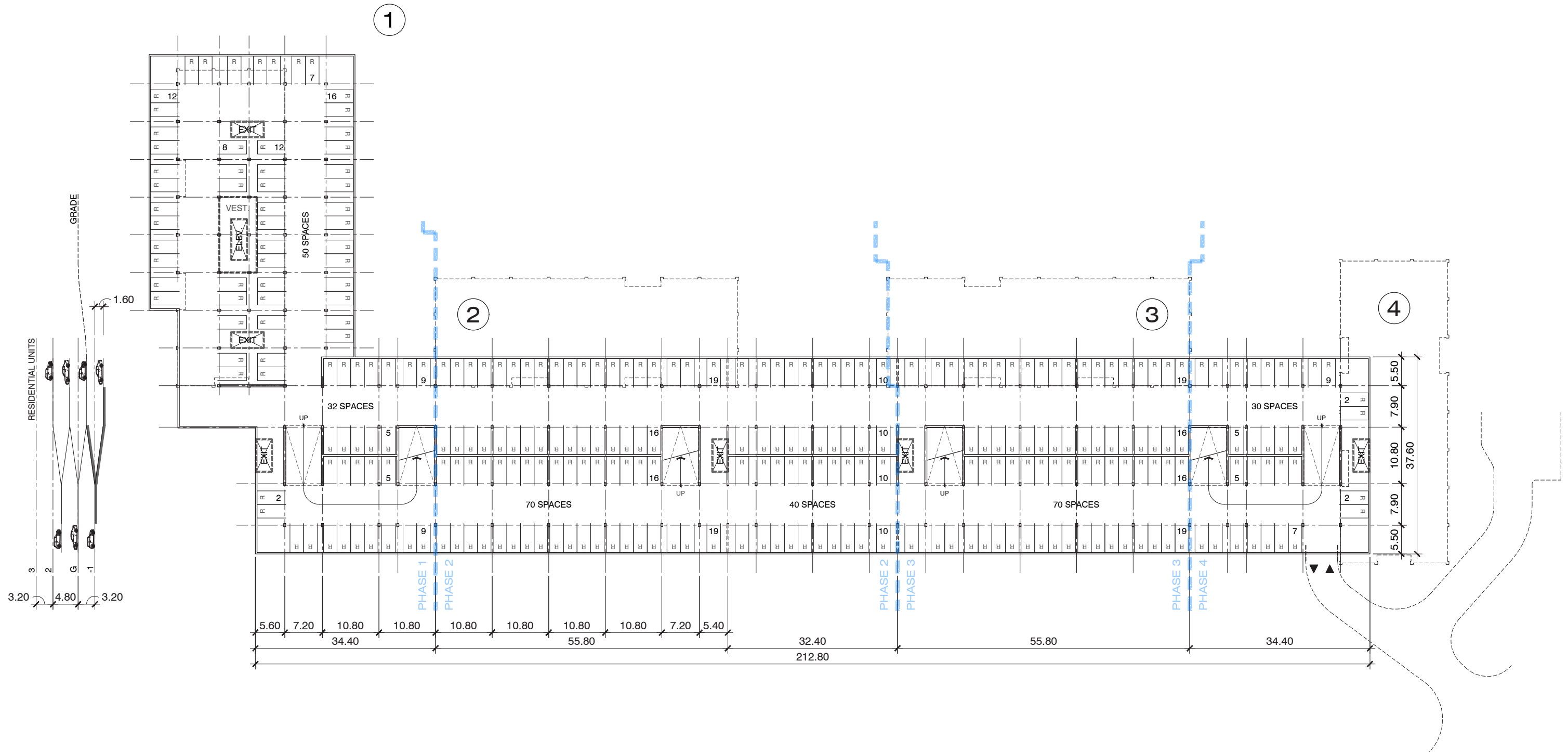
Electric Vehicle Parking Provisions

Use	Required	Provided
Residential	20% of Spaces Required (Future Installation)	152 Spaces (Location TBD)

