

Planning Justification Report

1036, 1082 & 1094 Wilson Avenue

Colt Canada Corporation

City of Kitchener

Official Plan Amendment

Zoning By-law Amendment

April 2024



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Prepared for:

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1. Introduction

1.1 Overview

GSP Group has been retained by Colt Canada Corporation to provide planning justification in support of applications for Official Plan and Zoning By-law Amendments to permit an important expansion and addition to their existing facility at 1036 Wilson Avenue (“Site”). The expansion plans included building additions at their existing facility at 1036 Wilson Avenue as well as the relocation of employee parking at the properties municipally known as 1082 and 1094 Wilson Avenue and the construction of a three-storey stairwell and enclosed, elevated pedestrian connection linking the employee parking lot to the newly expanded facility and office space for Colt Canada Corporation (“Colt Canada”).

The Site is located on the east side of Wilson Avenue, approximately 150 metres south of Wabanaki Drive, and is currently occupied by the existing Colt Canada facility and associated surface parking and loading area. The properties at 1082 and 1094 Wilson Avenue were formerly used for residential purposes and are still occupied by former single detached residential dwellings and associated accessory structures.

1.2 Proposed Applications

The portion of the Site occupied by the existing Colt Canada operations and future building expansion is designated as Business Park Employment and Natural Heritage Conservation in the City of Kitchener Official Plan, while the portion of the Site that will contain the proposed stairwell and associated pedestrian connection along with the surface parking facility is designated as Low Rise Residential and Natural Heritage Feature. The purpose of the proposed Official Plan Amendment is to redesignate a portion of the Site from Low Rise Residential to Business Park Employment while maintaining the existing Natural Heritage Conservation designation on the balance of the property.

The portion of the Site containing the existing Colt Canada facility and future building addition is currently zoned EMP-2 and Natural Heritage Conservation (NHC-1). The portion of the Site intended to accommodate the future pedestrian connection and surface parking facility is currently zoned Low Rise Residential One (RES-1) and Natural Heritage Conservation (NHC-1). The purpose of the proposed Zoning By-law Amendment is to rezone a portion of the site from Low Rise Residential One (RES-1) to EMP-2 while maintaining the Natural Heritage Conservation Zone (NHC-1) on the balance of the property. In addition, the proposed Zoning By-law Amendment seeks to remove Holding Provision 22H.

1.3 Report Context and Structure

This report has been prepared to provide planning justification in support of the proposed applications for Official Plan and Zoning By-law Amendment. The objectives of this report are as follows:

- Provide an overview of the Site, including site description as well as a summary of the surrounding uses and community context;
- Provide an overview of the Proposed Development;
- Provide a summary of the supporting studies and reports;
- Provide a summary of applicable Provincial, Region of Waterloo and City of Kitchener policy and regulatory considerations along with planning justification and commentary in support of the Proposed Development; and
- Provide an overview of the proposed applications for Official Plan and Zoning By-law Amendments.

In addition, this report provides a brief overview of the public consultation opportunities anticipated as part of the application process.

2. Site Overview and Context

2.1 Site Location and Description

1036 Wilson Avenue (Existing Colt Canada Facility)

Colt Canada is currently located at 1036 Wilson Avenue. The existing property is on the east side of Wilson Avenue, generally south of Wabanaki Road and northwest of the Grand River (Figure 1). The property at 1036 Wilson Avenue is approximately 14,496 m² in size with approximately 130 metres of frontage on Wilson Avenue.

The majority of the property at 1036 Wilson Avenue is currently occupied by the existing Colt Canada facility and associated parking lot, loading area and access driveway.

The eastern portion of the property at 1036 Wilson Avenue is currently occupied by an existing, mature woodlot. In addition, there is an existing steep slope that transverses the property from east to west along the southern property boundary (adjacent to 1084 and 1092 Wilson Avenue) and extends northeasterly along the rear portion of the property.

1086 and 1092 Wilson Avenue

Colt Canada acquired the properties at 1084 and 1092 Wilson Avenue, which are located immediately south of their existing facility. The properties at 1084 and 1092 Wilson Avenue have a combined area of approximately 22,295 m² and approximately 150 metres of frontage on Wilson Avenue.

The properties at 1084 and 1092 were previously used for residential purposes; the properties each contain a former single detached dwelling as well as associated outbuildings and sheds, landscape areas and asphalt driveways. The larger outbuilding associated with 1084 Wilson Avenue is presumed to have been a large utility workshop given its size.

The majority of the properties are covered by an existing woodlot/natural feature along their eastern edge as well as a steep slope associated with the Grand River that transverses both properties in a north/south direction. As noted above, there is also an existing slope located along the north property boundary of 1084 Willson Avenue (adjacent to the existing Colt Facility).



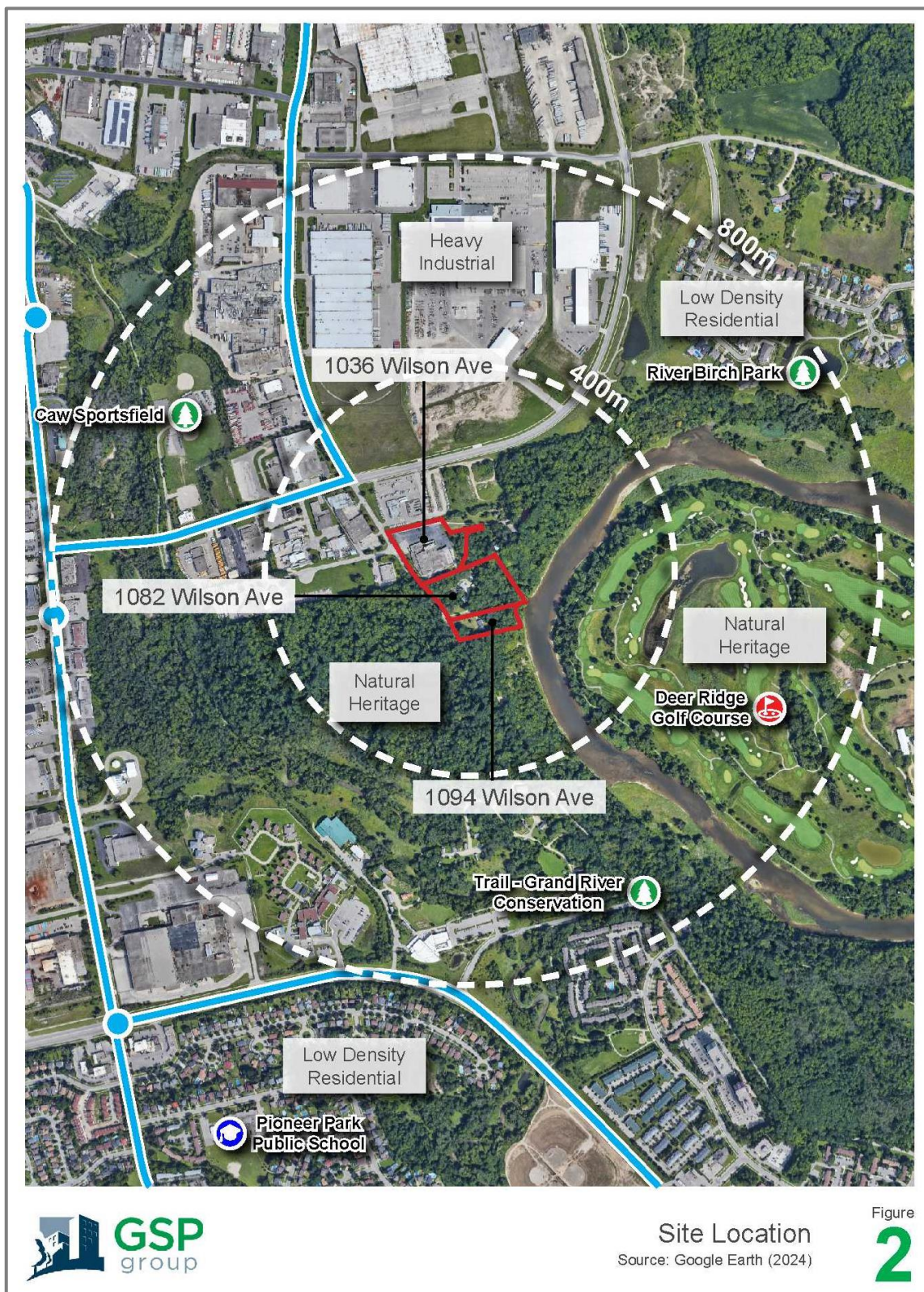
2.2 Surrounding Uses and Context

The Site is located within an existing business employment area generally bound by an existing rail line to the north, the extension of Wabanki Drive to the east, Homer Watson Park Natural Area to the south, and Manitou Drive to the west. As noted on Figure 2, the immediate surrounding land uses are as follows:

North	Existing business employment uses, including Bell Canada, Megellan Aerospace and a vacant employment site north of Wabanaki Drive. In addition, there are two existing residential uses located immediately north of 1036 Wilson Avenue (existing Colt Canada facility)
East	Existing woodlot and natural features, including the Grand Rover
South	Existing woodlot and natural features
West	Existing business employment uses, including Rogers Cable, Butchers Equipment & Supplies, Velatron Technologies and Clek, and other business along Grand Crest Place

The Site is located approximately 1.4 km south of a broad range of existing commercial, retail and service uses on Fairway Road.

