

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: April 24, 2023

SUBMITTED BY: Garrett Stevenson, Interim Director of Planning, 519-741-2200 ext. 7070

PREPARED BY: Brian Bateman, Senior Planner, 519-741-2200 ext. 7869

WARD(S) INVOLVED: Ward 2

DATE OF REPORT: March 27, 2023

REPORT NO.: DSD-2023-153

SUBJECT: 1385 Bleams Road
Zoning By-law Amendment Application ZBA23/001/BB
loane and Alina Solomes

RECOMMENDATION:

That Zoning By-law Amendment Application ZBA23/001/M/BB requesting to amend Zoning By-law 85-1, for loane and Alina Solomes, be approved in the form shown in the Proposed 'Proposed By-law', and 'Map No. 1' as Attachment 'A'.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding Zoning By-law Amendment Application for the property located at 1385 Bleams.
- It is Planning staff's recommendation that this application be approved with a Holding Provision. The proposed application represents an opportunity to intensify land that addresses a shortage of housing in our community, conserves and maintains a cultural heritage resource and implements the Rosenberg Community Plan land use designation.
- Community engagement included:
 - circulation of a preliminary notice to property owners within 240 metres of the subject site;
 - installation of a large billboard notice sign on the property;
 - a neighbourhood meeting held on March 9, 2023;
 - follow up one-on-one correspondence with members of the public who responded to the circulation or saw the billboard sign;
 - notice advising of the statutory public meeting was circulated to all property owners within 240 metres of the subject site, and those who responded to the preliminary circulation, and
 - notice of the public meeting was published in The Record on March 31, 2023.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

Polocorp Inc. ('Polocorp') has been retained by Alina and loane Solomes to file a Zoning By-law Amendment Application for the property municipally addressed as 1385 Bleams Road in the

Rosenberg Community (see Figure 1). The proposed application is intended to facilitate the development of the western part of the subject property with 8 townhouse dwelling units. The proposal also contemplates a future consent application to sever the proposed townhouse development from the existing heritage dwelling on the subject property.



Figure 1 – Aerial Photo of Subject Property

A proposed Zoning By-law Amendment is being requested to implement zoning consistent with the land use designation.

The proposed development consists of approximately 8 three-storey townhouse dwelling units, with associated parking and amenity areas. The proposed townhomes are approximately 193 sq m in size, including of two- or three-bedroom units. The townhomes will be accessed via a common driveway from Bleams Road, and each townhome will have a private driveway and garage. Private amenity areas with an area of approximately 24.3 sq. metres are proposed to be provided at the rear of each dwelling unit. Ultimately, the intent is for the shared driveway and visitor parking to be within a Common Element Condominium while the townhomes will be within Parcels of Tied Land.

REPORT:

The subject property is located southwest of the intersection of Fischer-Hallman Road and Bleams Road, on the south side of Bleams Road within the Rosenberg Neighbourhood. The Subject Property is municipally addressed as 1385 Bleams Road and legally described as: PLAN 1469 LOT 5, City of Kitchener, Regional Municipality of Waterloo. The Subject Property is rectangular in shape with an area of approximately 3,223.88 sq m (0.32 hectares; 0.8 acres), a lot frontage of approximately 85.9 m (281.8 ft) on Bleams Road and a lot depth of approximately 37.5 m (123.0 ft).

The subject property is currently occupied by a former schoolhouse, a woodshed and a garage which are designated under Part IV of the *Ontario Heritage Act*. The schoolhouse is currently used as a residential dwelling. Surrounding land use consists of existing low rise residential/emerging low,

medium and high rise residential, commercial and open space. It is located within a 15-minute walk of the Williamsburg Town Centre and major bus routes on Fischer-Hallman and Bleams Roads.

The former schoolhouse on the subject property was originally constructed in 1864, with additions in 1874, 1922 and 1987.



Front View of 1385 Bleams Road (Google)

The board and batten clad woodshed to the south of the schoolhouse is of indeterminate age, likely of similar vintage as that of the schoolhouse. It is constructed with a gable roof and a gothic window on the east façade. The heritage fence is comprised of round cedar posts with a crudely turned ball top and two horizontal pipe rails between the posts. The fence is in poor condition, with leaning posts, some missing tops and missing rails, and will be removed as a condition of the consent application to accommodate a Regional road widening. The existing garage was built after 1966 and is and not listed as a heritage feature. A detailed description of all heritage attributes of the subject property is provided in the Heritage Impact Assessment (HIA), prepared by CHC Limited and dated January 9, 2023. The HIA was presented to Heritage Committee for discussion on March 6, 2023.

