

# PLANNING JUSTIFICATION & URBAN DESIGN REPORT

**32-42 WINDOM ROAD, KITCHENER**

 up consulting



## EXECUTIVE SUMMARY

This Planning Justification and Urban Design Report ('Report') has been prepared as part of the complete Official Plan Amendment and Zoning By-Law Amendment applications for the proposed stacked townhouse development of the properties municipally known as 32-42 Windom Road, Kitchener.

As discussed in this Report the applicant is proposing to redevelop the site to contain 58 townhouse units provided in two blocks of stacked townhouses. In order to permit the development, an Official Plan Amendment and corresponding Zoning By-Law Amendment is proposed to allow for the height and density of the development and to establish site-specific parking and side yard setback regulations for the project.

The Report provides an overview of the existing conditions and context of the subject property, the existing land use planning controls applicable to it, the required land use planning applications and land use planning rationale with respect to the same. In addition to discussing the land use planning merits of the application, this Report includes a review and assessment of the City's Urban Design Guidelines as they related to the subject property.

This Report provides land use planning opinion that the proposed development has regard for the matters of Provincial interest as set out in the Planning Act, is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, Regional Official Plan, and City of Kitchener Official Plan.

This Report was prepared by Up Consulting Ltd., who have been retained as the consulting land use planner and urban design consultant for the proposed development to provide independent land use planning analysis and opinion. This Report, including the opinions and recommendations set out herein, has been prepared by a member in good standing with the Ontario Professional Planners Institute and the Canadian Institute of Planners.

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## 1. INTRODUCTION

Up Consulting Ltd. has been retained by Jackman Construction (herein referred to as the 'client' or 'applicant') to provide land use planning services with regards to a proposed 58 unit stacked townhouse redevelopment of the properties municipally known as 32-42 Windom Road, Kitchener.

This Planning Justification and Urban Design Report ('Report') has been prepared as part of the 'complete' Official Plan Amendment and Zoning By-Law Amendment applications for the proposed development, and has been prepared by a Registered Professional Planner and member of the Canadian Institute of Planners.

This Report considers the built form and policy context applicable to the subject property and discusses the appropriateness of the proposed development within this context. It provides an overview of the applicable land use planning framework and discusses how the proposed development is aligned with Provincial, Regional and municipal land use planning objectives and requirements.

This Report also provides a fulsome review of the proposed design and how it adheres to the urban design direction set out by the City of Kitchener in its Official Plan and Urban Design Guidelines.

## 2. OVERVIEW OF PROPOSED DEVELOPMENT

As shown on the Site Plan prepared by Reinders + Law Architects included as part of the complete applications, the applicant is proposing to develop the subject lands for the purposes of a stacked townhouse development.

In total, the applicant is proposing 58 stacked townhouse units of which 18 are proposed as one bedroom units, 20 are proposed as two bedroom units, 18 proposed as three bedroom units, and 2 proposed as four bedroom units. Access to the development is proposed as a consolidated driveway off of Windom Road, which will lead to a surface parking area containing 47 parking stalls. Given a total unit count of 58 units, this represents an overall parking ratio of 0.81 spaces per unit. Of these parking stalls, 3 spaces are proposed to be allocated as visitor spaces.



**Figure 1:** Proposed Site Plan Design (Reinders + Law Architects)

As shown on the proposed Site Plan (Figure 1), the applicant is proposing the residential redevelopment of the site into two rows of stacked townhouses. These units have been aligned to be parallel with the northern and southern lot lines. In response to the urban design direction of the City of Kitchener Official Plan and Urban Design Manual, six modules of the stacked townhouses have been oriented towards the street, in order to foster interaction with the public realm and to define the street edge.

Access to the site is proposed to be provided by way of a single driveway located, which leads to 47 surface parking spaces. 10 of these spaces are planned as EV ready spaces, and two barrier free parking spaces are also proposed (a Type A and Type B space). A pedestrian connection into the site is proposed to the north of the southern stacked townhouse block.

A 64 sq. m outdoor amenity space is proposed in the north-east corner of the site. Through the future site plan application, a detailed landscape plan will be prepared establishing a design for this space.

### a. Typical Floor Plans

As shown on Figure 2, the proposed development contemplates a range and mix of residential unit types, which include basement level units, main floor units and two floor units at the 2nd and 3rd level.



**Figure 2:** Proposed Typical Floor Plans (Reinders + Law Architects)

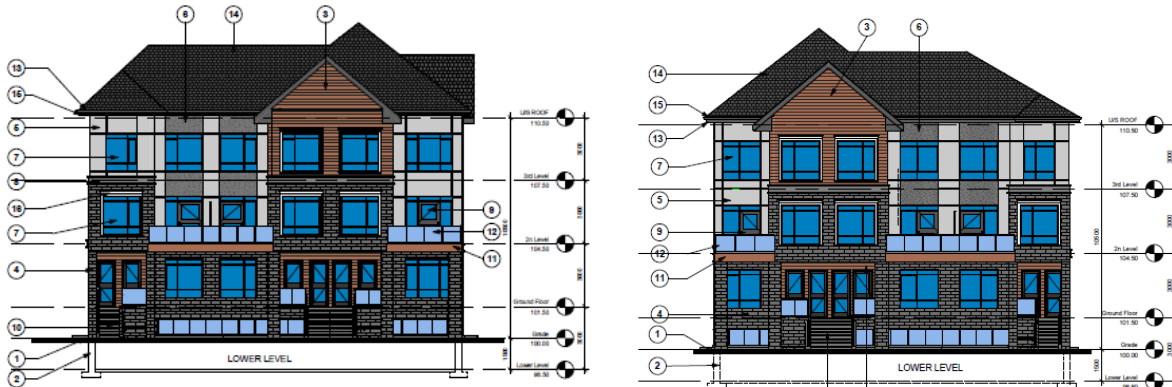
The development contemplates a total of 18 one-bedroom units, 20 two-bedroom units, 18 three bedroom units and 2 four-bedroom units. The units will range in size from



approximately 530 sq. ft to 1,350 sq ft in size, providing housing options for a variety of households.

### b. Building Elevations

Figures 3-6 below show the proposed Building Elevations prepared by Reinders + Law Architects. As shown on these elevations, the proposed development contemplates a range of building materials including brick veneer, aluminum siding in different colours, EIFS accents, aluminum clad vinyl windows, and balconies with tempered glass and prefinished deck rail.



**Figure 3-4:** Front Elevations (Reinders + Law Architects)

The front façades of the townhouse blocks have been designed to be street-facing in order to foster interaction with the public realm and to respect the character of the street. Entrances are proposed by way of steps leading to common entrances to main floor and upper level units. Balconies are proposed on the second floor to provide private amenity space for the upper level units.



**Figure 5:** Lot Line Facing Elevations (Reinders + Law Architects)

The facades of the buildings facing the north and south lot lines have been designed to provide visual interest with a range of building materials provided. No balconies are contemplated on this façade recognizing the shallow setbacks provided and to minimize overlook onto adjacent properties. At grade landscaping and board-on-board fences are proposed in order to provide a buffer to neighbouring sites.



**Figure 6:** Interior Facing Elevations (Reinders + Law Architects)

The interior-facing facades of both townhouse blocks will provide the primary entrance to the majority of units within the development. Each block will have four common stairways providing access to lower, main and upper level units. Balconies will be provided for all upper level units on the second floor facing inwards over the parking area proposed between the two blocks, which will provide cover over entries to below grade units.

### c. Renderings

Figure 7-9 below show photorealistic renderings of the proposed development from different vantage points. These renderings have been prepared to convey the design intent of the development and to supplement the elevations previously described.



**Figure 7:** Rendering Showing Front Entrance / Facade of Development (Reinders + Law Architects)





**Figure 8:** Rendering Showing South Facde of Development (Reinders + Law Architects)



**Figure 9:** Rendering of Internal View of Development (Reinders + Law Architects)



### 3. SITE LOCATION AND CONTEXT

The subject property is municipally addressed as 32-42 Windom Road and legally known as Part Lot 36 and 37 Plan 959 Kitchener as in 1053516, Kitchener. The location of the subject property is shown on Figure 10. The subject property is located east of Fairway Road North, south of Thaler Avenue and west of Southhill Drive, in the area colloquially known as “Centreville Chicopee”.



**Figure 10:** Location of Subject Property (Source: Region of Waterloo GIS Portal)

The existing properties contain two detached buildings used for residential purposes. The existing building at 42 Windom Road was previously a single-detached dwelling which has since been converted into a five (5) unit multiple dwelling, set back approximately 27 metres the front lot line. The existing driveway provides parking and access between the dwelling and the northern lot line. The subject property contains vegetation along its perimeter, front yard, and back yard.

The 32 Windom Road portion of the site contains a single detached residence, with a driveway located towards its northern property line leading to a single car garage. 32 Windom Road contains a number of trees along its perimeter, as well as a cluster of trees in the rear yard of the property. The property also contains an in-ground swimming pool. To the extent possible, existing vegetation will be maintained, however the majority

of the existing trees are proposed to be removed in order to facilitate the planned redevelopment of the properties.



**Figure 11:** 32 and 42 Windom Road Existing Conditions (Source: Google Streetview)

The 42 Windom Road portion of the site has been subject to two recent Zoning By-Law Amendment applications. Firstly, in 2018 a site specific Zoning By-Law Amendment was approved by City of Kitchener Council to legalize the existing detached dwelling that had been converted into a five (5) unit multiple dwelling. This Zoning By-Law Amendment re-zoned the property R6 subject to a site-specific regulation limiting the number of units to five (5). By way of a subsequent Zoning By-Law Amendment, approved in 2022, 42 Windom Road has been re-zoned RES-5 with site-specific regulations to facilitate a previously planned, three-storey apartment building.