The Site is adjacent to existing Grand River Transit Route 10 on Wilson Avenue, which provides direct access to Fairview Park Mall and the Fairview iON Station.



3. Colt Canada Corporation

For nearly 50 years, Colt Canada has stood as the Centre of Excellence and Sole Source provider of small arms systems for the Canadian Armed Forces. As one of only five companies in the Canadian Government Munitions Supply Program (MSP), Colt Canada not only equips Canadian soldiers with their small arms, but also provides maintenance, training, technical publications, and life cycle support for the Canadian Forces' entire fleet of weapons. With extensive R&D and testing facilities, Colt Canada works in collaboration with the Canadian Armed Forces and the National Department of Defence to design and develop new products to ensure Canada has the best-equipped soldiers and law enforcement keeping all Canadians safe.

In 1976, the Government of Canada entered a contract with Diemaco Inc. at its Wilson Avenue location, where Colt Canada remains today, to support the Canadian Armed Forces' (CAF) existing small arms fleet with 3rd and 4th line maintenance, responsible for full repair and overhaul. With a strong desire for increased domestic military production, the Department of Defence awarded the Small Arms Replacement Contract (SARP) program to Diemaco in 1982 for the supply of C7 rifles and C8 carbines. In recognition of its product excellence, Diemaco was subsequently awarded contracts for similar systems with key NATO partners in the Netherlands, Denmark, the United Kingdom and Norway. As Colt Canada's reputation as a world leader grew, partnerships with Canadian law enforcement and security forces provided new opportunities for growth in the supply and life cycle support of small arms weapons systems. Colt Canada's small arms are now in the hands of the Royal Canadian Mounted Police, the Ontario Provincial Police, Toronto Police Services, Vancouver Police, and the protective services that defend Canadian nuclear facilities.

In 2005, Diemaco was acquired by Colt and the company name was changed to Colt Canada. Under new ownership, Colt Canada continued to expand and diversify its products with the Canadian Forces and international customers, with a view to providing responsible supply to meet global security needs. Colt Canada's military customers expanded to include Botswana, Romania, France, and most recently providing critical support to Ukraine. Working in support of the Canadian Government and the National Department of Defence, Colt Canada fulfilled the Canadian Government's donation of over \$120M in weapons and ammunition to Ukraine in defence of their homeland against Russian aggression.

Colt Canada is one of three Munition Supply Partners (MSP) partners located within the City of Kitchener, along with Magellan Aerospace at 975 Wilson Avenue and IMT Group. The current Colt Canada operation includes an existing manufacturing and production facility approximately 50,000 ft² in size with an additional 6,000 ft² of warehouse space. The current facility currently employs approximately 149 full-time workers.

4. Proposed Development

The Proposed Development is comprised of two components associated with the expansion of the existing Cold Canada facility; 1) enlargements of and additions to the existing facility at 1036 Wilson Avenue, and 2) the development of a new employee parking facility that will be connected to the expanded building via a raised, enclosed pedestrian connection and associated three-storey enclosed stairwell.

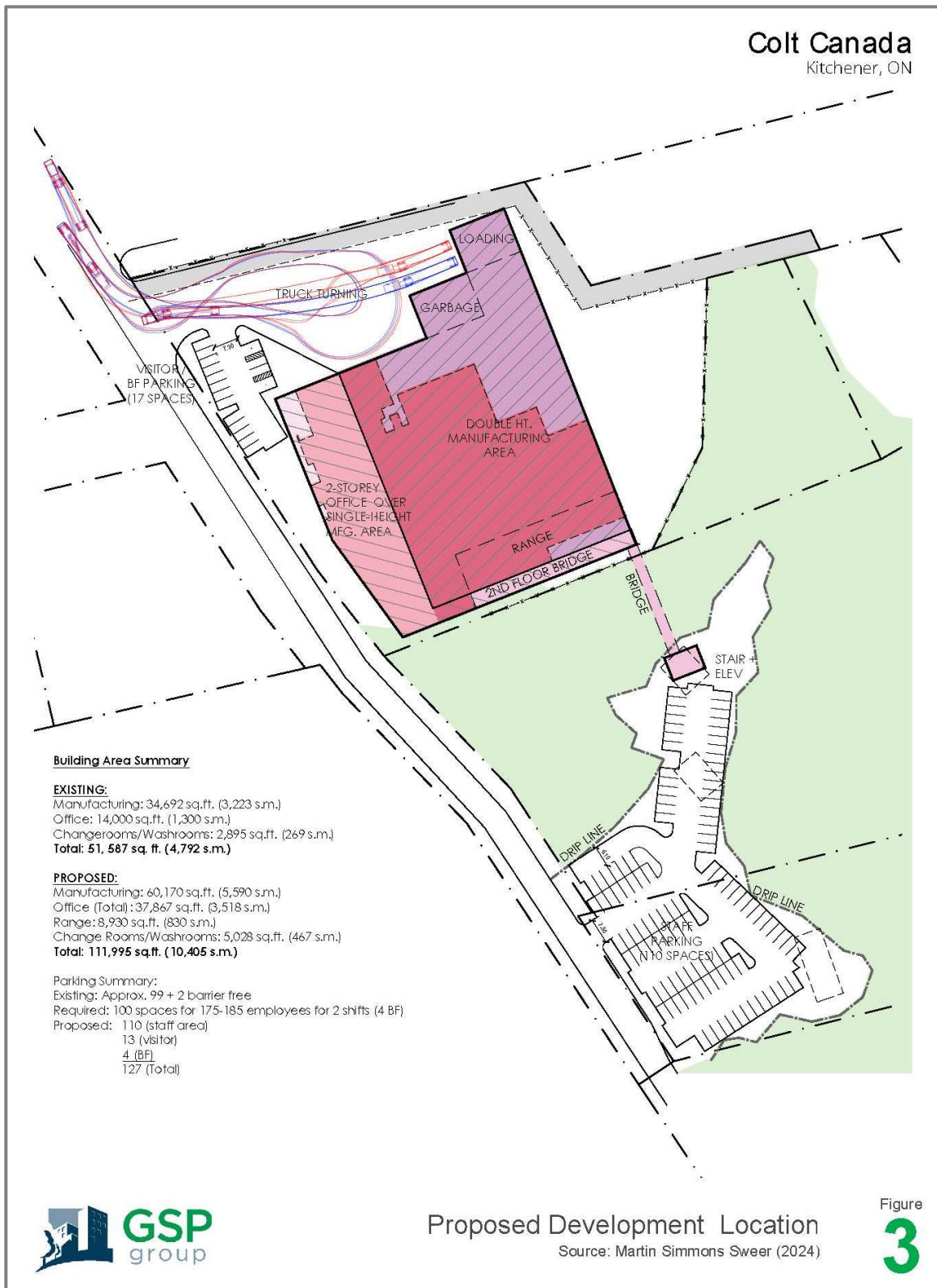
As demonstrated on Figure 3, the proposed expansion of the existing facility at 1036 Wilson Avenue will include the following:

- New manufacturing and production space located along the northern portion of the existing facility as well as a small area along the southern portion of the building (identified in purple). Total area of new manufacturing and production approximately 5,590 m² (60,170 ft²)
- New range located along the southern edge of the existing facility (identified as a dashed line). Total area of new range approximately 830 m² (8,930 ft²)
- Enlarged office space located at the front of the existing facility (identified in light pink) through the addition of a second storey. Total area of new office space approximately 2,218 m² (23,875 ft²)
- New changeroom and washroom facility with total area of approximately 467 m² (5,028 ft²)

The Proposed development will increase the size of the Colt Canada facility from its current total building area of 4,792 m² (51,587 ft²) to a total building area of approximately 10,405 m² (111,995 ft²).