Planning Analysis:

Proposed Zoning By-law Amendment

The subject lands are designated 'Medium Density Residential One' in the Rosenberg Community Secondary Plan. This designation supports a range of medium density development with a maximum Floor Space Ratio (FSR) of 1.0 and building heights that range from 3 to 8 storeys. The current zoning is 'Agricultural Zone (A-1)' under By-law 85-1. This zone does not permit the use of multiple dwellings. Therefore, to align with the land use designation, the applicant is requesting a Zoning By-law Amendment (ZBA) from 'A-1' to 'Residential Seven Zone (R-7)' in Zoning By-law 85-1 with a special regulation provision for increased interior side yard and front yard setbacks and a reduced rear yard setback required to implement the proposed townhouse proposal. Due to review timeline refunds required by Bill 109, a Holding Provision is required to ensure matters related to urban design, landscaping, cultural heritage and noise are addressed, prior to lifting of the Holding Provision. It is anticipated that a future consent application will separate the property into 2 parcels of land. The proposed development that was circulated with the application is shown below in (Figure 3). An updated plan is provided in Figure 4 that incorporates revisions made in response to staff's comments during the review process. These changes include enhanced setback between existing heritage home and proposed townhomes, improved rear yard setback, removal of visitor and barrier free spaces adjacent to Bleams Road and reduced parking aisle width. These design measures have been made to balance heritage, tree preservation along Bleams Road, and a desire for an improved rear yard amenity space.