ZONE KEY PLAN

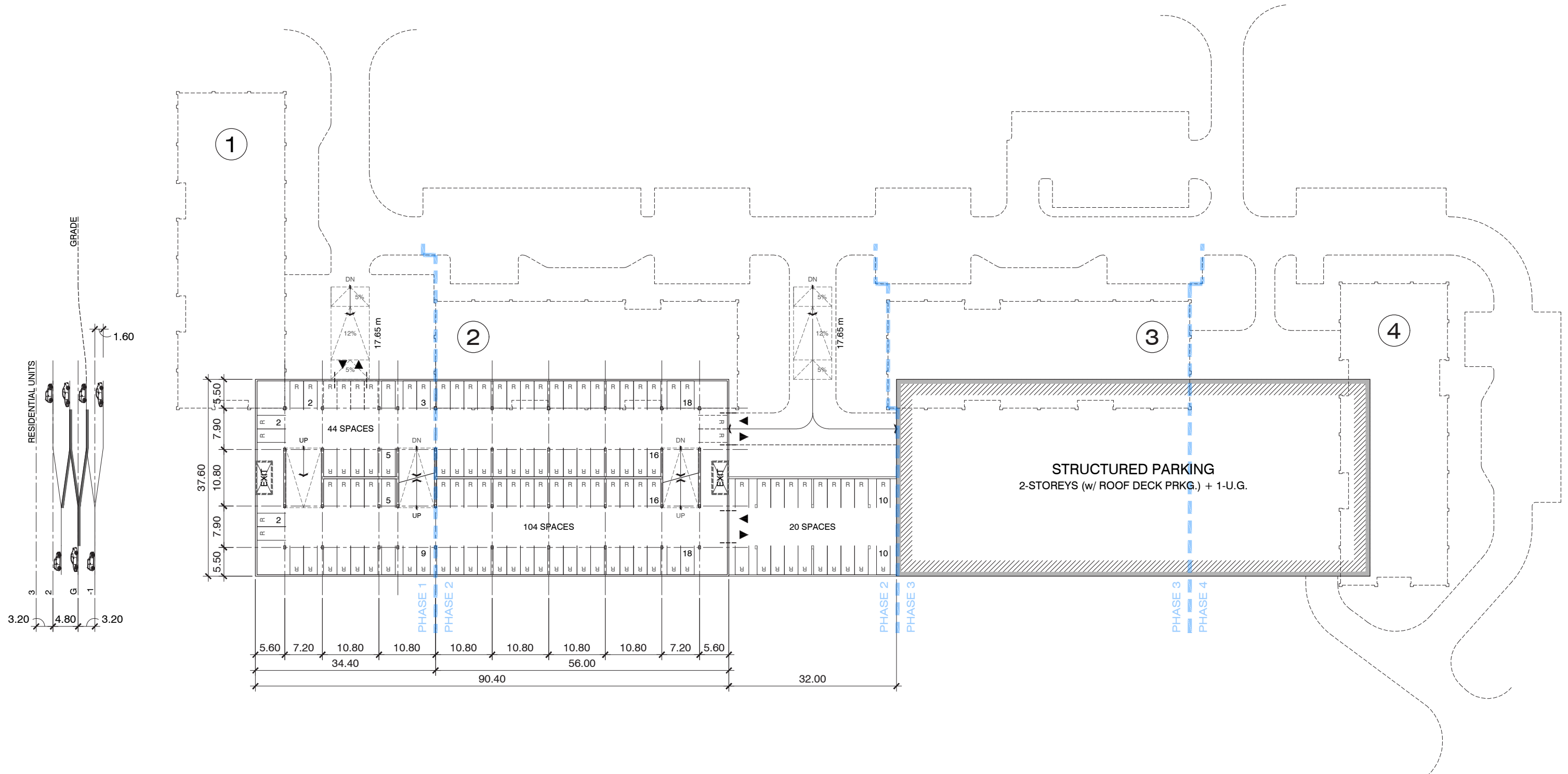


	PHASE 1	PHASE 2	PHASE 3	PHASE 4	TOTAL
P(2)	30	36	36	30	132
P(G)	44	124 (104+20)	104	44	316
P(-1)	82 (50+32)	110 (70+40)	70	30	292
TOTAL	156 (10% Loss --> 140)	270 (10% Loss --> 243)	210 (10% Loss --> 189)	104 (10% Loss --> 93)	740 (10% Loss --> 665)
SURFACE = 110	0	35	44	31	850 --> 775