In addition to the building additions noted above, the Proposed Development includes a new surface parking lot south of the existing facility at 1036 Wilson Avenue. The new surface parking lot is proposed to be built within the limits of the disturbed areas associated with the former residential dwellings, outside of the defined dripline associated with the natural feature, and approximate setback from the top of slope. The proposed surface parking lot will include approximately 127 parking spaces and one driveway access to Wilson Avenue.

The proposed parking area will be connected to the Colt Canada facility at 1036 Wilson Avenue by a raised, enclosed pedestrian bridge that will be accessed by an enclosed three-storey stairwell along the north edge of 1084 Wilson Avenue. The proposed stairwell is proposed to be substantially constructed within the footprint of an outbuilding associated with former residential use at 1084 Wilson Avenue.



5. Supporting Studies

In addition to this Planning Justification Report, additional technical studies and reports have been prepared to further support the Proposed Development. Below is a brief summary of these reports.

5.1 Geotechnical Investigation and Slope Stability Analysis

A Slope Stability Analysis (“Slope Assessment”), dated February 1, 2024, was prepared by CMT Engineering Inc. in support of the Proposed Development. The Slope Assessment contains a geotechnical investigation, slope stability assessment and erosion hazard assessment and included an assessment of existing site conditions, including the existing slope, surrounding natural area and existing structures and disturbances as well as an assessment of the potential impacts of the proposed development.

The Slope Assessment identified the toe of the existing and long-term stable slope along the river and along the northern property boundary of 1082 Wilson Avenue, the top of the existing slope along the river and along the northern property boundary of 1082 Wilson Avenue, and the top of the long-term stable slope for 1082 and 1094 Wilson Avenue. This detailed information was used in the preparation of the final Proposed Development concept, including directing the extent and limits of the surface parking facility and the appropriateness of the footings and structure associated with the three-storey enclosed stairwell (tower).

The Slope Assessment included the following conclusions and recommendations:

- The proposed location of the surface parking areas, outside of the stable slope allowance, is not at risk from a geotechnical and slope stability perspective;
- The proposed location of the three-storey, enclosed stairwell (tower) is not at risk from slope/erosion hazard from the upper tier slope; and
- The proposed location of three-storey, enclosed stairwell (tower) is outside of the erosion access allowance and is not at risk from a geotechnical and slope stability perspective.

The Slope Assessment has been submitted as part of the subject application package and should be read and reviewed in detail in conjunction with this Report.

5.2 Scoped Environmental Impact Study

A scoped Environmental Impact Study (“EIS”), dated March 22, 2024, was prepared by Aboud & Associates Inc. to assess the potential environmental impacts of the Proposed

Development on the adjacent nature feature. The EIS was prepared in accordance with a Terms of Reference reviewed and informed by the City, Region and GRCA.

The EIS included an inventory and assessment of vegetation and wildlife habitat and was completed in conjunction with the Slope Assessment. The EIS also included an impact analysis of the Proposed Development as it relates to the woodland, significant valleyland, fish habitat, Environmentally Sensitive Policy Areas and erosion hazards.

The scoped EIS included the following summaries and conclusions:

- As noted in the Slope Assessment, the parking area and associated pedestrian connection are not at risk from a geotechnical and slope stability perspective and the probability of unforeseen conditions relating to the stability of the slope that will negatively affect the Proposed Development outside of the erosion hazard is extremely low;
- The proposed addition to the existing building at 1036 Wilson Avenue is within the existing development limits and does not encroach within the surrounding woodland feature;
- The proposed pedestrian bridge spans a portion of the Poplar Deciduous forest, with the proposed three-storey stairwell located primarily within the footprint of the existing outbuilding on the property at 1084 Wilson Avenue;
- The proposed parking lot is situated within the portions of 1084 and 1092 Wilson Avenue that were previously disturbed;
- Overall, the Proposed Development will result in minimal negative impacts on the existing natural heritage features identified within and adjacent to the Site;
- The following mitigation and/or protection measures have been recommended:
 - Complete additional studies at detailed design, including but not limited to Tree Protection Plan, Bat Maternity Acoustic Surveys and Pileated Woodpecker nesting assessment;
 - Complete an Erosion and Sediment Control (ESC) Plan at detailed design;
 - If tree removals are necessary, minimize tree loss through the completion of a Tree Protection Plan, including the installation of a silt and sediment control barrier consisting of a combination of silt fencing as well as orange construction fencing;
 - ESC measures to be kept in place until construction is complete and disturbed soils have been revegetated;
 - The area of construction disturbance be kept to a minimum;

- Movement of equipment and people to be controlled through staging and storage areas, and equipment to be limited to construction allowance area;
- Works and equipment storage to be located as far as possible from the natural feature;
- Accumulated sediment and debris to be removed prior to removal of silt fence;
- All disturbed areas to be re-vegetated or restored with appropriate indigenous plants through the completion of a Restoration Plan;
- Activities to be timed to avoid wildlife disturbances;
- Implement low impact development measures and a Salt Management Plan;
- All exterior lighting to be directed away from the edge of the natural feature and only as bright as necessary; and
- Windows that do not have overhangs or do not have setbacks should have small decals or dots less than 2 inches apart to prevent avian window collisions.

The scoped EIS has been submitted as part of the subject application package and should be read and reviewed in detail in conjunction with this Report.

6. Planning Policy Overview

6.1 Ontario Planning Act

The *Planning Act R.S.O. 1990, c. P.13* (“Planning Act”) establishes the framework for land use planning in Ontario. The Planning Act provides for the integration of provincial matters in planning decisions; details a planning process that is fair, accessible, timely and efficient; encourages cooperation and coordination amongst various interest groups; and recognizes the decision-making authority and accountability of municipal councils in the planning process.

The Planning Act requires that all planning decisions shall have regard to matters of Provincial interests as identified in Section 2. The following table provides an analysis of the Proposed Development in response to the prescribed Provincial interest of Section 2 of the Planning Act.

Section	Provincial Interest	Response
a)	The protection of ecological systems, including natural areas, features, and functions;	<p>Portions of the Site contain an existing Core Natural Feature and steep slope; the extent and details of each of these features have been thoroughly documented and assessed in the Slope Assessment and scoped EIS submitted in support of the Proposed Development.</p> <p>The Slope Assessment concluded that the Proposed Development, including the surface parking facility and the three-storey stairwell connecting to the pedestrian bridge, will be located outside of the stable slope allowance and is not a risk from a geotechnical and slope stability perspective.</p> <p>The scoped EIS concluded that the Proposed Development will have minimal negative impacts on the existing natural feature, and included a number of recommendations for mitigation to ensure the long-term preservation and protection of the existing natural feature.</p>
b)	The protection of agricultural resources in the Province;	Not applicable
c)	The conservation and management of natural resources and mineral resource base;	Not applicable
d)	The conservation of significant architectural, cultural, historical, archaeological, or scientific interests	Not applicable

e)	The supply, efficient use and conservation of energy and water;	Not applicable
f)	The adequate provision and efficient use of communications, transportation, sewage and water services and wastewater systems;	The Proposed Development includes an expansion to the existing Colt Canada facility, which will take advantage of existing municipal services, include water, wastewater and stormwater services,
g)	The minimization of waste;	The Proposed Development is required to adhere to the <i>Resource Recovery and Circular Economy Act, S.O. 2016, Chapter 12, Schedule 1</i> and the requirements contained therein with respect to waste diversion and management.
h)	The orderly development of safe and healthy communities;	The Proposed Development provides for the expansion of the existing Colt Canada facility and the relocation and enhancement of an on-site parking facility for staff and employees. The proposed parking facility and associated three-storey stair well/pedestrian connection has been designed within the limits of the existing disturbances associated with former residential uses and incorporates appropriate setback from the existing slope and natural feature as detailed in the Slope Assessment; it represents orderly and safe development.
h.1)	The accessibility of persons with disabilities to all facilities, services and matters to which this Act applies;	The Proposed Development will be designed and constructed in accordance with the <i>Access for Ontarians with Disability Act, 2005, S.O. 2005, c. 11</i> .
i)	The adequate provision and distribution of educational, health, social, cultural, and recreational facilities;	Not applicable
j)	The adequate provision of a full range of housing, including affordable housing;	Not applicable
k)	The adequate provision of employment opportunities;	<p>The Proposed Development is required to accommodate the forecasted growth for Colt Canada and the need for an enlarged and enhanced facility to accommodate this anticipated growth.</p> <p>Colt Canada is a long-standing local business; the Proposed Development will provide for the continued economic growth of an existing employment use in the City of Kitchener.</p>
l)	The protection of the financial and economic well-being of the Province and its municipalities;	Colt Canada is a local business with significant ties to both Provincial and local municipalities; the expansion of their existing