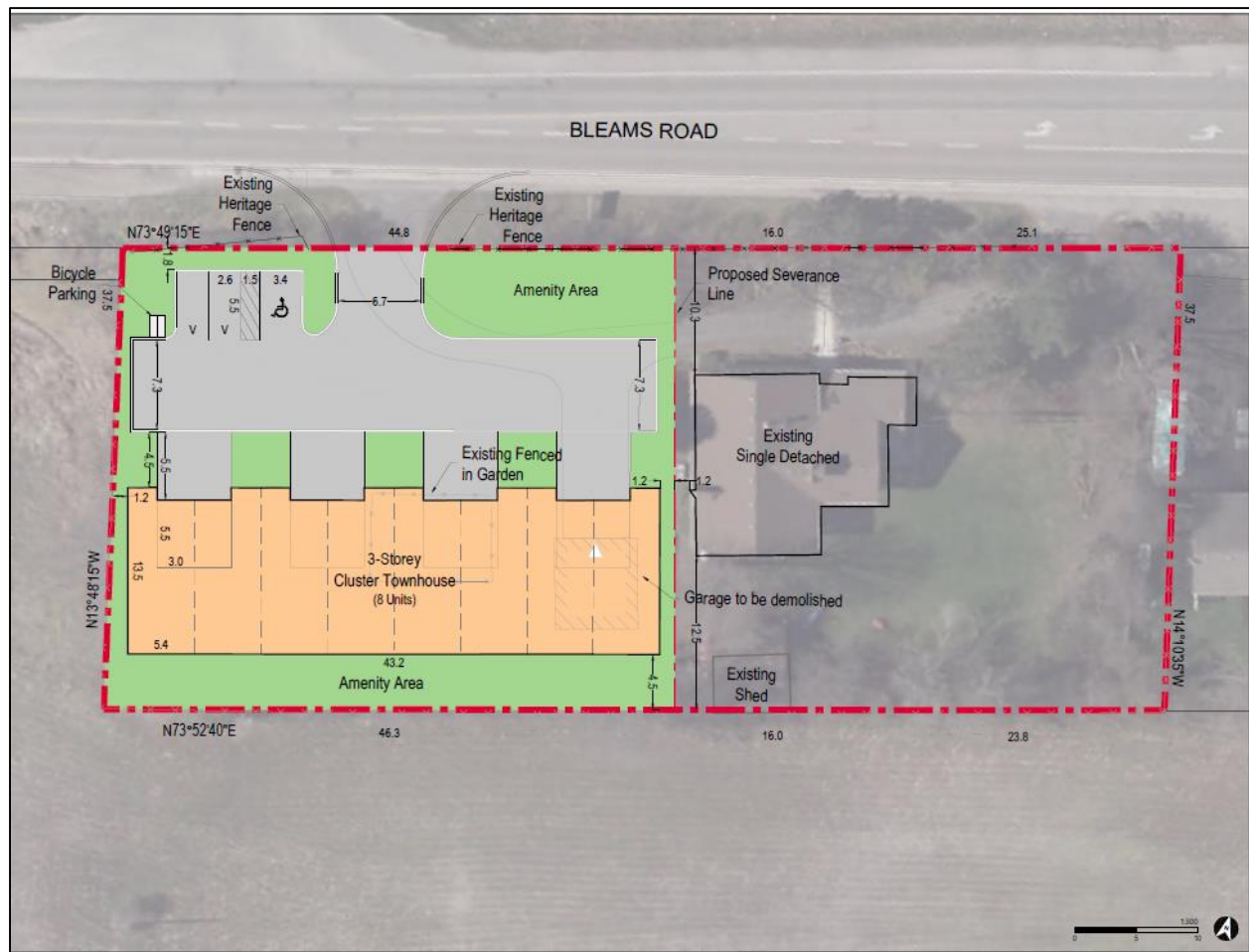


Figure 3 – Proposed Conceptual Plan

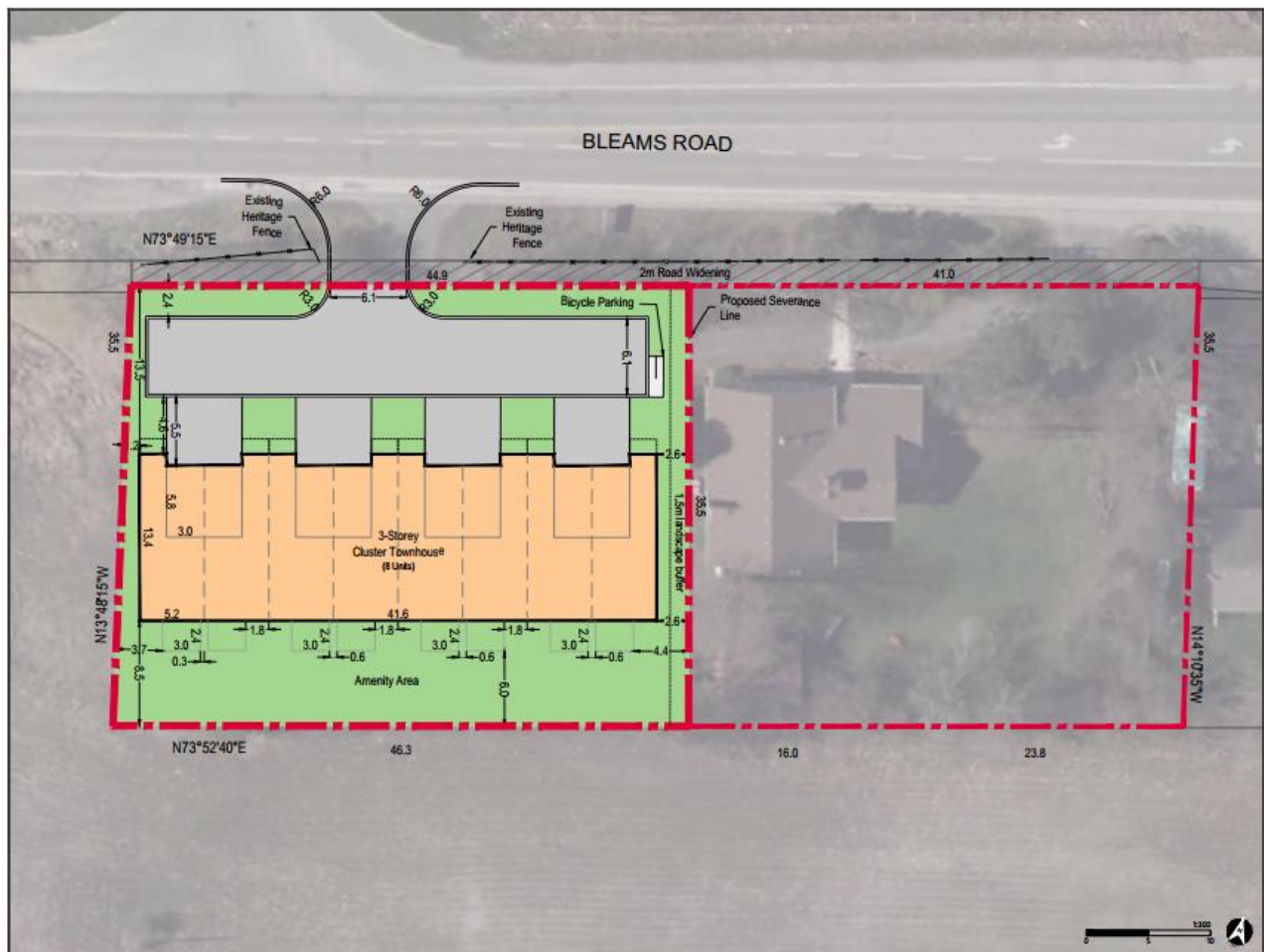


Figure 4 – Revised Conceptual Site Plan (Polocorp)

In consideration of the application, Planning staff assessed compatibility and impact associated with the proposed yard setbacks, reduced parking on surrounding lands and between the proposed townhouses and existing heritage designated dwelling. This will be discussed in the ensuing sections below.