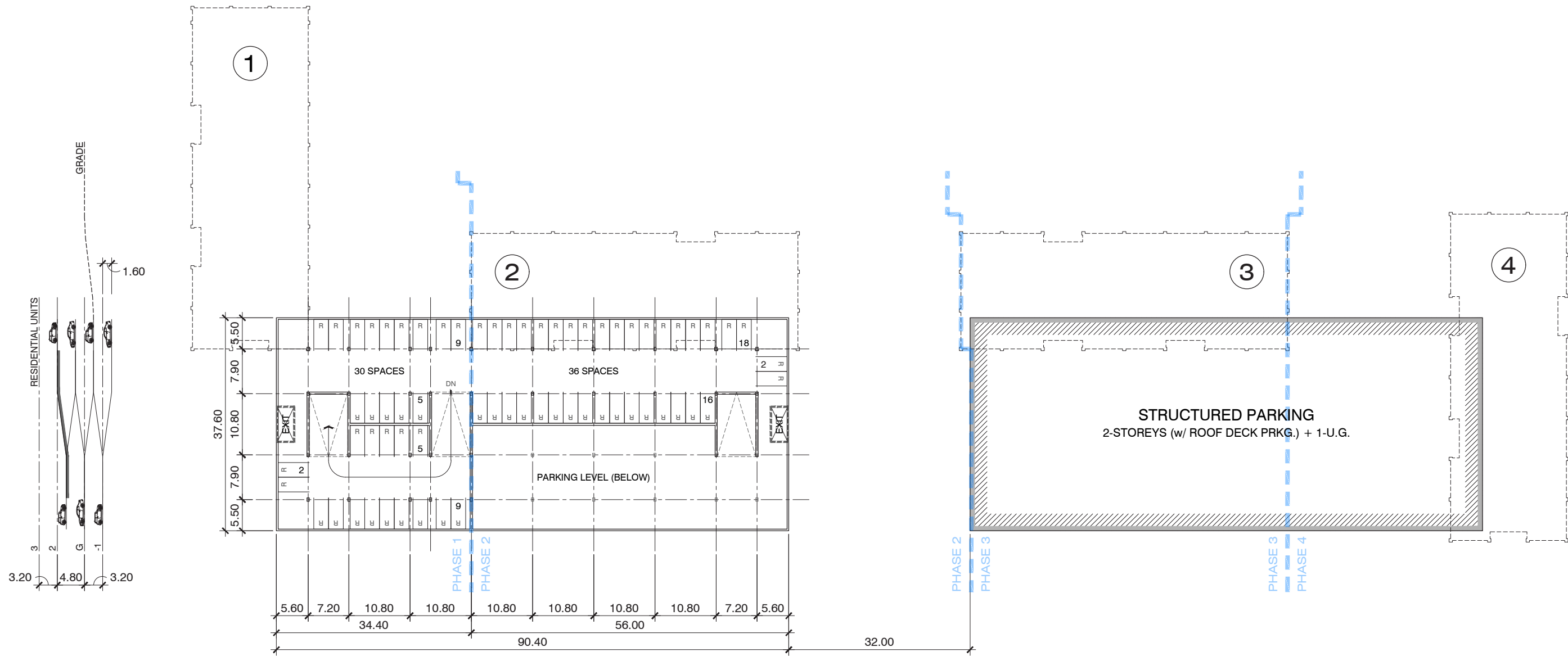
STRUCTURED PARKING

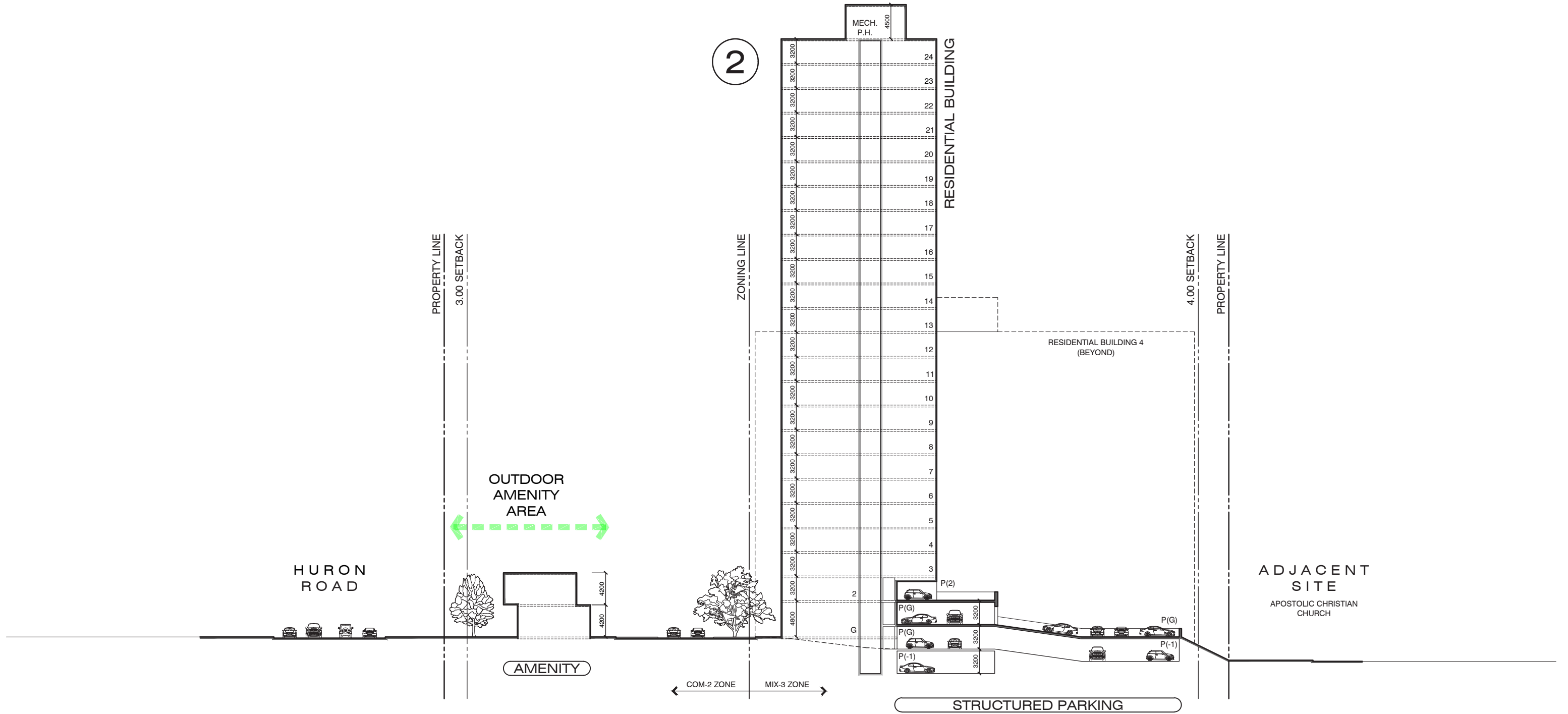
	PHASE 1	PHASE 2	PHASE 3	PHASE 4	TOTAL
P(2)	30	36	36	30	132
P(G)	44	124 (104+20)	104	44	316
P(-1)	82 (50+32)	110 (70+40)	70	30	292
TOTAL	156 (10% Loss --> 140)	270 (10% Loss --> 243)	210 (10% Loss --> 189)	104 (10% Loss --> 93)	740 (10% Loss --> 665)
SURFACE = 110	0	35	44	31	850 --> 775



STRUCTURED PARKING

	PHASE 1	PHASE 2	PHASE 3	PHASE 4	TOTAL
BUILDING 1	BUILDING 2	BUILDING 3	BUILDING 4		
P(2)	30	36	36	30	132
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P(-1)	82 (50+32)	110 (70+40)	70	30	292
TOTAL	156 (10% Loss --> 140)	270 (10% Loss --> 243)	210 (10% Loss --> 189)	104 (10% Loss --> 93)	740 (10% Loss --> 665)
SURFACE = 110	0	35	44	31	850 --> 775