Windom Road is a residential street containing a number of different housing forms, with the west side of the street containing two cluster style townhouse developments located at 20 and 48 Windom Road, respectively. The south side of the street contains 10 residential lots, all of which contain a detached dwelling.

The broader neighbourhood contains a mix of low, medium and high density residential development as well as neighbourhood scale commercial uses along Fairway Road and River Road. In addition to the housing mix present on Windom Road, the site is located in close proximity to a number of other medium and higher density land uses, the townhouse dwellings located at 280 Thaler Avenue to the north and the mid-rise apartment buildings located to the immediate west of the site at 125-149 Fairway Road North.

King Street East and Highway 8 are located to the southwest of the subject property. A variety of commercial uses exist along this portion of King Street, particularly auto-related uses, restaurants, and hotels/motels. Fairview Park mall is also located south of



Highway 8, within a five (5) minute drive of the subject property. The subject property is located within a ten (10) minute walk to bus stops for three Grand River Transit (GRT) routes: the 1 (Queen-River), the 23 (Idlewood), and the 27 (Chicopee).

The following images show existing buildings located on Windom Road and within close proximity to the site.



**Figure 12a:** Townhouse Development at 48 Windom Road (Source: Google Streetview)



**Figure 12b:** Townhouse Development at 20 Windom Road (Source: Google Streetview)





**Figure 13:** Detached Dwellings on East Side of Windom Road (Source: Google Streetview)

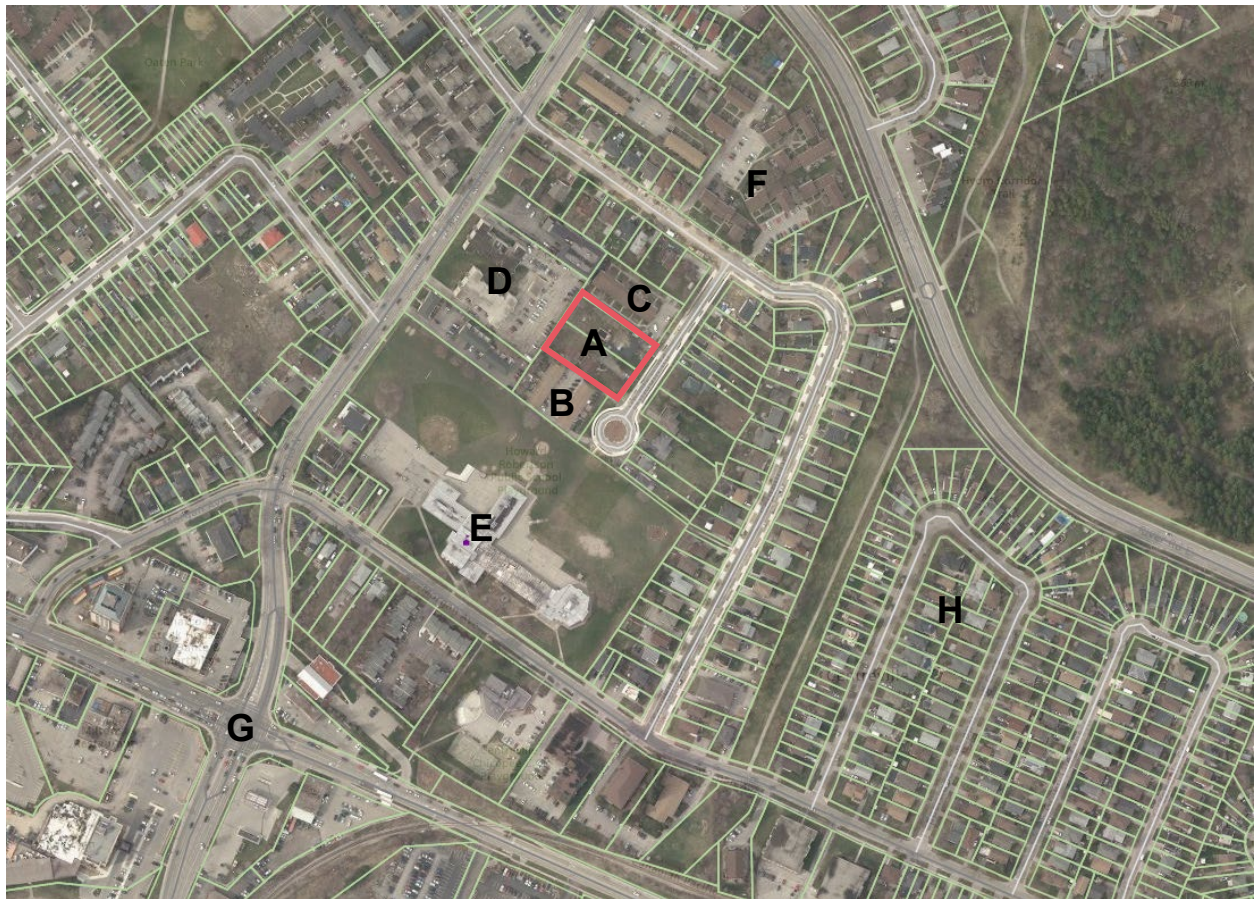


**Figure 14:** Apartment Complex at 149 Fairway Road (Source: Google Streetview)





**Figure 15:** 280 Thaler Avenue Townhouse Complex (Source: Google Streetview)



**Figure 16:** Context Map (Source: Region of Waterloo GIS Portal)

Identifier	Description
A	Subject Property (32-42 Windom Road)
B	48 Windom Road Townhouse Development
C	20 Windom Road Townhouse Development
D	149 Fairway Road Apartment Complex
E	Howard Robertson Public School
F	Thaler Avenue Townhouse Development
G	King Street and Fairway Road Intersection and Commercial Corridor
H	Low Density Residential Neighbourhood

## 4. LAND USE PLANNING FRAMEWORK

Land use planning and decision-making related to the same is guided by a range of legislation, policies, and plans set out at the Provincial, Regional, Municipal/City and neighbourhood levels. The following subsections of this Report discuss the land use planning policy framework applicable to the subject property and how they have been considered in the proposed development applications.

### a. Planning Act

The Planning Act, R.S.O. 1990 establishes the legal framework for land use planning in Ontario, and includes legislative direction with regards to Official Plans, Zoning By-Laws and Site Plan Approvals among other planning tools. The Planning Act also provides the Minister of Municipal Affairs and Housing with policy making authority to issue policy statements and plans to guide land use planning and development in the province, which is the basis for the Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe.

The following subsections of this report provides an overview of the Planning Act as it applies to the proposed development and commentary relating to how the proposed development adheres to the direction set out therein.

#### *i. Matters of Provincial Interest*

Section 2 of the Planning Act sets out various 'Matters of Provincial Interest'. In carrying out their responsibilities under the Planning Act, decision-makers must have regard to these Matters of Provincial Interest. Table 1 outlines the Matters of Provincial Interest set out in Section 2 of the Planning Act and commentary regarding how each matter has been considered, where applicable.

<b>Provincial Interest</b>	<b>Demonstration of Regard</b>
The protection of ecological systems, including natural areas, features, and functions;	No significant ecological system or natural area are present of the property. The subject property is not within the regulation limits of the Grand River Conservation Authority.  Through the site plan approvals process, a detailed tree management plan will be prepared which will consider the impact of the development on existing vegetation.
The protection of agricultural resources of the Province;	Not applicable. The subject property is not in agricultural use.
The conservation / management of natural resources and the mineral resource base;	Not applicable. No mineral or naturally occurring resources are present on the site.



The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	Not applicable. The subject property does not contain any buildings or attributes or architectural, archaeological, cultural or scientific interest.
The supply, efficient use, and conservation of energy and water;	The proposed development will connect to existing services and represent the wise use and management of infrastructure.
The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;	The proposed development represents context appropriate intensification that will connect to existing communication and physical infrastructure, representing the wise use of municipal and agency infrastructure.
The minimization of waste;	Not applicable.
The orderly development of safe and healthy communities;	The proposed development provides a site design supportive of the goals of creating safe and healthy communities.
The accessibility for persons with disabilities to all facilities, services, and matters to which this Act applies;	The development will be designed to meet or exceed the requirements set out in AODA. Two barrier free parking spaces are provided. The outdoor amenity area will be designed to include barrier free design elements.
The adequate provision and distribution of educational, health, and recreation;	Not applicable.
The adequate provision of a full range of housing, including affordable housing;	The proposed development supports the provision of a full range of housing options. The stacked townhouse style of housing proposed represents a more affordable housing option than other forms of low density housing.
The adequate provision of employment opportunities;	Not applicable.
The protection of the financial and economic well-being of the Province and its municipalities;	Not applicable.
The co-ordination of planning activities of public bodies;	Not applicable.
The resolution of planning conflicts involving public and private interests;	Not applicable.
The protection of public health and safety;	Not applicable. No adverse impacts to public health or safety are anticipated.

The appropriate location of growth and development;	The proposed development will facilitate intensification on the subject lands which are located within the City’s Built-Up Area in a neighbourhood with an existing mix of low density and medium-density residential development.
The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	The proposed development is planned to accommodate various sustainable design elements as discussed in the Preliminary Sustainability Statement.
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.	As discussed in the Urban Design portion of this Report, the development has been designed to respond to the City’s Urban Design Manual, and provides a well-designed development that will be attractive and vibrant.

Based on the foregoing, it is our opinion that the proposed development has regard for the matters of Provincial interest as set out in the Planning Act.