		facility will allow Colt Canada to continue to contribute to the financial and economic vitality of the Province as well as the City of Kitchener and Region of Waterloo.
m)	The coordination of planning activities of public bodies;	The applications for Official Plan and Zoning By-law Amendments will be circulated to all commenting agencies and public bodies by the City.
n)	The resolution of planning conflicts involving public and private interests;	Resolution of planning conflicts, will be addressed as part of circulation and review process and public consultation process.
o)	The protection of public health and safety;	While the Proposed Development is adjacent to an existing steep slope feature, the Slope Assessment has been fundamental in informing the design, layout and location of the surface parking facility and associated pedestrian connection to provide for the protection and preservation of the slope.
p)	The appropriate location of growth and development; and	The Proposed Development provides for an expansion of and investment in an existing employment use. The proposed building expansion and relocation of the employee parking facility has been designed to optimize additions, enlargements and new development at appropriate locations that have little or no impact on surrounding natural or hazard features.
q)	The promotion of development that is designed to be sustainable, to support public transit and be oriented to pedestrians;	<p>The Proposed Development allows Colt Canada to remain in their current location, making more efficient use of their current site.</p> <p>Using the existing building as a base for the expansion, Colt Canada will be using less carbon-intensive building materials than if a new building was constructed on a new site.</p> <p>The Proposed Development will be designed with a focus on enhanced thermal envelope, improving upon the existing building and decreasing the energy (and greenhouse gas) utilization. Efforts will be made to use sustainable materials and to take advantage of heat recovery systems to improve upon the buildings performance.</p> <p>Colt Canada will explore the possibility taking advantage of the large building area by using a photo-voltaic system on the roof to supplement their power requirements and</p>

		will provide EV chargers to promote the use of electric vehicles amongst their staff.
r)	The promotion of built form that: i) is well designed; ii) encourages a sense of place; and iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.	As noted above, the Proposed Development has been designed to optimize the location of additions, building enlargements and new development while preserving the surrounding natural and hazard features; the extent of the Proposed Development will be wholly confined to those areas that are already disturbed. The details of the Proposed Development, including the materials of the building addition, pedestrian bridge and surface parking facility, will be reviewed comprehensively with City staff as part of a future detailed site plan application to ensure a well-design, compatible development that is of high quality, attractive, safe and accessible.
s)	The mitigation of greenhouse gas emissions, and adaption to a changing climate.	Not applicable

Based on the above-noted analysis, the Proposed Development conforms to the Planning Act.

6.2 Provincial Policy Statement

The Provincial Policy Statement (“PPS”) provides policy direction on matters of provincial interest, and guides growth and development in Ontario. The PPS supports land use planning that contributes to effective and efficient growth and development, long-term economic prosperity, and the well-being of residents.

The PPS is issued under Section 3 of the Planning Act and came into effect on May 1, 2020, replacing the PPS issued on April 30, 2014. The following provides a summary of the key PPS policy consideration for the site as well as justification for the proposed development in terms of these policies.

Section 1.2.6.1 states that major facilities and sensitive land uses shall be planned and developed to avoid, minimize and/or mitigate potential effects from odour, noise and other contaminants, minimize risk to public health, and ensure the long-term operational and economic vitality of major facilities.

The PPS defines major facilities as “*facilities that may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation and*

infrastructure uses, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction”.

Response: The Proposed Development provides for the expansion/enlargement of an existing employment uses that is located within a larger employment area and separated from most sensitive land uses. The Site includes 1084 and 192 Wilson Avenue, which were occupied by former low rise residential uses; the acquisition of these properties by Colt Canada to facilitate future expansion and renovation plans functionally eliminated possible compatibility issues with the Proposed Development.

Section 1.3.1 states that planning authorities will promote economic development and competitiveness as follows:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
- e) ensuring the necessary infrastructure is provided to support current and projected needs.

Policy 1.3.2.1 states that planning authorities shall plan for and protect employment areas for current and future uses as well as ensure that the necessary infrastructure is provided to support current and projected needs.

Response: Colt Canada is a local business that is the sole source supplier for the Canadian Armed Forces, NATO Allies and Law Enforcement Agencies. The Proposed Development will provide for the expansion of this nationally-significant employment use at it's current, location, which is proximate to two other members of the MSP. The Proposed Development has been designed to be compact in form, optimizing the developable area available for expansion and containing the majority of construction within areas that have

already been disturbed. The Proposed Development will continue to take advantage of existing municipal infrastructure and community services.

Policy 2.1.1 states that natural heritage features should be protected in the long-term.

Policy 2.1.8 permits development and site alteration on lands adjacent to an existing natural heritage feature so long as the ecological function of the feature has been evaluated and it has been demonstrated there will be no negative impacts on the natural feature.

Response: The scoped EIS evaluated the existing natural and ecological features surrounding the Site and concluded that the Proposed Development will have minimal impacts on the existing natural feature. The scoped EIS included a number of recommendations for mitigation to ensure the long-term preservation and protection of the existing natural feature. The proposed parking lot has been situated outside of the dripline associated with the adjacent woodlot and includes the extensive natural restoration of surrounding areas previously disturbed by the former residential uses. Furthermore, the proposed stairwell has been designed to be accommodated wholly within the footprint of the former outbuilding associated with 1084 Wilson Avenue in an effort to further limit any additional disturbances to the surrounding natural features.

Policy 3.1.7 states that development and site alteration may be permitted on portions of hazardous lands and sites where it can be demonstrated that the effects and risk are minor, can be mitigated appropriately and where the following can be demonstrated and achieved:

- a) development and site alteration is carried out in accordance with floodproofing standards, protection work standards and access standards;
- b) vehicles and people have a way of safely entering and exiting the areas;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result.

Response: The Slope Assessment was based on a current property and topographical survey prepared by an Ontario Land Surveyor and in accordance with all applicable regulations and guidelines established by the Ministry of Natural Resources and the GRCA with respect to slope stability, assessments and analysis. The Slope Assessment concluded that the proposed development, including the surface parking facility and the three-storey stairwell connecting to the pedestrian bridge, will be located outside of the stable slope allowance and is not a risk from a geotechnical and slope stability perspective. Finally, the Slope Assessment included commentary related to access,

impacts on the existing hazard and impacts on the surrounding environment. The Proposed Development has been situated outside of the top of the long-term stable top of slope identified in the Slope Assessment.

In summary, the Proposed Development is consistent with the PPS as it provides for continued investment and growth of an existing employment use that has been designed to limit and/or mitigate potential impacts to the surrounding natural feature and steep slope (hazard feature).

6.3 Places to Grow: Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) came into effect on May 16, 2019 with Amendment 1 (2020) coming into effect on August 28, 2020. The Growth Plan provides policy direction on land use planning matters, including promoting compact urban form, redevelopment and intensification, and the efficient use of community infrastructure.

The Growth Plan derives its authority from the *Places to Grow Act, 2005, S.O. 2005, c. 13*, and guides municipal decisions regarding growth and development. The following provides a summary of the key Growth Plan policies that apply to the Proposed Development and how the Proposed Development meets those policies.

Section 2.2.1 of the Growth Plan established general policies to guide population and employment growth throughout the Greater Golden Horseshoe. Policy 2.2.1.2 (a) states that the vast majority of growth will be directed to settlement areas that have a delineated built boundary, existing and/or planning infrastructure and can support the achievement of compete communities.

Section 2.2.5.1 states that economic development and competitiveness in the Greater Golden Horseshoe will be promoted by:

- a) making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;
- b) ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;
- c) planning to better connect areas with high employment densities to transit; and
- d) integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment

Response: Colt Canada is an existing business employment use within an existing employment area; the Proposed Development represents intensification on an existing property within the settlement area that will make efficient use of existing infrastructure and services. The Proposed Development will accommodate Colt Canada's forecasted growth at their existing facility and remain within the City of Kitchener at their current location, which is proximate to two other Canadian business partners of the MSP. The expanded facility will allow Colt Canada to continue to draw the attention of federal and international purchasing agencies, contributing to the attractiveness of this existing employment area for further investment.