SCHEMATIC SITE SECTION



PERSPECTIVE

Aerial View



PERSPECTIVE

View from Huron Road



PERSPECTIVE

View from Huron Road



PERSPECTIVE

Aerial View



PERSPECTIVE

View from Strasburg Road



PERSPECTIVE

Internal Site View



PERSPECTIVE

View from Huron Road



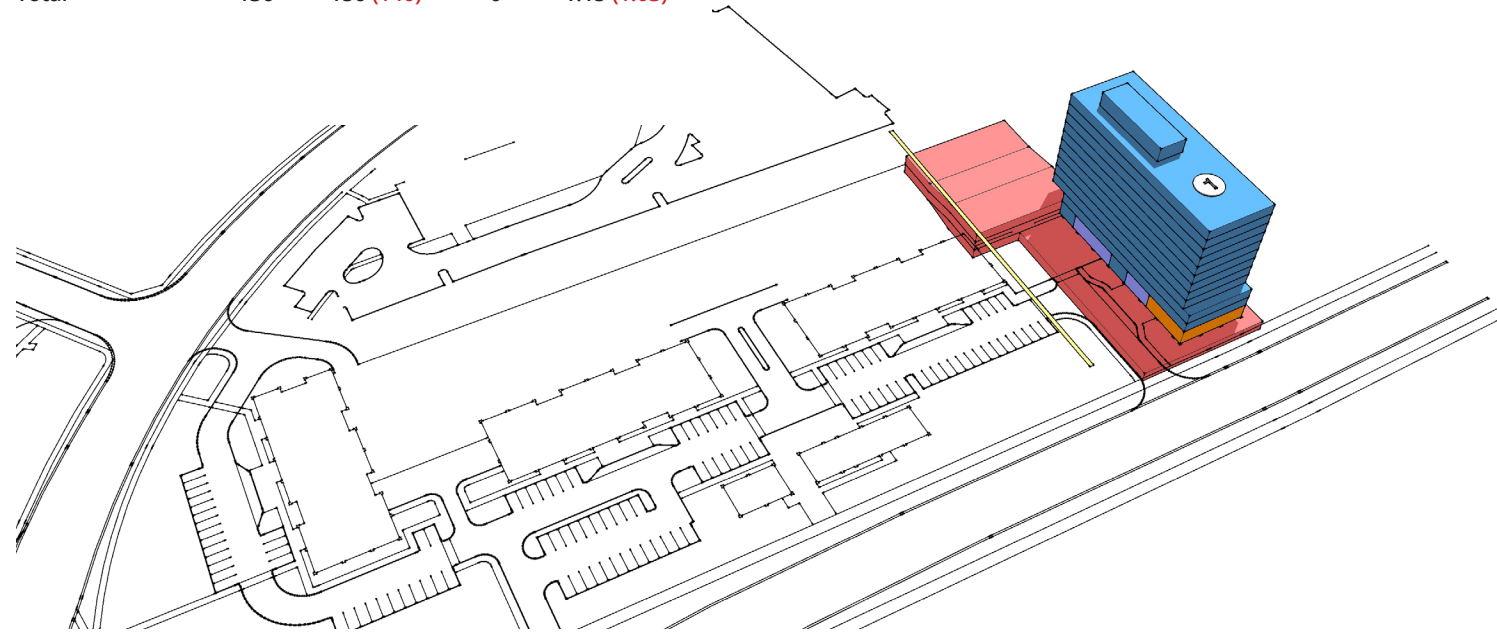
PERSPECTIVE

Internal Site View

PHASE 1

	Storeys	Units	Structured	Surface	Ratio
Bldg. 1	12	136	156 (140)	0	1.15 (1.03)
Total		136	156 (140)	0	1.15 (1.03)