## b. Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS), 2020 is issued under Section 3 of the Planning Act and came into effect on May 1, 2020, replacing the previous version of the PPS which was issued in 2014. Approval authorities, including Council of the City of Kitchener, in carrying out their responsibilities under the Planning Act, are to ensure that their decisions “are consistent with” the PPS.

The PPS builds upon the policy direction expressed in the Planning Act (“Matters of Provincial Interest”) related to land use planning, which supports the Provincial goal of enhancing the quality of life for all citizens of Ontario. The focus of the PPS is building strong communities, a clean and healthy environment, and supporting sustainable economic growth by directing development to existing settlement areas, encouraging efficient and cost-effective land use development patterns, and protecting natural resources for the long term.

The PPS is to be read in its entirety and applicable policies are to be applied to specific situations/applications. The following table provides a summary of relevant policies of the PPS and describes how the proposed development is consistent with this policy direction.



Section	Policy	Discussion of Consistency
Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns		
1.1.1	<p>Healthy, livable and safe communities are sustained by:</p> <ul style="list-style-type: none"> <li>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</li> <li>b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long- term care homes), recreation, park and open space, and other uses to meet long-term needs;</li> <li>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</li> <li>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</li> <li>e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and</li> </ul>	<ul style="list-style-type: none"> <li>a) The proposed development facilitates intensification within the City’s Built-Up Area using existing municipal services, promoting the efficient use of land and infrastructure.</li> <li>b) The proposed development will add to the mix and range of residential uses in the City of Kitchener by providing 58 stacked townhouse dwellings. The proposed residential uses will be located in proximity to greenspaces/trails, institutional uses, and commercial uses.</li> <li>c) It is not anticipated that the proposed development will generate any environmental or public health and safety concerns.</li> <li>d) Not applicable.</li> <li>e) The proposed development facilitates intensification within the City’s Built-Up Area and in close proximity to transit.</li> <li>f) The development will be constructed in accordance with the OBC and AODA. A Type A and B barrier free parking stall will be provided.</li> <li>g) The development will connect to existing</li> </ul>

	<p>infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;</p> <p>g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and</p> <p>h) promoting development and land use patterns that conserve biodiversity; and</p> <p>i) consider the impacts of a changing climate.</p>	<p>services provided on Windom Road, including water, sanitary, hydro, natural gas and communications. See the Functional Servicing Report prepared by SBM for additional details.</p> <p>h) No adverse impacts to area biodiversity are anticipated.</p> <p>i) The proposed development will conform or exceed the standards set out in the OBC. Various sustainability measures will be considered at the site plan review stage, including those related to building components, landscape design and materials.</p>
1.1.3.1	Settlement areas shall be the focus of growth and development.	The proposed development will facilitate intensification within the City's Built-Up Area.
<b>Housing</b>		
1.4.1	To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area.	The proposed development will assist the City of Kitchener in meeting this policy objective by providing missing middle housing options for the community.

Sewage, Water and Stormwater		
1.6.6.2	<p>Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.</p>	<p>The development will connect to existing municipal water and sanitary services available along Windom Road. The site is located within the Urban Area of the City of Kitchener, where connections to full municipal services is required.</p>
1.6.6.7	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> <li>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasibly, and financially viable over the long term;</li> <li>b) minimize, or, where possible, prevent increases in contaminant loads;</li> <li>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;</li> <li>d) mitigate risks to human health, safety, property, and the environment;</li> <li>e) maximize the extent and function of vegetative and pervious surfaces; and</li> </ul>	<p>The subject property is proposed to connect to existing storm infrastructure on Windom Road and will incorporate on site stormwater management as detailed in the Stormwater Management Brief prepared by SBM Engineers.</p>

	<p>f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and</p> <p>g) efficiency, and low impact development.</p>	
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Based on the foregoing, it is our opinion that the proposed development is consistent with the PPS 2020.

### c. Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe sets out a long-term plan for growth and development within the Greater Golden Horseshoe Area of Ontario, which includes the Region of Waterloo and City of Kitchener. The current Growth Plan came into effect on August 28, 2020 and is now in full force and effect. Land use planning decisions for applications within the Growth Plan area must conform to the policies of the plan, as applicable.

Section 1.2.1 of the Growth Plan sets out its guiding principles, which includes:

- Supporting the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime;
- Prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability;
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource based sectors;
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government;
- Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households;
- Provide for different approaches to manage growth that recognize the diversity of communities in the Greater Golden Horseshoe;
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions;
- Support and enhance the long-term viability and productivity of agriculture by impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

In our opinion, the proposed development is aligned with this guiding principles as it:

- Provides a context appropriate infill development within the Built-Up Area of the City of Kitchener.
- Will efficiently use existing municipal infrastructure and tie into recently replaced services.
- Supports the use of transit, providing convenient access to three Grand River Transit Routes
- Supports the provision of a wide range of housing at different levels of affordability, by proposing stacked townhouses which are generally more affordable housing options compared to single and semi-detached dwellings.
- Will not negatively impact any identified cultural heritage resource or significant natural feature, nor will it generate any adverse human health and safety impacts.

Beyond these overarching goals the growth plan places an emphasis on infilling and intensification. Chapter 2 of the Growth Plan sets out policy direction with regard to where and how communities should grow and develop.

Policy 2.2.1 (c) of the Growth Plan directs that the majority of community growth should be directed to existing settlement areas and within settlement areas, growth will be focused to:

- Delineated built-up areas;
- Strategic growth areas;
- Locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
- Areas with existing or planned public service facilities.

As previously mentioned, the Subject Property is located within the delineated Built-Up Area of the City of Kitchener where the majority of community growth has been planned to occur. Within the Region of Waterloo, Policy 2.2.2.1 of the Growth Plan directs that a minimum of 50 percent of all residential development occurring annually shall be within the delineated Built-Up Area. In our opinion, the proposed development conforms with this policy direction and will assist the City and Region in the achievement of their respective intensification targets.

#### d. Region of Waterloo Official Plan

The Regional Official Plan (“ROP”) sets out policy direction to guide land use planning in the Region of Waterloo over a 20 year planning horizon. The Ministry of Municipal Affairs and Housing approved the ROP in 2010. This decision was subsequently appealed to the Ontario Municipal Board, which issued a decision with regard to the ROP in June 2015, allowing the ROP to come into full force and effect. All planning

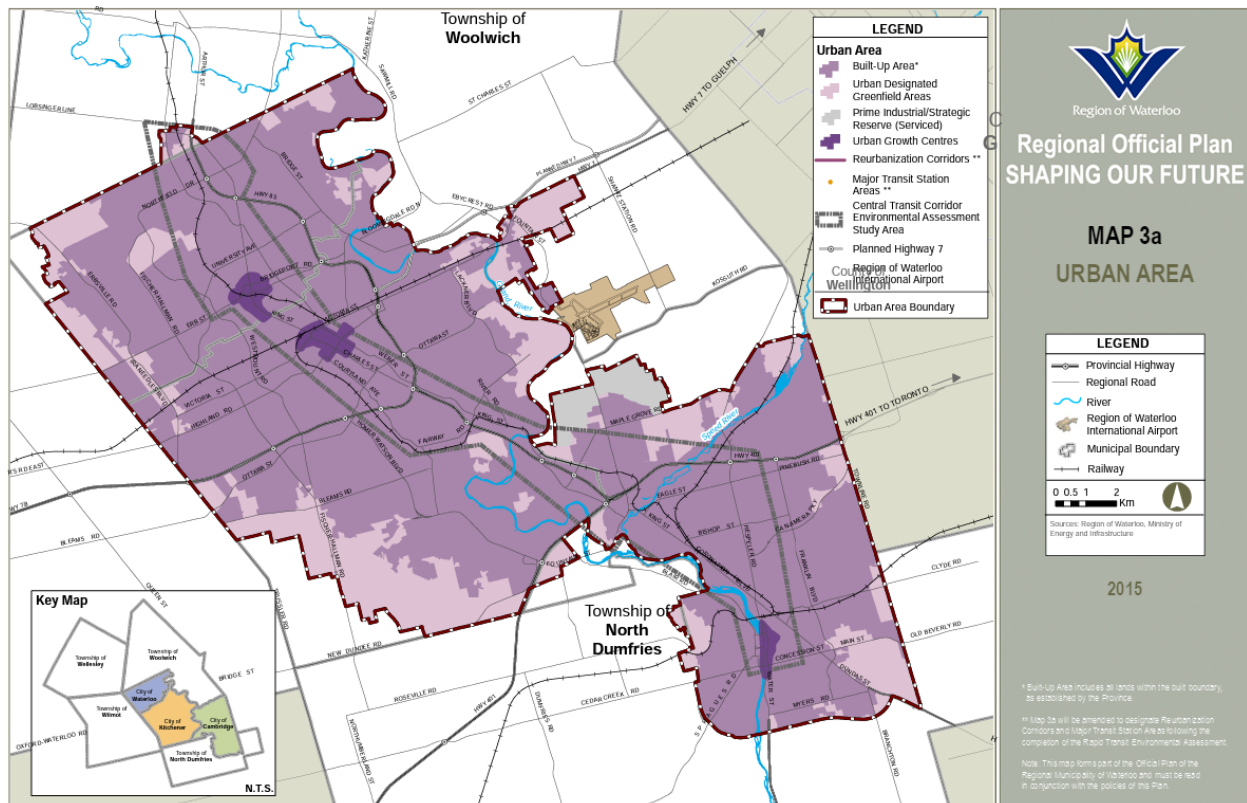


decisions within the Region of Waterloo must conform to the ROP, including the subject applications.