In accordance with Policy 4.2.2.3 (a) of the Growth Plan, site alteration or development within a natural heritage system must demonstrate there are no negative impacts on the natural feature, connectivity is maintained between key natural features, the removal of any natural features are avoided where possible, and the totality of the disturbed or developable areas is minimized.

Response: As demonstrated in both the scoped EIS and Slope Assessment, the Proposed Development will have minimal negative impacts on the surrounding natural feature and adjacent slope. The existing natural feature that occupies a portion of the property is part of a larger natural feature associated with the Grand River and its tributaries; the Proposed Development does result in any impacts to the existing natural features and will not result in any disruptions to the connectivity of the existing natural feature. The Proposed Development has been designed to make use of existing, disturbed areas and provide for the future restoration of areas outside of the limits of the Proposed Development that were previously disturbed by the former residential uses. The Proposed Development does not include the removal of any significant natural features, and does not result in the encroachment of development within the adjacent woodlot or steep slope.

In summary, the Proposed Development conforms with the Growth Plan as it provides investment and growth of an existing employment area through intensification of an existing employment use. The Proposed Development is intended to occupy areas of the Site that have already been disturbed and will result in very limited impacts on the surrounding natural features.

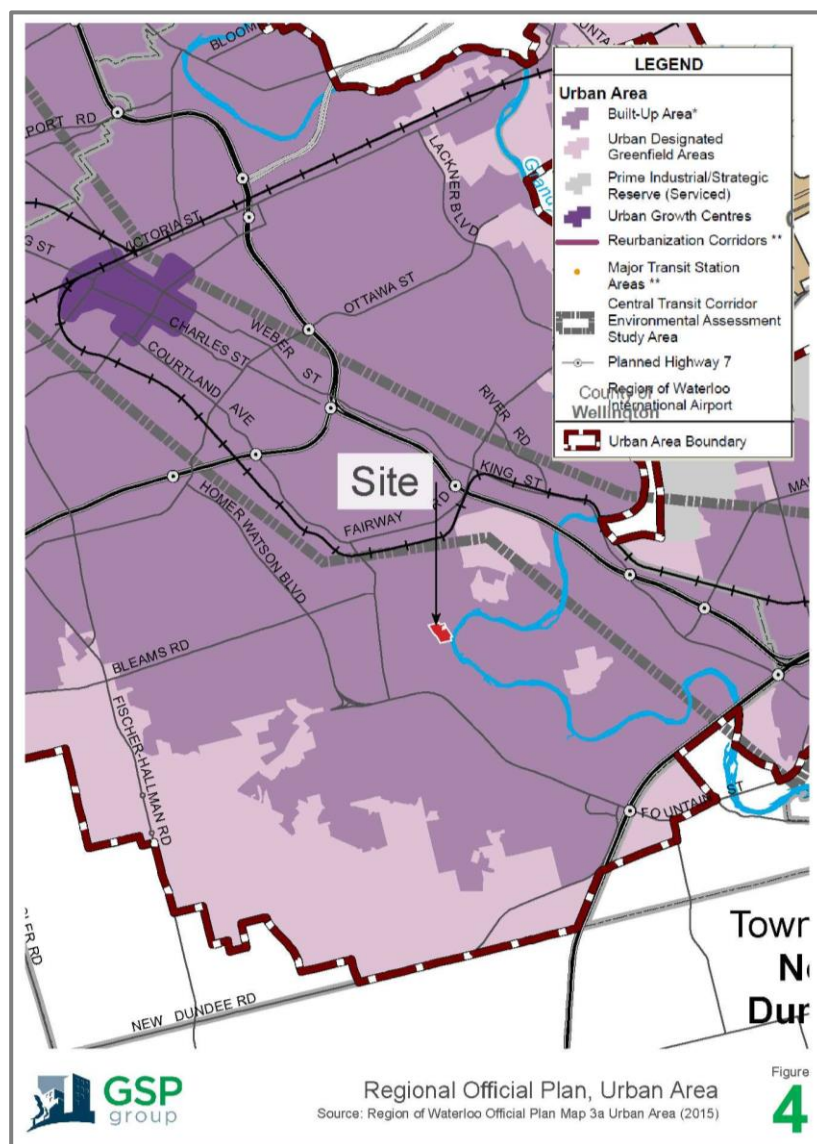
6.4 Regional Official Plan

The Regional Official Plan ("ROP") was adopted by the Region of Waterloo in June 2009 and received final approval from the Ontario Municipal Board ("OMB") on June 18, 2016. The ROP provides policy direction on planning matters for the Region and includes all

policy changes and amendments since the adoption of the Regional Official Policies Plan (“ROPP”) in 1995.

The following provides a summary of the key ROP policies that apply to the Site and the Proposed Development, as well as providing justification in response to those applicable policies.

The Site is located within the City of Kitchener Urban Area (Figure 4), which are areas intended to accommodate the majority of the Region’s population and employment growth over the duration of the ROP.



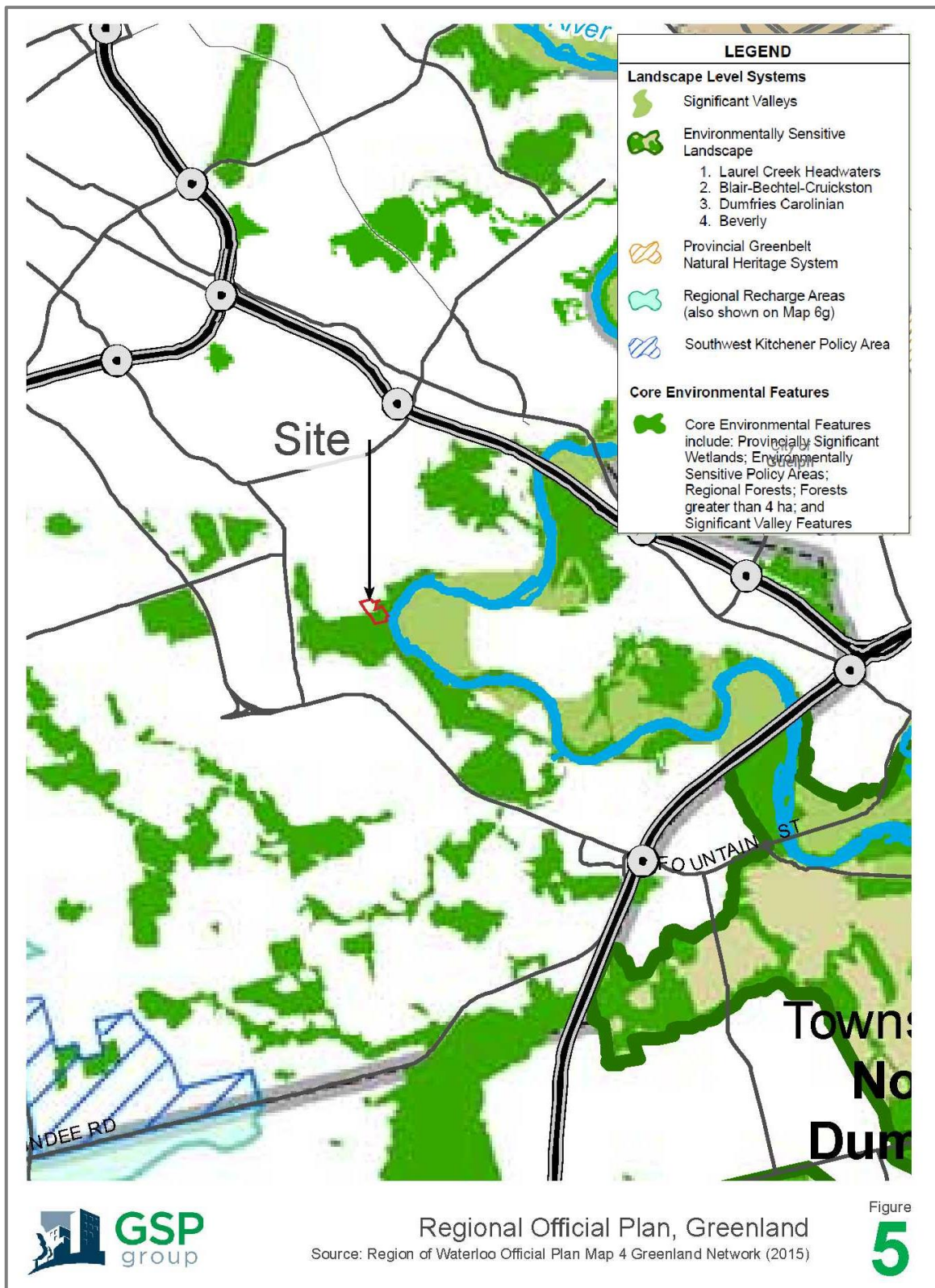
Policy 2.D.1 of the ROP states that when reviewing new development applications in the Urban Area, the Region will ensure that growth and development is planned in a manner that supports the planning community structure (a), is serviced by municipal water and wastewater services (b), contributes to the creation of complete communities (c) and protects the natural environment (d).