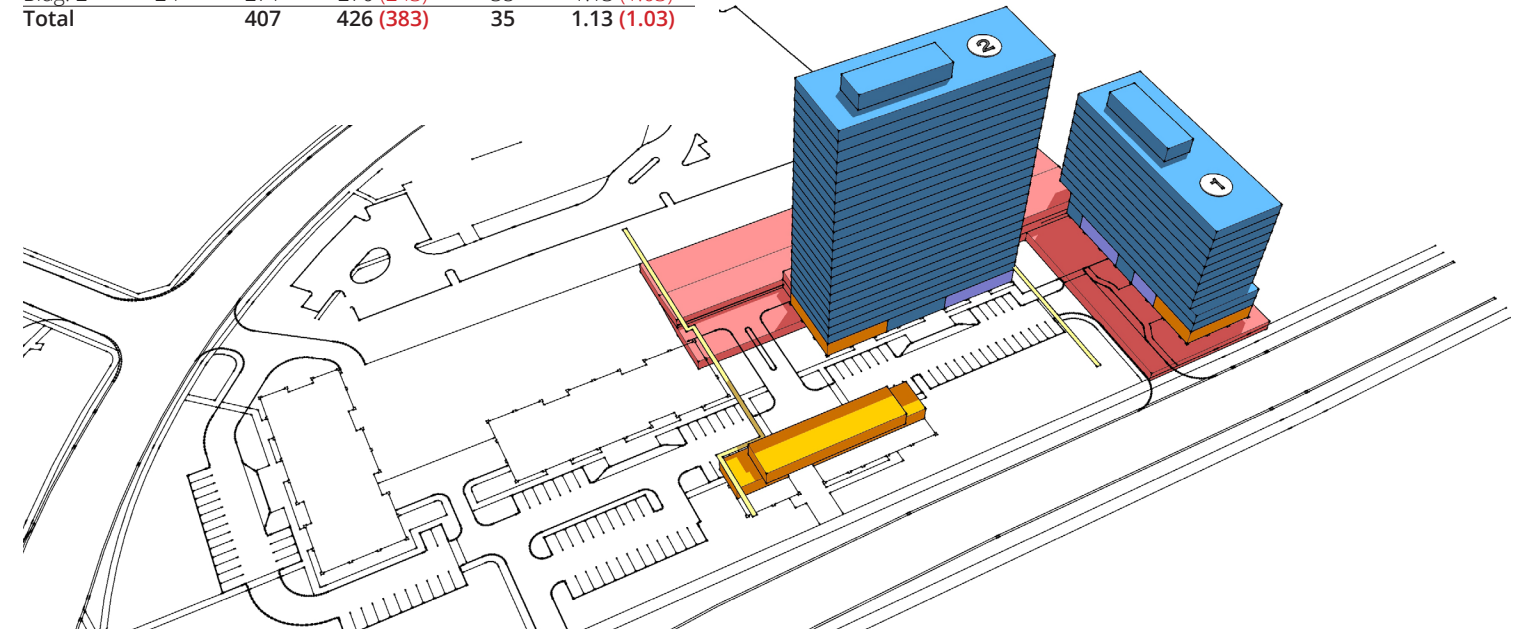
• ALL FIGURES IN RED INDICATE 10% ASSUMED LOSS



PHASE 2

	Storeys	Units	Structured	Surface	Ratio
Bldg. 1	12	136	156 (140)	0	1.15 (1.03)
Bldg. 2	24	271	270 (243)	35	1.13 (1.03)
Total		407	426 (383)	35	1.13 (1.03)

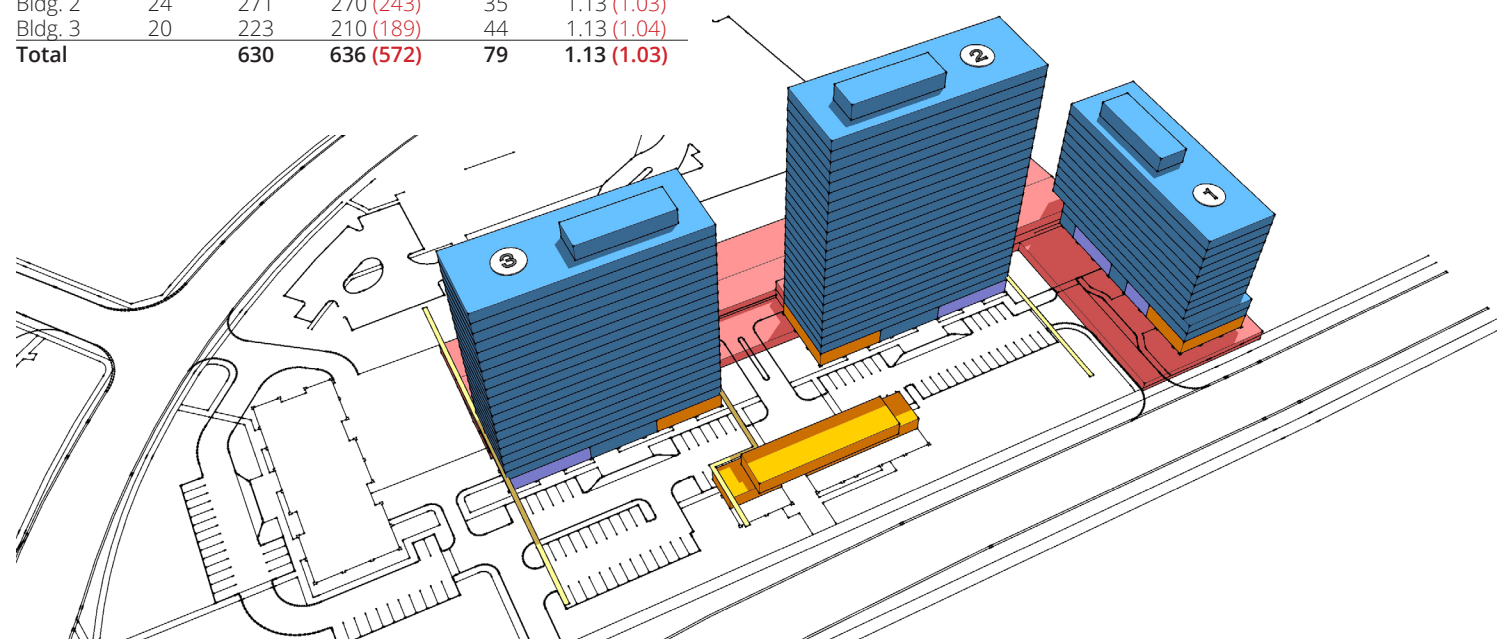
• ALL FIGURES IN RED INDICATE 10% ASSUMED LOSS



PHASE 3

	Storeys	Units	Structured	Surface	Ratio
Bldg. 1	12	136	156 (140)	0	1.15 (1.03)
Bldg. 2	24	271	270 (243)	35	1.13 (1.03)
Bldg. 3	20	223	210 (189)	44	1.13 (1.04)
Total		630	636 (572)	79	1.13 (1.03)