The ROP determines areas for growth and development, sets out population and employment forecasts and density targets, establishes an Urban Boundary, promotes multi-modal transportation options, and sets out policies to protect the Region’s valuable environmental and agricultural resources.

*i. Urban Area and Built-Up Area*

The ROP identifies the subject property as within the City of Kitchener Urban Area and Built-Up Area, as displayed in Figure 17. The Built-Up Area includes all lands within the built boundary of the Region’s Urban Area and Township Areas as of June 16, 2006.



**Figure 17: Regional Official Plan, Map 3a**

Within this area, the ROP directs that forty-five (45) percent of new residential development should be directed by the area municipalities in order to support the efficient use of land, and physical and community infrastructure/services. By proposing the infilling of the subject property located within the Built-Up Area, the proposed development will help satisfy the Region’s density target for infilling.

Development within the Built-Up Area is subject to Policy 2.D.1 of the ROP, which is provided as follows:

“In preparing or reviewing planning studies, or in reviewing development applications or site plans, the Region and/or Area Municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that:

- a) supports the Planned Community Structure described in this Plan;
- b) is serviced by a municipal drinking-water supply system and a municipal wastewater system;
- c) contributes to the creation of complete communities with development patterns, densities and an appropriate mix of land uses that supports walking, cycling and the use of transit;
- d) protects the natural environment, and surface water and groundwater resources;
- e) conserves cultural heritage resources and supports the adaptive reuse of historic buildings;
- f) respects the scale, physical character and context of established neighbourhoods in areas where reurbanization is planned to occur;
- g) facilitates residents’ access to locally grown and other healthy foods in neighbourhoods; and
- h) promotes building designs and orientations that incorporate energy conservation features and the use of alternative and/or renewable energy systems.”

Criteria ‘d’, ‘e’, ‘g’ and ‘h’ are not relevant to the proposed applications as the property does not contain any significant natural features, cultural heritage resources, food supplies, or renewable energy systems.

With regard to matter ‘a’, it is noted that the proposed development supports the planned function of the Urban Area and Built-Up Area of the ROP, as the focus is the growth and development in the Region. With regards to matter ‘b’, it is noted that the proposed development will be serviced by municipal water and wastewater servicing, and as noted in the Functional Servicing Report prepared by SBM, the project will tie into existing services located on Windom Road.

It is also our opinion that the proposed development will support the achievement of more walkable and complete communities, by providing a compatible form of housing in close proximity to a range of land uses and existing public transit.

Based on the foregoing, it is our opinion that the proposed development conforms to the policy direction set out in the ROP for its Urban Area and Built-Up Areas.

## ii. Source Water Protection

The subject property is located within a Surface Water Intake Protection Zone 2, as shown on by Map 6g of the ROP. This Intake Protection Zone applies to areas which contribute water to the surface water intake of the Region's municipal drinking water supply system. The intention of this Intake Protection Zone is to protect the quality and quantity of surface water entering the intake, primarily by protecting the surface water upstream of the intake from hazardous spills. Zone 2 identifies lands over which a hazardous spill could reach a municipal surface water intake within two (2) hours of travel time.

The ROP states that Category 'A' uses are not permitted within Zone 2. Category 'B', 'C', and 'D' uses and ponds such as stormwater management ponds may be permitted within Zone 2, provided that the study requirements identified in Policy 8.A.4 of the ROP are completed. It is noted that residential uses are not identified as either Category 'A', 'B', 'C', or 'D' uses, and accordingly the proposed development is permitted (not prohibited) within the area. It is noted that as part of the complete application, Section 59 Certificates were obtained with regards to the proposed development. As noted in the certificates, "it has been determined that the potential activity(s) associated with the proposed development or building on the Site/Lands are not subject to either Section 57 (Prohibition) or Section 58 (Risk Management Plan) of the Act."

## e. Region of Waterloo New Official Plan (ROPA 6)

On August 18, 2023, Council for the Regional Municipality of Waterloo approved Regional Official Plan Amendment No. 6 ("ROPA 6"), which was the result of the Region's municipal comprehensive review to bring the Regional Official Plan into conformity with the PPS and the Growth Plan. On April 11, 2023, the Minister of Municipal Affairs and Housing approved ROPA 6 subject to various modifications.

As set out in the preamble for the Amendment "this amendment establishes the planning framework in the Regional Official Plan (ROP) to accommodate Waterloo Region's forecasted population and employment growth to 2051, in conformity with Schedule 3 of the Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan). It will help guide strategic decisions regarding land use planning and a range of Regional services, including transportation, public transit, water and wastewater supply and services, public health, economic development, affordable housing and others. The amendment also updates several other planning policies, objectives, and mapping in the ROP to ensure they conform to the Growth Plan and the Greenbelt Plan, 2017, or do not conflict with them, and are consistent with the Provincial Policy Statement, 2020. The overall effect of this amendment is to support Waterloo Region's long-term growth and development in a way that achieves an equitable, thriving and sustainable regional community for all residents."

Key changes brought about by ROPA 6 include policy changes to support an intensification-first approach to accommodating growth; extending the planning horizon to the year 2051, establishing a hierarchy of urban areas and nodes/corridors where the majority of growth, and establishing new intensification targets for area municipalities including the City of Kitchener.

Section 1.1 of ROPA 6 provides that by 2051, the Region of Waterloo is anticipated to grow to accommodate a population of 923,000 people from its current population of approximately 600,000. Section 1.3 of ROPA 6 sets out the purpose of the plan to establish a framework for growth and development to the year 2051.

Chapter 2 of ROPA 6 sets out policy direction as to where and how to grow, and establishes several objectives in that regard:

- a) Build vibrant 15-minute neighbourhoods with a broad mix of land uses where people can meet their daily needs for goods, services, and employment within a 15-minute trip by walking, cycling, and rolling, and where other needs can be met by taking direct, frequent, and convenient transit;
- b) Promote an intensification-first approach to development and community-building that focuses on making better use of existing infrastructure and public service facilities, and on protecting the region's valuable water, agricultural and natural heritage systems;
- c) Advance transformational climate action by supporting a more energy-efficient, compact built form that will enable a modal shift to most trips being made by walking, cycling, and rolling;
- d) Mitigate and adapt to climate change, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability;
- e) Integrate and respect Indigenous values, history and cultures in planning for growth and change through respect, trust, and meaningful dialogue;
- f) Plan in a manner that improves social equity and overall quality of life, including human health, for people of all ages, abilities and incomes;
- g) Strive to prioritize the voices of children and youth when making decisions around regional investments and operations; and,
- h) Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations, Métis, Inuit, and other local Indigenous peoples.

It is our opinion that the proposed development is aligned with these policy directions as it contemplates an infill development making efficient use of existing infrastructure, provides more compact building forms, and supports the achievement of transit supportive densities to help foster the development of 15 minute neighbourhoods.

Within the Built-Up Area, ROPA 6 establishes several objectives for growth including achieving "*transit-supportive*" development, supporting infilling in built up areas with "*gentle density*" infilling, the creation of new "*missing middle*" housing options, and the creation of "*15-minute neighbourhoods*". It is noted that the terms "*transit-supportive*",

“missing middle”, “gentle density” and “15-minute neighbourhoods” are defined by the plan as follows:

- Gentle Density: Development or redevelopment in Urban Areas or Township Urban Areas with a slightly higher density than adjacent single-detached (or lower density) neighborhood.
- Missing Middle: Multiple unit housing including, but not limited to multiplexes, stacked townhouses, apartments, and other low-rise housing options.
- Transit-supportive: Relating to development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Transit-supportive development will be consistent with Ontario’s Transit Supportive Guidelines.
- 15-Min. Neighbourhood: Neighbourhoods that are Compact, well-connected places such as mixed-use neighbourhoods or other areas within the Urban Area and Township Urban Areas. They are places that offer support and opportunities for people of all ages and abilities and at all times of year to conveniently access the necessities for daily living with a 15-minute trip by walking, cycling, and rolling, and where other needs can be met by taking direct, frequent, and convenient transit, wherever possible. 15-minute neighbourhoods include an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. They are also age-friendly places and may take different shapes and forms appropriate to their contexts.

In our opinion, the proposed development is representative of a missing middle form of housing that will provide a gentle density increase compatible with the surrounding neighbourhood. The development will also support the use of transit given its proximity to existing transit services and the low reliance on cars, supported by the proposed site specific parking ratios.

Based on the foregoing, it is our opinion that the proposed development conforms to ROPA 6.