Response: The Proposed Development is an employment uses located within the Urban Area, will continue to be serviced by municipal water and wastewater services and has been designed to ensure the protection and preservation of the natural environment.

Policy 4.A.3 states that area municipalities are encouraged to designate and preserve employment areas in the vicinity of major highway interchanges or the Region of Waterloo International Airport.

Response: The Site is located within an existing employment area that is designated accordingly in the City of Kitchener Official Plan and can easily and quickly access Highway 8 to Highway 401.

A portion of the Site is identified as a Core Natural Feature in the ROP, which are areas that may include but are not limited to significant woodlands and environmentally signature valley features (refer to Figure 5). In accordance with Policy 7.C.10, development or site alteration may be permitted on lands contiguous to a Core Environmental Feature where an Environmental Impact Study (EIS) has determined that the proposed development or site alteration would not result in adverse environmental impacts to the feature and its ecological function.



Response: A scoped EIS was completed to assess the potential impacts of the Proposed Development on the surrounding Core Natural Feature. The scoped EIS concluded that the proposed expansion of the existing Colt Canada facility will not encroach within the surrounding woodland feature. The proposed surface parking facility has been situated outside of the dripline and will provide for the future natural restoration of the area beyond the Proposed Development that was previously disturbed by the former residential uses. The proposed stairwell associated with the pedestrian bridge has been situated atop the foundation and disturbed area associated with a former outbuilding at 1036 Wilson Avenue and the pedestrian bridge itself is intended will be designed with appropriate lighting and decals on windows to prevent avian window collisions. The Proposed Development will have minimal impact on the existing natural feature. It is important to note that the Official Plan and Zoning By-law Amendments do not propose to alter any of the boundary of the existing natural feature; the existing designations and zoning regulations associated with the natural feature are proposed to be maintained as-is.

In response, the Proposed Development conforms with the ROP as it will result in the enlargement and investment of an existing employment uses that is permitted within the Urban Area and has been designed to result in minimal impacts on the Core Natural Feature that exists on a portion of the Site.

6.5 City of Kitchener Official Plan

The City Official Plan (“Official Plan”) was adopted by City Council on June 30, 2014 and originally approved by Regional Council on November 19, 2014. The Official Plan was appealed in its entirety to the Local Planning Appeal Tribunal and received final approval by LPAT Decision in March and July 2019.

The Official Plan conforms to Provincial and Regional plans, policies, statements, and guidelines and contains goals, objectives, and policies to manage and direct growth and development to the year 2031. The following provides a summary of the key Official Plan policy consideration for the site as well as justification for the proposed development in terms of these policies.

The portion of the Site that contains Colt Canada’s existing facility is located within Industrial Employment Area as part of the Urban Structure as identified in the Official Plan.

Policy 3.C.2.53 of the Official Plan states that the planned function of Industrial Employment Areas is to support and maintain economic activity through the provision of an adequate supply of land for a range of industrial and employment uses. Policy 3.C.2.55 further states that employment growth and intensification is encouraged.

Response: The Site is located within an existing employment area and the Proposed Development allows for the expansion of an established business that more efficiently utilizes its property. The expansion is required by Colt Canada to accommodate its anticipated growth, allowing Cost Canada to continue to support their existing military and law enforcement contracts, secure new contracts and maintain and enhance their support for NATO allies.

The portion of the Site that contains Colt Canada's existing facility is designated Business Park Employment in the Official Plan (refer to Figure 6), which are areas intended to be regarded as prestigious location for certain industrial uses due to its access to major transportation corridors, high visibility and distinct identity. Permitted uses in the Business Park Employment designation include a range of employment and manufacturing uses, industrial administrative offices, free-standing offices, scientific, technological and/or communication related uses and complementary service commercial uses.

Objectives of the City with respect to employment areas is to protect and preserve employment areas for future and future uses (15.6.1), to provide opportunities for a diversified economic base by maintaining a range and choice of suitable sites for employment uses (15.6.2) and to provide a municipal environment that encourages the retention and expansion of industrial uses (15.6.4).

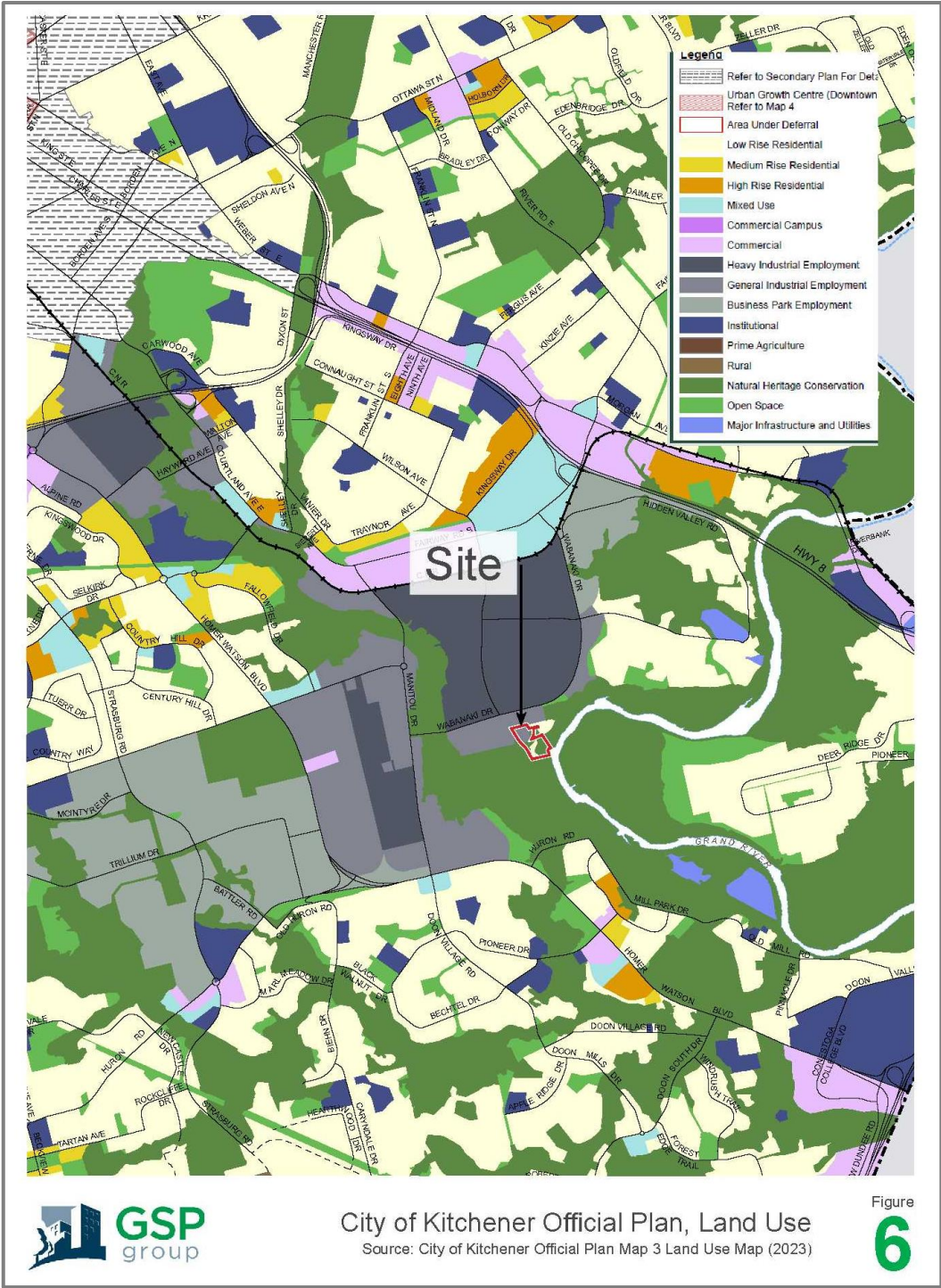
Policy 15.D.6.10 of the Official Plan states that the City will encourage the retention, renewal and expansion of compatible existing industrial uses.