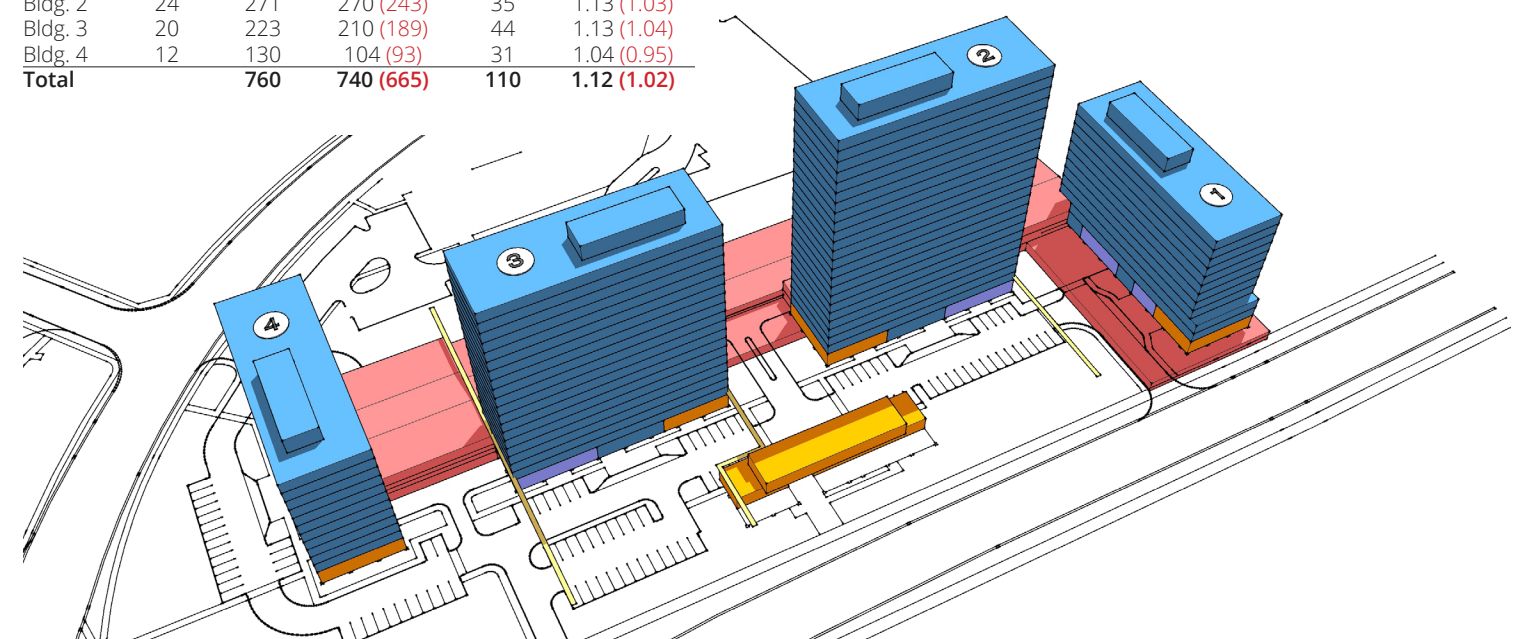
• ALL FIGURES IN RED INDICATE 10% ASSUMED LOSS



PHASE 4

	Storeys	Units	Structured	Surface	Ratio
Bldg. 1	12	136	156 (140)	0	1.15 (1.03)
Bldg. 2	24	271	270 (243)	35	1.13 (1.03)
Bldg. 3	20	223	210 (189)	44	1.13 (1.04)
Bldg. 4	12	130	104 (93)	31	1.04 (0.95)
Total		760	740 (665)	110	1.12 (1.02)

• ALL FIGURES IN RED INDICATE 10% ASSUMED LOSS



PHASING STRATEGY

APPENDIX B

Revised Official Plan Amendment

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

CITY OF KITCHENER
Southwesterly Corner of Huron Road and Strasburg Road

**AMENDMENT NO. TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER
45-53 Courtland Avenue East**

INDEX

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

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

SECTION 1 – TITLE AND COMPONENTS

This amendment shall be referred to as Amendment No. XX to the Official Plan of the City of Kitchener. This amendment is comprised of Sections 1 to 4 inclusive.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of this amendment is to amend existing Special Policy 15.D.12.40 to increase the maximum permitted height on the subject lands to 24 storeys.

SECTION 3 – BASIS OF THE AMENDMENT

The subject lands are located at southwesterly corner of Huron Road and Strasburg Road. The subject lands are located within a Community Node and are designated Commercial, Mixed Use and Natural Heritage Conservation in the Official Plan. The proposed amendment relates to the portion of the lands that is designated Mixed Use.

The Mixed Use designation allows for high density residential redevelopment with to a maximum Floor Space Ratio (FSR) of 4.0 (provided certain criteria is met). The existing policies also permit a maximum building height of 15 storeys for a mixed use building. The additional height and FSR permissions apply given the subject lands are also located within a Community Node, which is considered a primary intensification area.

The property is subject to Special Policy 15.D.12.40. An Official Plan Amendment is required to add an additional clause to the Special Policy to permit a maximum building height of 24 storeys. The additional height is required in order to implement the proposed development for the lands which includes four residential towers ranging from 12 to 24 storeys. With future opportunity for free standing commercial development along the Huron Road frontage. An increase in density (FSR) is not required in order to implement the proposed development.