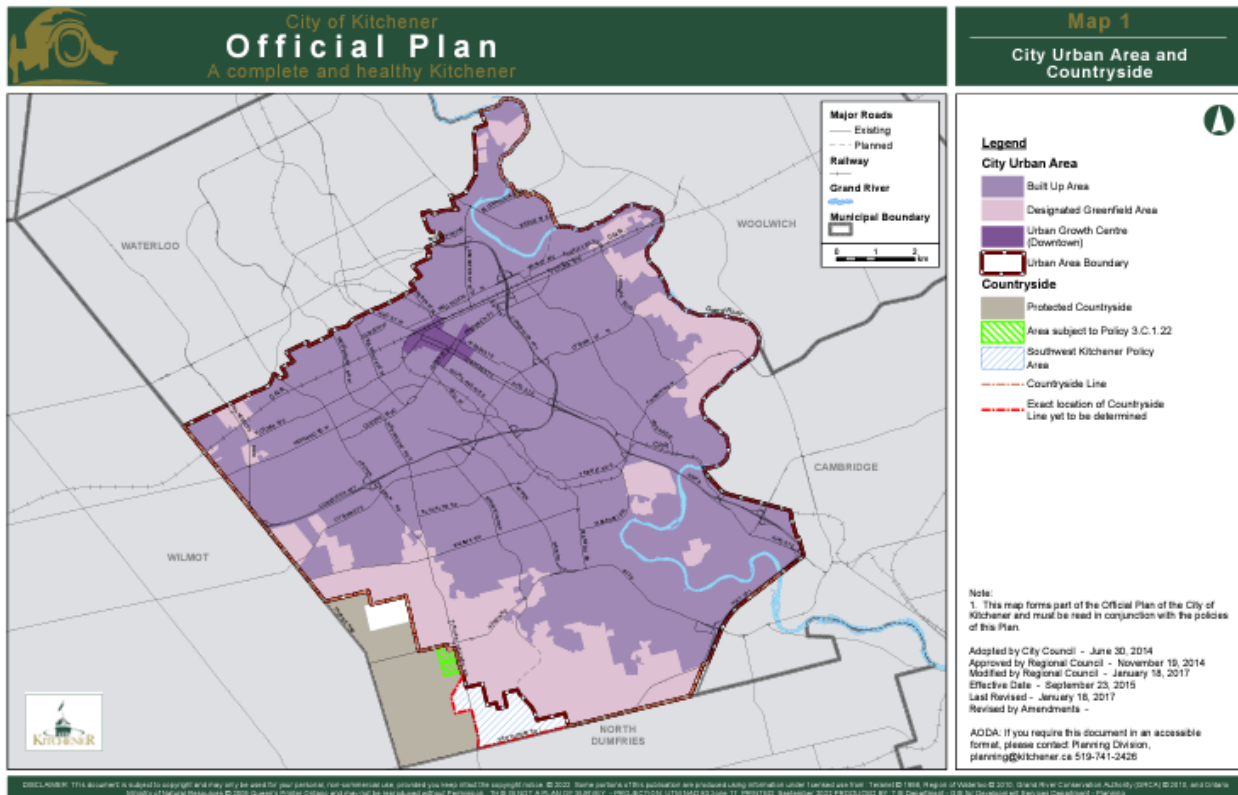
#### f. City of Kitchener Official Plan

The City of Kitchener Official Plan is the principal land use planning document guiding the long-term growth and development of the City of Kitchener. The Official Plan was approved on November 19, 2014.



*i. Urban Areas and Built-Up Area*

Map 1 (Urban Area and Countryside) of the City of Kitchener Official Plan identifies the subject property as being located within the Built-Up Area within the Urban Area Boundary of the Region of Waterloo, as shown on Figure 18. Similar to the ROP, the City of Kitchener Official Plan directs that the majority of growth and redevelopment should occur within these areas.



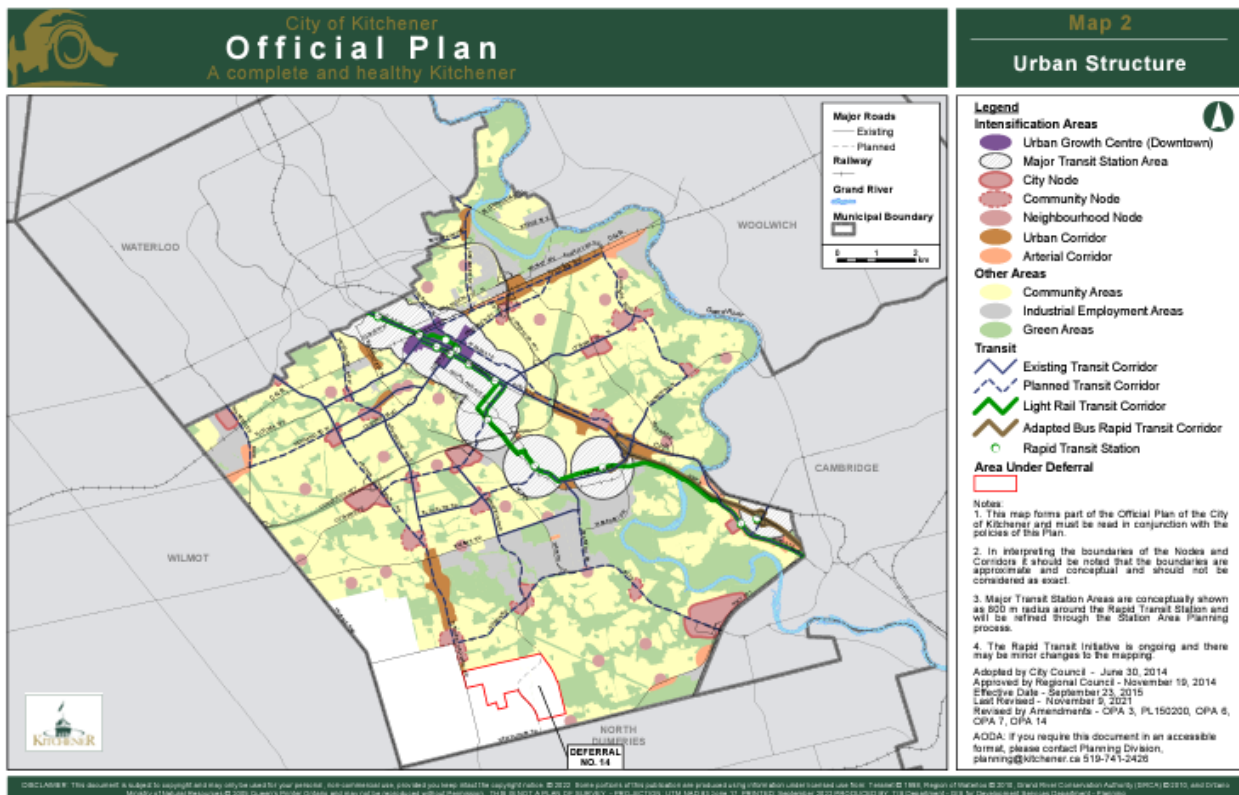
**Figure 18:** City of Kitchener Official Plan, Map 1

The proposed development will contribute to the achievement of the Regional annual intensification target of 45 percent as set out in the 2009 ROP and 65 percent as set out in ROPA 6.

*ii. Community Areas*

The subject property is also located within an area identified as Community Area by Map 2 (Urban Structure) of the City of Kitchener Official Plan, as displayed on Figure 19. The Official Plan directs that the primary objective of this designation is to provide for residential uses and supportive non-residential uses.

Within this designation, intensification is encouraged subject to the applicable land use designation, associated policies and adherence with the City’s urban design framework, which is provided in the following subsections of this Report.



**Figure 19:** City of Kitchener Official Plan, Map 2

*iii. Low Rise Residential Designation*

The subject property is designated Low Rise Residential by Map 3 (Land Use) of the City of Kitchener Official Plan, as shown in Figure 20. The Low Rise Residential designation permits a wide range of low density housing types, including:

- Single detached dwellings
- Attached and detached dwellings
- Semi-detached dwellings
- Street townhouse dwellings
- Cluster townhouse dwellings
- Low-rise multiple dwellings
- Special needs housing
- Additional dwelling units
- Other forms of low-rise housing

It is noted that the proposed dwelling type (stacked townhouses / cluster townhouses) is a permitted housing type within the Low Rise Residential designation.

The Official Plan states that “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 stacked townhouse dwellings support the achievement of this policy direction, by providing an appropriate form of housing recognizing the nature of the existing context which includes a broad range of housing types, including detached dwellings, townhomes and mid-rise apartment dwellings.

Within the Low Rise Residential designation the Official Plan permits a maximum floor space ratio (FSR) of 0.6, whereas the proposed development contemplates an FSR of 1.39, which includes the basement level floor area (or an FSR of 1.05 if the basement level is excluded). In order to permit this proposed FSR, a site-specific Official Plan Amendment application is proposed. It is also noted that the Official Plan permits buildings with a height of up to 11 m. As shown on the building elevations the proposed development contemplates a building height of 15.1 m.

It is our opinion that the proposed increase in permitted FSR and building height is appropriate as the proposed built form is compatible with that of the surrounding neighbourhood and for other reasons discussed later in this Report.

#### *iv. Housing Policies*

Section 4 of the Official Plan establishes policies with regards to the provision of a range and mix of housing options in the City, providing “the policies of this Plan will support the provision of suitable, affordable and attractive living accommodations for all its residents as housing is a basic necessity and determinant of quality of life. The policies will also seek to address the characteristics and types of housing that may be required to support Kitchener’s residents’ needs as well as the appropriateness and quality of the community settings in which the housing is located to support our complete and healthy community.”

Policies 4.1.1 to 4.1.6 set out various objectives related to the provision of appropriate housing options including:

- To provide for an appropriate range, variety and mix of housing types and styles, densities, tenure and affordability to satisfy the varying housing needs of our community through all stages of life.
- To ensure that new residential areas and the redevelopment of lands for residential uses and residential infill projects reflect a high standard of urban design.
- To locate and integrate housing opportunities with local stores and services that are accessible by active transportation and public transit.

4.C.1.8 of the Official Plan states that the overall impact of special zoning regulation(s) will be evaluated by the City when reviewing applications to facilitate residential intensification or the redevelopment of lands. The following table lists the criteria will be considered during this review and discusses how the proposed development conforms.