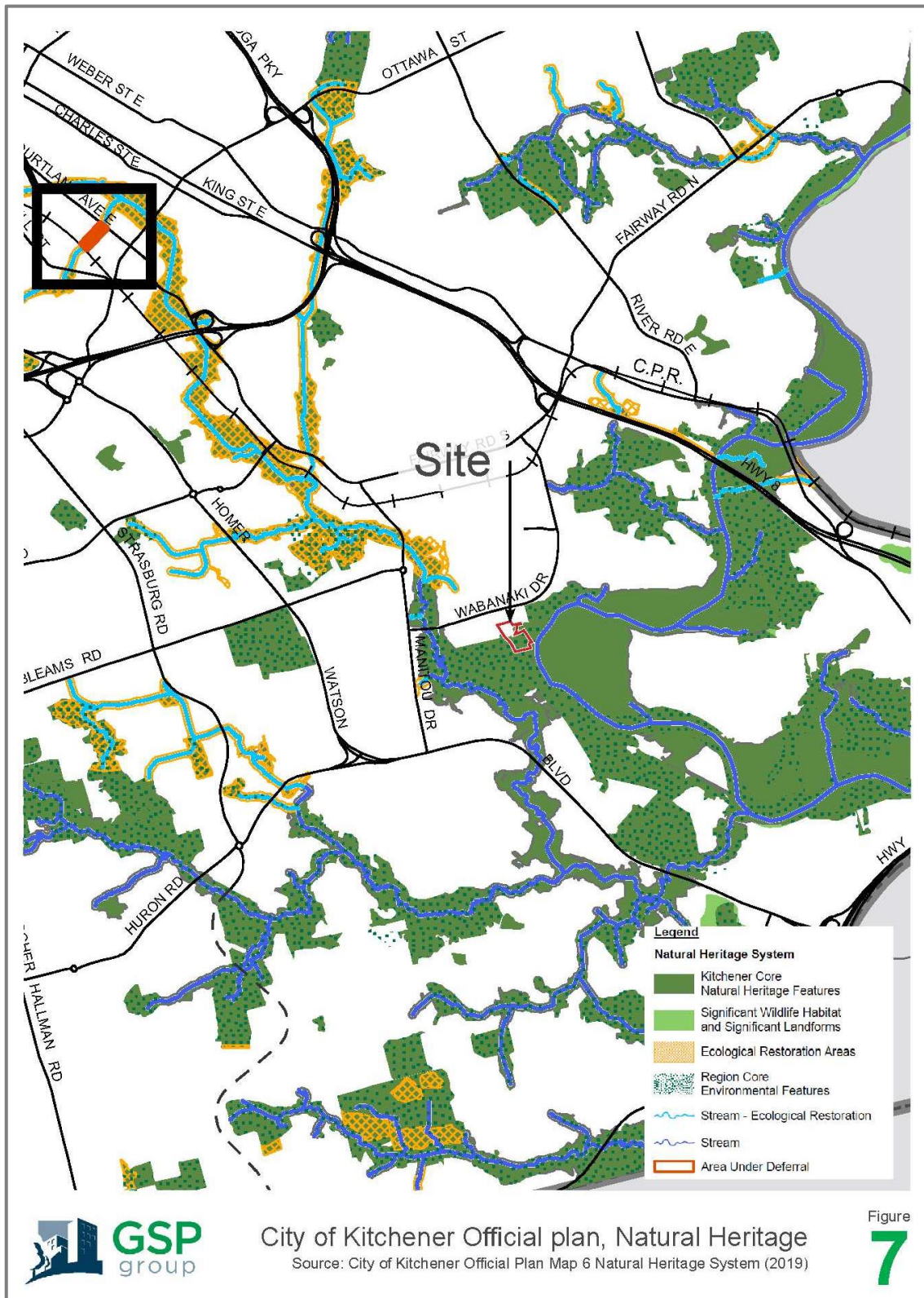
Response: The Site is located within an existing employment area; the Proposed Development will allow Colt Canada to grow and expand their existing facility within the existing business park in the City of Kitchener. The proposed expansion of Colt Canada facility will result in a number of positive economic impacts for the City of Kitchener, including the creation of new jobs and an increase in labour income, which ultimately contributes to investment in the local economy. The Proposed Development represents an expansion of an existing employment uses as permitted within the current Business Employment Park designation and is compatible with surrounding business employment and industrial uses.

The portion of the Site that is proposed to accommodate the proposed surface parking facility and associated pedestrian connection is designated Low Rise Residential and Natural Heritage Conservation in the Official Plan (Figure 6).

The Official Plan further identifies a portion of the Site as Kitchener Core Natural Heritage Feature and Region Core Environmental Feature (Figure 7). Core Natural Heritage

Features include but are not limited to significant valleys, locally significant valleylands, significant woodlands and locally significant woodlands.





In accordance with Policy 7.C.2.23, development and site alteration will only be permitted on lands adjacent to Natural Heritage Conservation features where an Environmental Impact Study has determined that the approval of the proposed development or site alteration will not result in adverse environmental impacts on the natural feature or its ecological function.

Response: As noted previously, the scoped EIS assessed the potential impacts of the Proposed Development on the surrounding Natural Heritage Conservation feature, determining it will have minimal impacts on the existing natural feature. It is important to note that the Official Plan and Zoning By-law Amendments do not propose to alter any of the boundary of the existing natural feature; the existing designations and zoning regulations associated with the natural feature are proposed to be maintained as-is. The proposed Official Plan and Zoning By-law Amendments are only intended to change the land use permissions associated with the disturbed portions of the previous residential properties.

In accordance with Policy 6.C.2.10, development and site alteration may be permitted on those portions of hazard lands where the effects are minor and can be mitigated in accordance with appropriate standards and where the following is demonstrated:

- a) Development and site alteration is carried out in accordance with floodproofing standards, protection work standards and access standards
- b) Vehicles and people have a way of safely entering and exiting the site
- c) New hazards are not created and existing hazards are not aggravated
- d) No adverse environmental impacts will result
- e) Appropriate approvals and permits are granted by the Grand River Conservation Authority (GRCA).

Policy 6.C.2.14 further states that development or site alteration adjacent to a steep slope will be subject to appropriate setbacks from the stable top of bank.

Response: As noted previously, the Slope Assessment was prepared in accordance with all applicable provincial regulations and concluded that the Proposed Development will be located outside of the stable slope allowance and is not a risk from a geotechnical and slope stability perspective. The Proposed Development has been situated outside of the top of stable steep slope. It is not anticipated to create any new hazards or aggravate existing hazards and will have very minimal impacts on the existing natural features. Through the subsequent detailed site plan approval process, the appropriate permits from the GRCA will be secured.

In summary, the Proposed Development conforms with the Official Plan as it is consistent with the types of industrial and employment uses permitted within the Business Park Employment designation and adheres to the City's guidelines and requirements regarding development and site alteration adjacent to natural features and hazards.

6.6 City of Kitchener Zoning By-law (2019-051)

The portion of the Site currently occupied by the existing Colt Canada facility is zoned General Industrial Employment (EMP-2) and Natural Conservation (NHC-1) in the City of Kitchener Zoning By-law 2019-051 ("Zoning By-law") (refer to Figure 8).

Permitted uses in the EMP-2 Zone include a range of business and employment uses, including manufacturing and warehousing.

Permitted uses in the NHC-1 Zone are limited to existing agricultural uses and natural heritage conservation.

The portion of the Site that is intended to accommodate the future pedestrian connection and surface parking facility is currently zoned Low Rise Residential One (RES-1) and Natural Heritage (NHC-1).

Permitted uses in the RES-1 Zone include single detached dwellings as well as accessory uses and structures.