The subject lands are located along an existing transit route and are adjacent to transit stops located at the intersection of Huron Road and Strasburg Road. A multi-use pathway has been constructed along the Huron and Strasburg frontages of the property. The multi-use pathway extends westerly to Fischer-Hallman Road. Huron Road is also identified as a planned cycling route. The proposed development includes multiple residential development at a density to support both transit usage and active transportation. The development will include indoor and outdoor bicycle parking in order to encourage the use of alternative modes of transportation including public transit.

The proposal is consistent with the Provincial Policy Statement, conforms to the Growth Plan and complies with the Regional Official Plan, as it promotes walkability, is transit-supportive, maximizes the use of existing infrastructure, and assists in development of this area as a compact and complete community through the broad range of uses. The proposed development implements the Mixed Use and Community Node designations prescribed in the Official Plan and is, therefore, good planning.

SECTION 4 – THE AMENDMENT

1. The City of Kitchener Official Plan is hereby amended as follows:
 - a) Site Specific Policy 15.D.12.40 is amended by adding new clause e) as follows:
 - e) *For the lands designated Mixed Use, the maximum permitted height shall be 24 storeys.*

APPENDIX C

Revised Zoning By-law Amendment

BY-LAW NUMBER _____

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law No. 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – Southwesterly Corner of Huron Road and Strasburg Road)

WHEREAS it is deemed expedient to amend Zoning By-law 2019-051;

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

1. Section 19 (120) of By-law 2019-051 is hereby amended by deleting provision c) and replacing with the following new provision:

“c) Regulation 8.1(1) shall not apply.”

2. Section 19 (120) of By-law 2019-051 is hereby further amended by adding the following new provisions:

“d) The maximum building height shall be 24 storeys and 80 metres and the maximum FSR shall be 4.0.

e) No minimum Ground Floor Street Line Façade Width as a Percentage of the Width of the Abutting Street shall apply.”

5. This By-law shall become effective only if Official Plan Amendment No. ___, related to the lands located at the southwestern corner of Huron Road and Strasburg Road comes into effect, pursuant to Section 24(2) of The Planning Act, R.S.O. 1990, c. P.13, as amended.

PASSED by Council this __ day of ____
2023.

Mayor

Clerk

APPENDIX D

Revised Sustainability Statement



October, 2023

Gaurang Khandelwal
City of Kitchener
Community Services Department
Planning Division, 6th Floor
200 King Street West, P.O. Box 1118
Kitchener, ON, N2G 4G7

Dear Mr. Khandelwal:

**RE: Revised Sustainability Statement in Support of OPA and ZBA Applications
Lands Located at the Southwest Intersection of Huron and Strasburg Road
OUR FILE: 12105BL**

The purpose of this letter is to provide a brief summary of sustainability considerations for the subject property located at the southwest corner of Huron Road and Strasburg Road. The subject property is currently vacant and is primarily designated for commercial and mixed-use development. This sustainability statement has been prepared in support of the residential development which includes four multiple residential buildings with surface and structured parking. The development proposal will consider the following design elements to address the sustainability policies of the City of Kitchener Official Plan.

The proposed multiple residential buildings represent the development of a vacant site within a designated node with access to existing infrastructure, services and transit. The proposed development will feature energy efficient building components, high quality site design, and sustainable landscaping features.

Sustainable Development (Section 7.C.4)

- 1) Compact Development and Efficient Built Form
 - The proposed development will be sustainable by providing a compact form of development within the City's Designated Greenfield Area and within a designated Community Node.
 - The site is surrounded by residential, institutional and employment uses, and has access to existing infrastructure and services, including local recreational trails, parks and the existing transportation network including transit.
 - The provision of four multiple dwelling buildings will contribute to a compact form of development and provide a range of housing options in the area and along an existing transit route.
 - The development provides a significant amount of structured parking along with Class A and Class B bicycle parking. EV ready parking spaces are also proposed.

2) Environmentally Responsible Design

- The compact building form and site design will provide for a dense and compact form of development.
- Storm water management will be accommodated within the existing SWM pond adjacent to the site, which was designed to accommodate development on the subject site.
- Clean roof runoff will be captured from some of the buildings and directed to infiltration galleries. As a result of the proposed infiltration strategy the resulting total post-development infiltration will provide a 36% groundwater recharge surplus compared to pre-development conditions.
- The proposed site plan and site grading respects natural heritage constraints / setbacks.
- Provision of LED lighting for interior and exterior fixtures to reduce hydro usage.

3) Conservation of Natural Heritage Features

- Direct impacts to the Strasburg Creek valley (including the PSW) will be avoided with the proposed Site Plan. Grading limits will respect the 30 m setback from the PSW limit.
- Enhancement of retained natural features will be provided via the establishment of a restored /enhanced ecological buffer where cultural meadow vegetation currently exists.
- To protect against potential future occupancy-related impacts fencing will be installed at the development limit. This includes permanent fencing (e.g., chain link) and permanent wildlife exclusion fencing at the development limit. This will prevent wildlife from accessing the development envelope and direct any individuals to more suitable, retained habitat. Exclusion fencing will be designed per the requirements outlined in the Best Practices Technical Note: Reptile and Amphibian Exclusion Fencing (MNRF; 2013).
- "Sensitive Features Limit" signage will be installed at the interface between the proposed development and the nature feature.
- Potential impacts to migratory birds and bats will be mitigated using appropriate construction timing windows and/or other measures to demonstrate compliance with the MBCA and ESA.
- Erosion and sediment controls will be inspected regularly to ensure protection measures are functioning as intended, maintained and repaired and remedial measures are initiated where warranted.