<b>Criteria</b>	<b>Discussion of Conformity</b>
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<p>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.</p>	<p>The subject property will be redeveloped to accommodate stacked townhouse dwellings within a neighbourhood with an existing mix of low-density and medium- density residential development. The proposed land use is permitted within the Low Rise Residential Designation of the City of Kitchener Official Plan.</p>
<p>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.</p>	<p>No relief from the front yard setback requirements of the RES5 zone are proposed. The development will provide a 4.5 m setback.</p>
<p>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.</p>	<p>Not applicable as both existing buildings on the subject property will be demolished to allow for the proposed redevelopment.</p>
<p>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.</p>	<p>The buildings have been designed to minimize impacts on lands to the north and the south, by locating balconies towards the central portions of the site, rather than overlooking adjacent lots. The subject property will contain a board-on-board fence along both the northern and southern lot lines to mitigate overlook and privacy concerns.</p>
<p>e) The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by</p>	<p>As detailed in the Parking Study prepared by Paradigm Transportation Solutions, the proposed parking ratio is anticipated to be appropriate for the proposed development. The site will contain</p>

<p>providing both an appropriate number of parking spaces and an appropriate landscaped / amenity area on the site.</p>	<p>32% landscape coverage which exceeds the minimum requirement for the RES 5 zone (20%).</p>
<p>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.</p>	<p>It is our opinion that the proposed Official Plan Amendment and corresponding Zoning By-law Amendment are appropriate for the site and that the overarching planning objectives applicable to the property will be maintained / supported by the proposed development. A discussion on the proposed site-specific policies and regulations is provided later in this Report.</p>

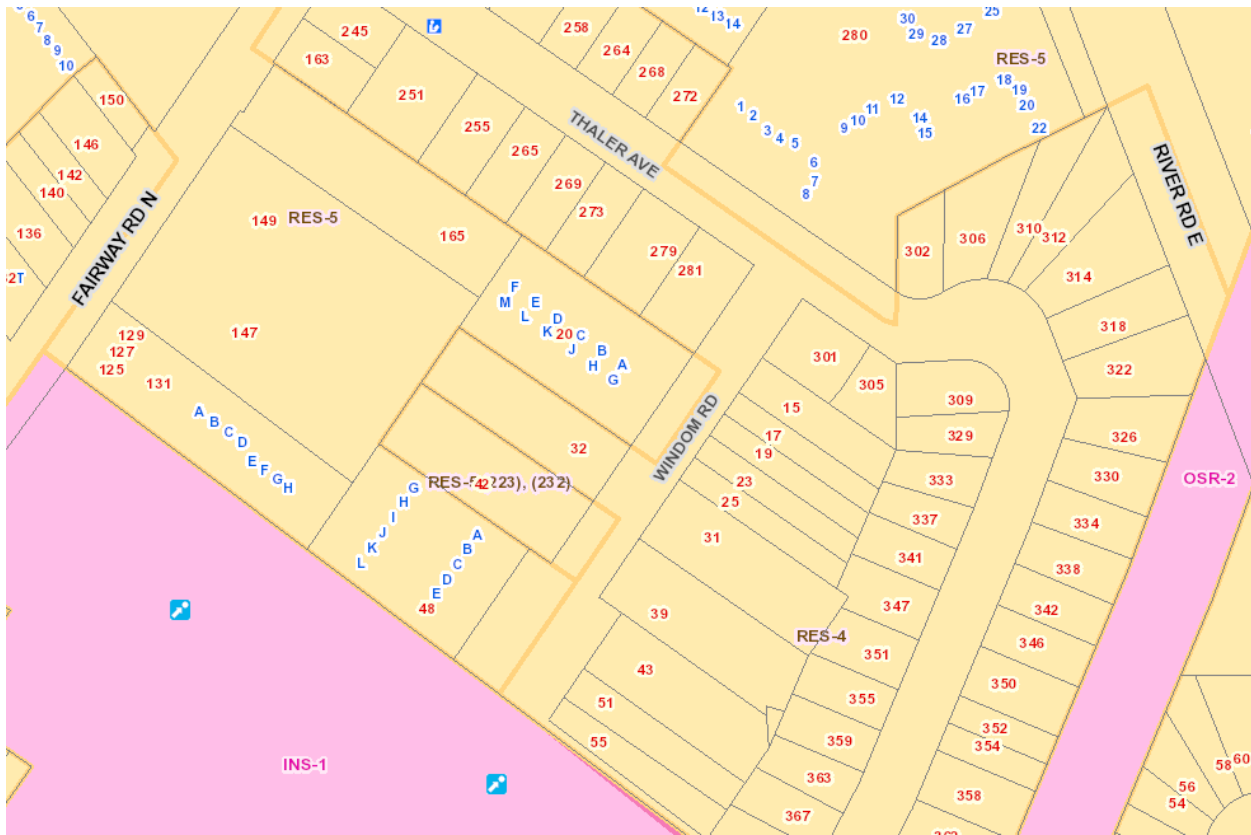
v. *Urban Design*

The Official Plan sets out policy direction with regards to urban design. These policies and assessment of how the proposed development adheres to the City’s Urban design manual is contained in Section 7 of this Report.

**g. City of Kitchener Zoning By-Law**

The properties are subject to the City of Kitchener Zoning By-Law 2019-051, which was approved by City Council on March 21, 2022. The 42 Windom Road portion of the property is zoned Low Rise Residential Five (RES-5) and subject to site specific regulations as a result of a previous land use planning approval that was granted in spring of 2022. The 32 Windom Road portion of the property is zoned Low Rise Residential Four (RES-4). The following subsections of this report discuss the existing zoning which applies to the properties.





**Figure 20:** City of Kitchener Zoning Map

*i. Low Rise Residential Four Zone – 32 Windom Road Portion*

The purpose of the RES-4 Zone is “to accommodate a range of low density dwelling types that allow up to four dwelling units on a range of lot sizes in low rise areas” (Section 7, City of Kitchener Zoning By-Law). Within this zone, a number of residential uses are permitted including single-detached, semi-detached, street townhouses and multiple dwellings up to 4 units in size. As the RES-4 zone does not permit stacked townhouses / cluster townhouses, a zoning by-law amendment is required in order to permit the proposed use. Accordingly, the applicant is proposing to re-zone the 32 Windom Road portion of the site to RES-5.

*ii. Low Rise Residential Five Zone – 42 Windom Road Portion*

The purpose of the RES-5 zone “is to accommodate the widest range of low density dwelling types on the widest range of lot sizes in low rise areas” (Section 7, City of Kitchener Zoning By-Law). Within this zone a greater range of low rise residential uses are permitted including those permitted in the RES-4 zone as well as cluster townhouses and multiple dwellings. As previously noted, the 42 Windom Road portion of the site is already zoned RES-5, while the 32 Windom Road portion of the site is proposed to be re-zoned RES-5. The following table reviews the details of the proposed

development to the RES-5 zoning regulations and requirements set out in the Zoning By-Law.

<b>Regulation</b>	<b>Requirement</b>	<b>Provided</b>
Minimum Lot Area	525 sq m	3,493 sq m
Minimum Lot Width	19 m	48.8 m
Minimum Front Yard Setback	4.5 m	4.5 m
Minimum Interior Yard Setback	4.5 m	2.5 m*
Minimum Landscape Area	20%	32.8%
Maximum FSR	0.6	1.39 (includes basement level floor space)
Maximum Building Height	11 m	15.1 m*
Maximum Number of Storeys	3	3
Minimum Parking Requirement	1 space / unit (58)	47 space of which 3 are proposed as visitor parking stalls*
Minimum Visitor Parking Requirement	0.15 space / unit (8)	
Barrier Free Parking	1 Type A 1 Type B	1 Type A 1 Type B

As noted in the table above, site specific regulations are required to account for the following items:

- Interior Side Yard Setback: 2.5 m proposed, whereas 4.5 m required
- Floor Space Ratio: 1.39 proposed whereas 0.6 permitted
- Building Height: 15.1 proposed whereas 11 m permitted
- Parking: 47 spaces provided, whereas 66 spaces are required

## 5. REQUIRED LAND USE PLANNING APPROVALS

In order to permit the proposed development a site-specific Official Plan Amendment and corresponding Zoning By-Law Amendment application are proposed. Details of these required planning applications are provided as follows:

Official Plan Amendment:

- Permit an FSR of 1.39 and Permit a Building Height of 15.1 m

Zoning By-Law Amendment:

- Permit an FSR of 1.39
- Permit a Building Height of 15.1 m
- Permit a Side Yard Setback of 2.5 m
- Permit a parking ratio of 0.81 spaces per unit, including visitor parking

## 6. LAND USE PLANNING RATIONALE

This section of the Report builds on the previous sections and provides land use planning opinion with regards to the site specific planning regulations proposed to accommodate the contemplated development.

### a. Rezoning to RES-5

As discussed previously, the 42 Windom Road portion of the site is currently zoned RES-5, whereas the 32 Windom Road portion of the site is zoned RES-4. By way of the proposed Zoning By-Law Amendment application, the applicant is proposing that this entirety of the site be zoned RES-5.

In consideration of the appropriateness of RES-5 zoning for the site, we have undertaken a review of the zoning of adjacent and nearby properties in the general area. As shown on Figure 21 below, all properties on the north side of Windom Road, with the exception of 32 Windom, are zoned RES-5 currently, signalling that 32 Windom Road is an outlier in this context. The re-zoning of the property to RES-5 would result in all properties on the north side of Windom Road having the same zoning.