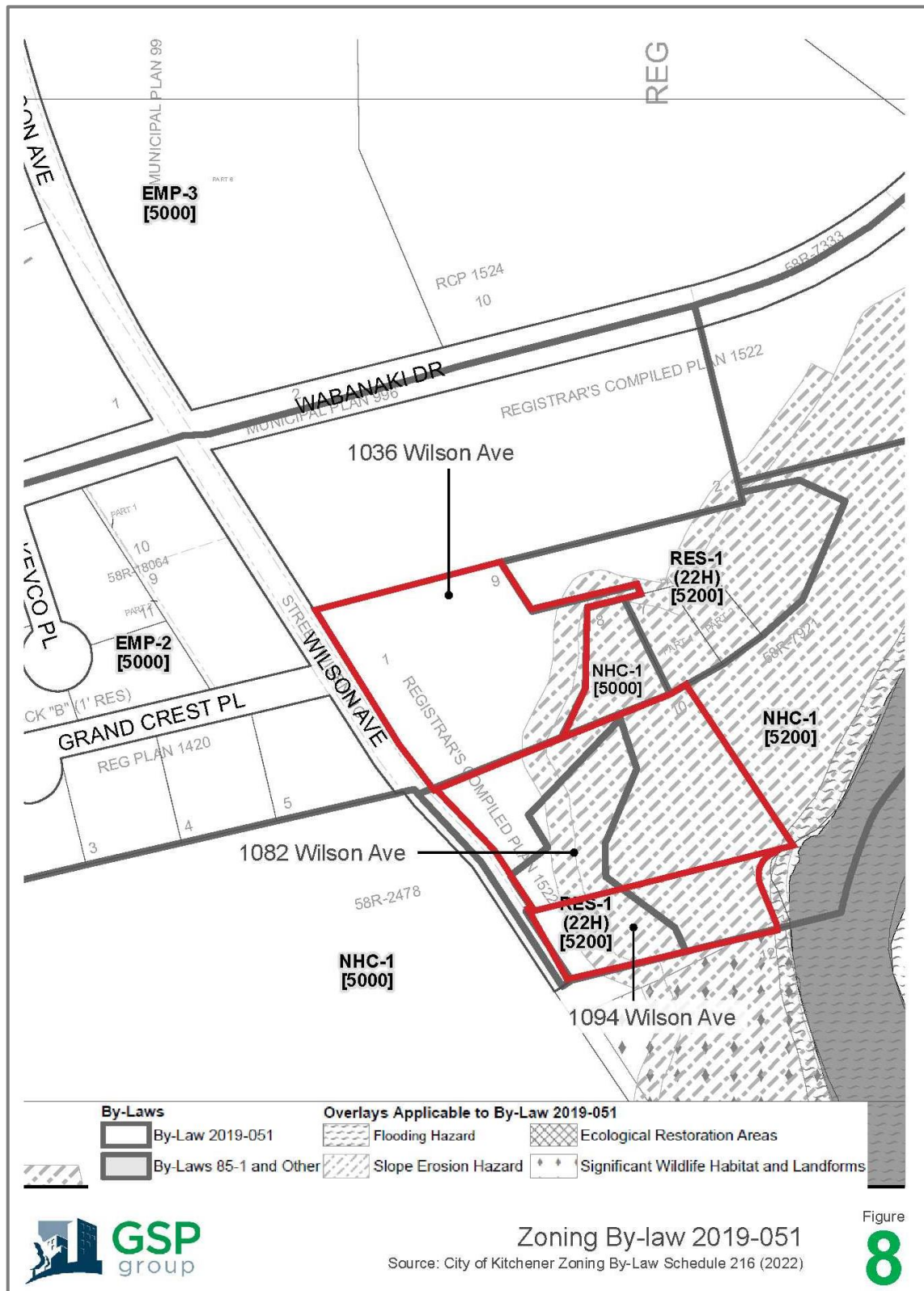
The portion of the Site that is intended to accommodate the future pedestrian connection and surface parking facility is also subject to Holding Provision 22H, which states the following:

Within lands zoned RES-1 as shown on Zoning Grid Schedules 216 of Appendix A and shown as affected by this provision, no new buildings or structures are permitted on the lands until such time as:

- a) the City's Director of Planning is in receipt of a clearance letter from the City's Director of Engineering advising that adequate City services are "available" or that "acceptable arrangements" have been made therefor;
- b) an Environmental Impact Study has been approved by the City's Director of Planning; and,
- c) this holding provision has been removed by by-law.

***Response:** Along with rezoning the Site to permit the proposed expansion of an existing business employment use, the Zoning By-law Amendment will include the removal of the*

holding provision as the Proposed Development will continue to be serviced by existing municipal services and a scoped EIS has been completed.



7. Proposed Applications

The following provides a summary of the proposed Official Plan and Zoning By-law Amendments. Assessment and justification for the proposed applications per the applicable Provincial, Regional and City planning framework is provided in Section 6.0 of this Report.

7.1 Official Plan Amendment

The Official Plan Amendment proposed to redesignate the portion of the Site intended to accommodate the surface parking facility and associated pedestrian bridge and three-storey stairwell from “Low Rise Residential” to “Business Park Employment”.

The existing “Natural Heritage Conservation/Core Natural Heritage Feature/Region Core Environmental Feature” designation is proposed to be retained across the entire Site.

7.2 Zoning By-law Amendment

The Zoning By-law Amendment proposes to rezone the portion of the Site intended to accommodate the surface parking facility and associated pedestrian bridge and three-storey stairwell from “Low Rise Residential One (RES-1)” to “General Industrial Employment (EMP-2)”.

The existing “Natural Heritage Zone (NHC-1)” is proposed to be retained across the entire site.

In addition, the proposed Zoning By-law Amendment proposes to remove Holding Provision 22H.

8. Public Consultation Considerations

Upon acceptance and circulation of the application package in support of the Proposed Development, the City requires the posting of Notice of Application sign(s) to inform surrounding property owners of the Proposed Development. GSP Group and Colt Canada Corporation commit to post the required signage promptly with a clear, unobstructed view from the street, and agree to maintain the sign throughout the duration of processing of the applications by the City.

While a Neighbourhood Information Meeting was not identified as a requirement through pre-submission consultation with the City, GSP Group and Colt Canada Corporation are agreeable to the scheduling of an information meeting or open house, as deemed appropriate by the City, as well as any additional informal public meeting(s), open house meeting(s) and/or neighborhood meetings required by the City.

The proposed Official Plan and Zoning By-law Amendments require a Statutory Public Meeting in accordance with the *Planning Act* R.S.O. 1990, c. P.13. GSP Group and Colt Canada Corporation will attend the public meeting as scheduled by the City and give a formal presentation regarding the Proposed Development and associated applications, as well as answer questions from residents, staff, and Councillors. During the public meeting, contact information for GSP Group will be provided to the public to address any follow-up questions or concerns.

Finally, GSP Group will provide direct written responses to comments raised throughout the public consultation process to City and Regional staff for their review and consideration prior to the preparation of a final staff report and recommendation on the OPA/ZBA.

9. Conclusion

GSP Group was retained by Colt Canada Corporation to provide planning justification in support of the proposed development, which includes an extensive expansion their existing facility at 1036 Wilson Avenue as well as the relocation of employee parking at the properties municipally known as 1082 and 1094 Wilson Avenue and the construction of a three-storey stairwell and enclosed, elevated pedestrian connection linking the employee parking lot to the newly expanded facility.

The Site is located on the east side of Wilson Avenue, approximately 150 metres south of Wabanaki Drive, and is currently occupied by the existing Colt Canada facility and associated surface parking and loading area. The properties at 1082 and 1094 Wilson Avenue were formerly used for residential purposes and are still occupied by former single detached residential dwellings and associated accessory structures.

The purpose of the proposed Official Plan Amendment is to redesignate a portion of the Site from Low Rise Residential to Business Park Employment while maintaining the existing Natural Heritage Conservation designation on the balance of the property.

The purpose of the proposed Zoning By-law Amendment is to rezone a portion of the site from Low Rise Residential One (RES-1) to EMP-2 while maintaining the Natural Heritage Conservation Zone (NHC-1) on the balance of the property. In addition, the proposed Zoning By-law Amendment seeks to remove Holding Provision 22H.

The Proposed Development is consistent with the PPS and conforms with the Growth Plan as it provides for investment and growth of an existing employment use that has been designed to limit potential impacts on the surrounding natural feature and steep slope.

The Proposed Development conforms with the ROP as it will result in the enlargement of an existing employment uses that is permitted within the Urban Area and has been designed to result in minimal impacts on the adjacent natural features.

Finally, the Proposed Development conforms with the Official Plan as it is consistent with the types of employment uses permitted within the Business Park Employment designation and adheres to the City's policy and regulatory requirements regarding development adjacent to natural features.

The Proposed Development has been designed to have as little impact on the important, surrounding natural feature while allowing for a much-needed expansion of significant,

international employment use; it is my opinion that it has been designed appropriately at this unique location and represents good planning.

Prepared by:
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