4) Reduction of Resource Consumption

- The proposed development will provide for a dense form of development.
- The location of the site will encourage other modes of transportation, and minimize reliance on private vehicles, as detailed in the following point.

5) Transit-Supportive Development and Active Transportation

- The subject lands are located along an existing transit route and transit stops are located immediately adjacent to the subject lands at the intersection of Huron and Strasburg Roads.
- Existing multi-use trails are located along both the Huron and Strasburg frontages. These trails connect to the larger trail network existing and proposed in the broader area.
- Indoor secure bicycle parking will be provided at a rate of 0.5 spaces per unit. Short term outdoor bicycle parking will also be provided.
- Sidewalks and pedestrian connections will be provided throughout the site to provide pedestrian connectivity.

6) Community / Common Gardens and Urban Agriculture

- No community gardens or urban agriculture is proposed for the development of this site.
- There are opportunities to incorporate pollinator gardens within the proposed development.

- The owner is exploring partnership opportunities to install beehives in association with above mentioned pollinator gardens (Alveole is an example of such a company).
- Planting of new trees throughout the site.

Water Conservation (7.C.5)

- 1) Alternative Water Supply and Demand Management Systems
 - An alternative water supply or demand management system is not proposed at this time.
 - Water conservation systems will be further explored through the detailed design of the development.
- 2) Low Water Use Landscaping Alternatives
 - Low water use and native drought-tolerant plants will be encouraged for the proposed landscape design, to be detailed during the site plan process.
 - Permeable landscaped area on the site in excess of minimum zoning requirements is being proposed for the site.
 - Ecological enhancement of the buffer area will be provided through native species plantings (to supplement the existing CUM vegetation). Buffer plantings are designed to protect the edges of retained features and eventually to become a functional part of the natural features. Recommended enhancement plantings are comprised of clusters of deciduous trees and shrubs, with some native wildflowers.
- 3) Control Stormwater on Property
 - A Stormwater Management Brief has been prepared by WalterFedy in support of this application.
 - The proposed storm sewer design will collect runoff at catch basins/area drains located at low points within the proposed asphalt parking area on top of the proposed underground parking area. Surface drainage will be piped mechanically in a separate system from the roof drainage (considered as clean water) and be directed to the existing site outlet along the southern property line, ultimately outletting to the existing SWM pond to the south. Peripheral landscaped areas will drain to the adjacent rights-of-way and creek block.
 - The design of the existing SWM facility to the south included the subject lands under fully developed conditions.

Energy Conservation and Generation (7.C.6)

- 1) Building Design and Orientation
 - The residential buildings are designed with a high performance building envelope.
 - The buildings have been located and oriented to ensure little to no shadow onto adjacent buildings, allowing for more sun exposure overall and reduced energy usage for heating.
 - High performance glazing units and balcony doors will be selected.
 - Provision of LED lighting.
- 2) Consideration of Alternative or Renewable Energy Systems
 - Mechanical and electrical systems are designed with current technology hooking into the city supplied grid and will be ready and able to run renewable or alternative energy systems if supplied through that grid.

- 3) Suitability of Roof Structure for Future Solar Panels
 - The roof structure has not been designed to support future PV installation.
 - Solar panels are not contemplated as part of this development.
 - A light or white roof will be considered to reduce heat build up.

Air Quality (7.C.7)

- 1) Landscaping/Building Design
 - Extensive landscaping efforts will be provided on site.
 - Low maintenance, drought tolerant species will be included in landscape plans.
 - The construction of the proposed units will minimize air pollutants in interior materials by using low or no VOC paints and finishes.
 - Landscaping will be used to break up surface parking in order to minimize heat island effect and to decrease the amount of impervious surface.
 - New native trees will be planted throughout the site.
- 2) Transportation Demand Management Measures (TDM)
 - Bus stops are located at the corner of Huron and Strasburg Roads.
 - More than 200 Bicycle parking spaces, including both indoor secure and short-term outdoor bicycle parking will be provided for this development to encourage active transportation.
 - Direct connections will be provided from the development to the existing multi-use trails along Huron and Strasburg Roads.
 - EV ready spaces will be provided.

Waste Reduction and Management (7.C.8)

- 1) Reuse and Recycling of Building/Construction Materials
 - The developer is committed to best practices and will look for opportunities for the reuse and recycling of building materials.
- 2) On-Site Waste Management Facilities
 - This development will provide for on-site waste management facilities, including recycling which will be located in dedicated garbage/recycling areas.
 - The provision of composting facilities for future residents is not proposed for this development.

Summary and Recommendations

In conclusion, the proposed building has been designed to include elements of sustainable development. The proposed multiple residential built form creates a compact form of development, which inherently results in a more sustainable development. As the building gets further developed the consultant team will be designing with sustainability in mind.

The building will follow current American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) standards, as it relates to thermal comfort and system performance. The project will meet or exceed the Ontario Building Code design standards.

We trust that this information meets the requirements to address the sustainability of the proposed redevelopment. Please contact the undersigned should you have any questions or require anything further.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read "Andrea Sinclair", with a long horizontal flourish extending to the right.

Andrea Sinclair, MUDS. MCIP, RPP
Partner