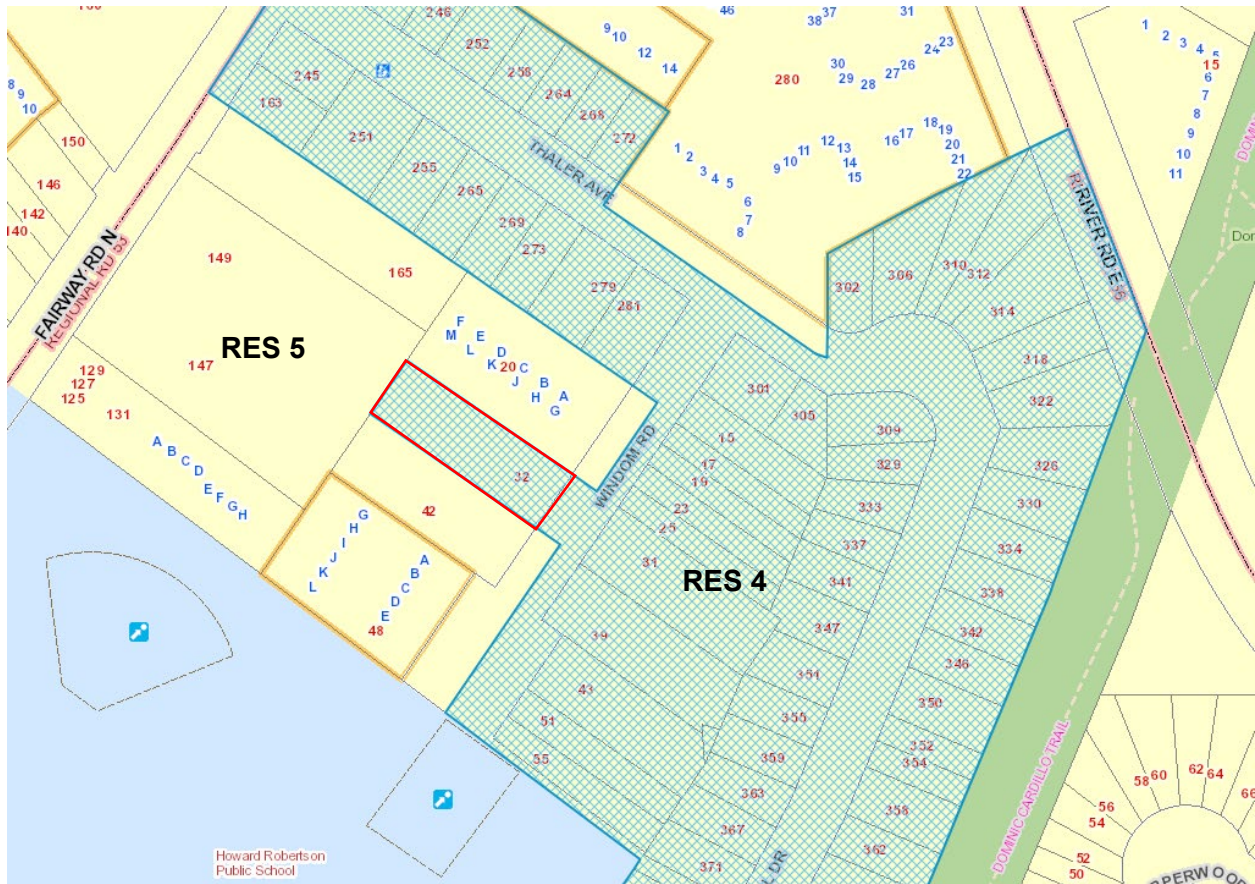


Figure 21: Zoning Context



Beyond this, it is noted that both adjacent properties (48 and 20 Windom Road) have been developed to contain multiple dwellings / linear forms of housing. The proposed re-zoning would facilitate the redevelopment of the proposed property to contain similar forms of housing as these adjacent properties.

### b. Interior Side Yard Reductions

As noted above, the applicant is proposing a side yard setback of 2.5 m, whereas the by-law requires a setback of 4.5 m for stacked townhouse dwellings. In our opinion the proposed reduced setback is appropriate for various reasons. Firstly, on the south side of the property, it is noted that the site abuts the drive aisle for 48 Windom Road, as shown on Figure 22. The location of this drive aisle provides for spatial separation between the new development and the existing townhouses to the south. With regards to this interface, it is also noted that the townhouses existing on 48 Windom run north south, whereas the proposed development is aligned west-east. Given this differing alignment, there will be minimal overlook between the developments which will mitigate privacy issues.



**Figure 21:** Aerial Imagery of Windom Road (Source: Region of Waterloo GIS Portal)

On the north side of the site, the existing development is setback approximately 12 m from the mutual lot line. Combined with the 2.5 m side yard setback proposed, 14.5 m of spatial separation will be provided between the developments, which exceeds the minimum combined setbacks which would be required by the RES-5 Zone (9 m, or 4.5

m on each property). Given this, it is our opinion that the proposed reduced side yard setbacks area appropriate.

### c. Site-Specific Parking Ratio

A site-specific parking ratio of 0.81 parking stalls per unit (inclusive of visitor parking) is proposed for the development. As detailed in the Parking Study prepared by Paradigm Transportation Solutions, it is our understanding that the proposed parking supply will be adequate as detailed and discussed in the Study.

### d. Density and Massing of Development

Site-specific standards for height and FSR are proposed for the development. In our opinion the proposed height is appropriate for the development as the development will be limited to three storeys. The proposed site-specific height is due, largely to the pitched roof contemplated by the applicant which has been proposed to respond to the surrounding low-density character. If the roof was made flat, no relief from the By-Law or Official Plan would be required in this regard. It is our opinion that the requested height is appropriate in this context and will enhance the architectural design of the development.

With regards to FSR, it is our opinion that the proposed density increase is appropriate in this context. Firstly, it is noted that the FSR proposed includes the basement level of the project which is predominantly below grade but extends 1.5 m above grade. If the basement level only extended 0.5 m above grade, this area would not be included in the FSR calculation. The rationale for the basement units having more above grade exposure is to provide more liveable basement suites with more exposure to natural light, and while this additional height precludes the basement from being excluded from the FSR calculation for the purposes of the By-Law, it does not increase the actual square footage of the development.

It is also noted that notwithstanding the proposed FSR increase, the built form of the proposed development is very much in keeping with other sites in proximity to the property, including the residential developments to the north and south of the site, as well as the mid-rise apartments adjacent to the site along Fairway Road.

For these reasons and those discussed elsewhere in this Report, that the FSR and building heights are appropriate for the development and compatible with the surrounding neighbourhood.

## 7. URBAN DESIGN REVIEW

This section of the Report provides an assessment of the proposed design within the context of the City of Kitchener's urban design framework, as established within the City of Kitchener Official Plan and Urban Design Manual.

### a. City of Kitchener Official Plan, Chapter 11

Chapter 11 of the City of Kitchener's Official Plan sets out high level urban design objectives and policies to ensure growth and development in the City achieves a high standard of urban design. The proposed development has been designed to reflect the many of these objectives:

- To support and achieve a high standard of urban design in order to help create a complete and healthy community that is safe, attractive, thriving, innovative and inclusive in which to live, work and interact.
- 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 create a built environment of human scale that respects and enhances cultural heritage resources, natural heritage features, community character and streetscape.
- To design individual site elements, buildings, structures and spaces to have mutually supportive relationships with one another and with the overall urban fabric and interrelated networks and systems.
- 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.
- To create a safe, secure and walkable community dedicated to pedestrian activity.
- To promote and recognize excellence and innovation in architecture, urban design, sustainable building design and landscape design.

In our opinion, the proposed development adheres to these objectives as the development:

- Is of a similar scale and density as other projects in the vicinity of the development, and will have a compatible height and density of these existing developments.
- The proposed development fosters interaction with the street, by orienting both townhouse blocks towards Windom Road and limiting the visibility of parking areas.
- The development contemplates a modern and attractive design which a high standard of urban design.
- The orientation of the development will enhance the streetscape of Windom Road and is sympathetic to adjacent sites.

- The development represents context appropriate intensification within City’s Built-Up Area, supporting the efficient use of existing urbanized lands and municipal infrastructure.
- The proposed development is in close proximity to transit and walking distance to a range of institutional, commercial, and recreational uses.

The following table examines the applicable Urban Design Policies outlined in the Official Plan and discusses how the proposed development conforms to these policies:

<b>Policy No.</b>	<b>Policy</b>	<b>Design Adherence</b>
<b>Streetscape</b>		
11.C.1.11.	The City will support the character of streets through the coordination of site, building and landscape design on and between individual sites with the design of the street.	The development will enhance the streetscape of Windom Road, as it orients units towards the street, offers a high standard of architectural expression and provides adequate setbacks to adjacent lands.
<b>Safety</b>		
11.C.1.13.	The City will apply Crime Prevention through Environmental Design principles in the review of new developments, redevelopments and infrastructure projects to implement crime prevention strategies that will enhance the effective use of the space.	The proposed development has consideration for CPTED principles towards the site design, by limiting entrapment areas and providing ‘eyes on the street’ over both the public realm and common areas of the development. Appropriate lighting and landscaping will be confirmed through the Site Plan process, to support CPTED principles.
11.C.1.14.	Where feasible and in compliance with the other policies of this Plan, the City will ensure that the efficiency of emergency medical, fire, and police services be considered in the design of communities, neighbourhoods and individual sites.	Fire department and emergency access to the site will be via the municipal road.



11.C.1.15.	Development applications will be reviewed to ensure that they are designed to accommodate fire prevention and timely emergency response.	It is not anticipated that fire trucks will need to enter the site, but rather can access the site via the municipal right of way.
Universal Design		
11.C.1.16.	The City will encourage new sites to be designed, existing sites to be redeveloped, the public realm and community infrastructure to be planned to be barrier-free and universal accessibility by all citizens. In this regard, the City will enforce the Ontario Building Code and other accessibility related legislation and regulations.	<p>The development will be designed to conform to the standards and regulations of the AODA and the Ontario Building Code.</p> <p>One Type A and one Type B barrier-free parking stall will be provided.</p>
Shade		
11.C.1.22.	The City will require the provision of shade, either natural or constructed, to provide protection from sun exposure, mitigate the urban heat island, and reduce energy demands provided it does not does not generate unacceptable adverse impacts.	Matters related to landscape design and shading will be confirmed through the Site Plan Approval process. Minimal shadowing and shading impacts are expected given the limited building height and orientation of adjacent buildings.
Site Design		
11.C.1.29.	The City will ensure that new sites are designed, existing sites are redeveloped, and community infrastructure is planned to enhance the site, buildings, open spaces and the streetscape.	The development represents context appropriate intensification and will enhance the use of the existing properties and enhances Windom Road streetscape through high-quality design and orientation of the development towards the street.

Building Design, Massing and Scale Design		
1.C.1.31.	<p>The City will ensure new buildings are designed, existing buildings are redeveloped, expanded, converted or renovated to enhance pedestrian usability, respects and reinforce human scale, create attractive streetscapes and contribute to rich and vibrant urban places.</p>	<p>The orientation of the development is appropriate within this context given the site design of adjacent properties and the street-facing nature of the project. To the south, the impacts of the development are mitigated by the location of the adjacent drive aisle providing special separation. To the north, the adjacent site design and building placement provides ample spatial separation (~14.5 m) between the existing buildings and the new development.</p> <p>The design of the development also reinforces a human scale, by providing steps and stoops to common entries, a design indicative of low density areas and a pitched roofline similar to many nearby buildings.</p>

<p>11.C.1.33.</p>	<p>The City will encourage the following:</p> <ul style="list-style-type: none"> <li>a) provision of attractive building forms, façades and roof designs which are compatible with surrounding buildings;</li> <li>b) infill development to complement existing buildings and contribute to neighbourhood character, particularly if located within close proximity of a recognized cultural heritage resource or Heritage Conservation District; minimization of adverse impacts on site, onto adjacent properties (particularly where sites are adjacent to sensitive land uses) and into the public realm through building design;</li> <li>c) individual architectural innovation and expression that reinforces and positively contributes to achieving the City’s urban design goals and objectives; and,</li> <li>d) the highest standard of building design for buildings located at priority locations, with particular emphasis on architectural detailing for all façades addressing the public realm.</li> </ul>	<ul style="list-style-type: none"> <li>a) The proposed built form respects the existing neighbourhood, as the massing and scale of the proposed development is similar to the surrounding low to medium density buildings.</li> <li>b) The development will positively contribute to the Windom Road streetscape and enhance the character and public realm of the street.</li> <li>c) The proposed residential development will have minimal impacts to the surrounding residential uses, given the orientation and layout of surrounding sites as discussed previously.</li> <li>d) The development provides a high standard of urban design and architectural expression, by contemplating a mix of building materials, a well articulated design, and a site layout that minimizes the visibility of parking, garbage collection and other utilitarian matters.</li> </ul> <p>The proposed development will feature a number of architectural detailing elements that complement the existing neighbourhood and contribute to a unique sense of place.</p>
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The City's Urban Design Manual sets out additional policies specific to Low-Rise Multi-Residential development. It is understood that the City recently complete a comprehensive update of the Urban Design Manual which was approved by Council on September 9, 2019. The following table outlines Urban Design Manual policies that pertain to the design of the proposed development:

Standard Policy or No.	Guideline	Discussion
Compatibility		
Massing and Placement	<ul style="list-style-type: none"> <li>• Minimize the visual impact of parking through the thoughtful placement, orientation and articulation of built form as well as garage, parking structure and surface parking design.</li> <li>• Design all building elevations facing any streets, parks, trails and open spaces to appear and function as fronts, including features such as porches, front doors and large windows.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed stacked townhouses are located along the south and northerly property lines, with many units also oriented toward the street.</li> <li>• Parking areas are largely located behind the line of the building in the central and rear portions of the site</li> <li>• The proposed development will feature a street-facing façade with large windows and balconies overlooking Windom Road.</li> </ul>
Scale and Transition	<ul style="list-style-type: none"> <li>• Consider the massing, height, length, depth, roof design, materials and rhythms of neighbouring buildings when designing for compatibility. Avoid direct replication of elements, particularly of historical building styles that cannot be replicated authentically with contemporary materials and construction practices.</li> </ul>	<ul style="list-style-type: none"> <li>• The type of housing, building massing and density is similar in nature to existing developments north and south of the site, and those existing west of the site along Fairway Road.</li> <li>• The architectural design of the building is indicative of low rise developments, while being distinct from the building design of adjacent developments. The buildings will contain a mix of building materials as</li> </ul>



		discussed previously.
<b>Building Components</b>		
Façade Design	<ul style="list-style-type: none"> <li>Avoid blank walls that are visible from the street, on or off-site shared spaces or the public realm</li> </ul>	<ul style="list-style-type: none"> <li>The street-facing portions of the development will enhance the streetscape and contain well articulated facades with a variety of building materials and functional elements (stairs, balconies, stoops) to foster interaction with the public realm.</li> </ul>
Materials	<ul style="list-style-type: none"> <li>Use high-quality, resilient and sustainable materials and detail facades in an authentic manner which reflect contemporary construction methods and building technologies.</li> </ul>	<ul style="list-style-type: none"> <li>A range of high quality building materials have been proposed as previously discussed which will be further refined and confirmed through the Site Plan Approval process.</li> </ul>
Porches, Balconies and Patios	<ul style="list-style-type: none"> <li>Where appropriate, provide balconies on upper levels and porches/patios at grade to promote natural surveillance and animate street frontages, shared spaces and the public realm.</li> </ul>	<ul style="list-style-type: none"> <li>Upper level units will contain balconies facing the interior of the development or overlooking the public right of way. No balconies are proposed facing the interior lot lines in order to minimize overlook onto adjacent lands.</li> </ul>

Inclusive Design		
Safety	<ul style="list-style-type: none"> <li>A Crime Prevention Through Environmental Design (CPTED) Report will be required of any proposals featuring 'cantilevered' building elements over drive aisles, parking areas, areas of pedestrian circulation.</li> </ul>	<ul style="list-style-type: none"> <li>No cantilevered elements are proposed.</li> <li>Windows and balconies have been incorporated into the design and overlooking common central areas to enhance natural surveillance.</li> <li>The orientation of the development will provide eyes on the street to the public realm / Windom Road.</li> </ul>
Universal Design	<ul style="list-style-type: none"> <li>Design not only to existing barrier-free requirements, but consider ways to provide increased visitability to all residential units.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development conforms to the standards and regulations of the AODA and the Ontario Building Code. Two barrier free parking stalls are proposed.</li> </ul>
Shared Spaces		
Landscaping	<ul style="list-style-type: none"> <li>Respect and enhance the existing landscape design of streets and neighbouring properties.</li> <li>Preserve and integrate existing trees, vegetation and natural landscape features into the landscape design of new development.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed development incorporates a landscape buffer along the north, west and southern lot lines, where a board on board fence is anticipated. A detailed landscape plan will be prepared as a condition of Site Plan approval which will confirm landscaping details for the project.</li> </ul>
Site Function		
Vehicular Access and Parking	<ul style="list-style-type: none"> <li>Locate parking at the rear of buildings or underground, where possible. Where parking is provided in front of a building, limit driveway widths and use shared driveways to minimize the</li> </ul>	<ul style="list-style-type: none"> <li>Parking is largely located behind the line of the buildings, outside of public view.</li> <li>A loading area is provided which will give access to garbage collection and provide a temporary location</li> </ul>

	<p>frequency of curb cuts, increasing space for on-street parking and reducing pedestrian/vehicle conflicts.</p> <ul style="list-style-type: none"> <li>• Provide convenient and accessible bicycle parking. For apartments, provide secure, indoor bicycle parking. Ensure that sites and neighbourhoods are designed to accommodate cyclists.</li> </ul>	<p>for delivery vehicles.</p> <ul style="list-style-type: none"> <li>• Outdoor bicycle parking for six bikes is provided and each unit will have indoor bike storage.</li> </ul>
Waste and Recycling	<ul style="list-style-type: none"> <li>• Provide adequate space for waste vehicles and containers. Locations of waste containers should not block fire routes, parking or sidewalks and should be adequately separated from shared spaces such that their functionality does not impact shared spaces users or activities.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed development will include a deep collection waste system (two moloks) which will be serviced by an adjacent loading area.</li> </ul>

Based on the forgoing it is our opinion that the proposed design adheres to the City of Kitchener’s urban design framework as set out in the municipal Official Plan and Urban Design Guidelines.

## 8. CONCLUSION

This Planning Justification and Urban Design Report provides an assessment of the proposed development and development applications for the property known municipally as 32-42 Windom Road, which includes a discussion on the existing conditions of the site, its context, the land use planning policy framework applicable to it and land use planning rationale for the development proposed.

Based on our assessment of the applications, it is our opinion that the proposed Official Plan Amendment and Zoning By-law Amendment are justified as it has regard to the “Matters of Provincial Interest” set out in the Planning Act, and is consistent with the PPS, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Waterloo Official Plan, and the City of Kitchener Official Plan.

Moreover, it is our opinion that the development provides for context appropriate intensification, supports the orderly redevelopment of the site and supports the wise use of existing infrastructure. It is our opinion that this application serves the public interest and represents sound land use planning.

Based on the above and the conclusions of this Report, it is our recommendation that the City of Kitchener:

- Deem the Zoning By-law Amendment application complete and process the application in accordance with the municipal process;
- Schedule a Neighbourhood Information Meeting to obtain comments from neighbouring residents and interested parties; and
- Circulate the application to internal departments, technical review agencies, and the community in accordance with city procedures and the Planning Act.

Respectfully submitted,