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Sections 1.1.3, 1.4.1 and 1.4.3 of the PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities. The PPS sets out a policy framework for sustainable healthy, liveable and safe communities. The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of affordable and market-based residential dwelling types with other land uses, while supporting the environment, public health and safety. Provincial policies promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

Planning staff is of the opinion that the proposed application will contribute to an appropriate mix of housing types within the context of the surrounding neighbourhood. The subject lands are within a developing neighbourhood with adequate servicing capacity, road network capacity, and other required infrastructure and therefore represents a cost-effective development pattern that minimized land consumption and servicing costs. Based on the above, staff is of the opinion that this proposal is in conformity with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan):

The Growth Plan supports the development of complete and compact communities that are designed to support healthy and active living, make efficient use of land and infrastructure, provide for a range, and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation.

Policy 2.2.6.1(a) Municipalities will support housing choice through the achievement of the minimum intensification and targets in this plan by identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents.

Policy 2.2.1.4(a) This plan will support the achievement of Complete Communities that feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities.

The proposed multiple dwelling residential development will contribute to a greater mix of housing types in the neighbourhood. This application implements the approved land use designation of the Rosenberg Community Plan. The existing neighbourhood is within walking distance of local stores, services, and public service facilities such as a major commercial plaza (Williamsburg Town Centre), Food Basics along Fischer-Hallman Road and Multi-purpose Trails (planned and existing) along Bleams Road and Fischer-Hallman Road. Planning staff is of the opinion that the development proposal conforms to the Growth Plan.

Regional Official Plan (ROP), 2010:

Urban Area policies of the ROP identify that the focus of the Region's future growth will be within the Urban Area. The subject lands are designated Built-Up Area in the ROP. The proposed development conforms to Policy 2.D.1 of the ROP as this neighbourhood provides for the physical infrastructure and community infrastructure to support the proposed residential development, including transportation networks, municipal drinking-water supply and wastewater systems, and a broad range of social and public health services. Regional policies require the City to plan for a range of housing in terms of form, tenure, density and affordability to satisfy the various physical, social, economic and personal support needs of current and future residents. Regional staff have indicated that they have no objections to the proposed applications subject to implementing Holding Provisions. Planning staff are of the opinion that the application conforms to the Regional Official Plan.

City of Kitchener Official Plan:Urban Structure

The Subject Property is located on lands identified as the 'Urban Corridor', which is one of the City's primary intensification areas. The planned function of Urban Corridors is to provide for, "...intensification opportunities that are transit supportive...". The proposed development presents a residential intensification opportunity on an underutilized parcel of land. The proposed development is limited to residential use but is well connected to the commercial and recreational destinations in the surrounding area. Further, the subject property is located within a 5-minute walking distance of a bus stop.

Land Use Designation

The subject lands are designated 'Medium Density Residential One' in the Rosenberg Community Secondary Plan.

Housing

The City's primary objective with respect to housing in the Official Plan is 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. This low-rise multiple dwelling housing type is considered an attainable form of housing and provides an option that bridges the gap between high density residential towers and single detached dwellings. The proposed housing type is an important segment in Kitchener's housing continuum.

Policy 4.C.1.8 Where special zoning regulations are proposed to facilitate residential intensification or a redevelopment of lands, the overall impact of the special zoning regulations will be reviewed, but not limited to the following to ensure, that:

- a) Any new buildings and any additions and/or modifications to existing buildings are appropriate in massing and scale and are compatible with the built form and the community character of the established neighbourhood.
- b) Where front yard setback reductions are proposed for new buildings in established neighbourhoods, the requested front yard setback should be similar to adjacent properties and supports and maintain the character of the streetscape and the neighbourhood.
- c) New additions and modifications to existing buildings are to be directed to the rear yard and are to be discouraged in the front yard and side yard abutting a street, except where it can be demonstrated that the addition and/or modification is compatible in scale, massing, design and character of adjacent properties and is in keeping with the character of the streetscape.
- d) New buildings, additions, modifications, and conversions are sensitive to the exterior areas of adjacent properties and that the appropriate screening and/or buffering is provided to mitigate any adverse impacts, particularly with respect to privacy.
- e) The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the site.

Policy 4.C.1.9. Residential intensification and/or redevelopment within existing neighbourhoods will be designed to respect existing character. A high degree of sensitivity to surrounding context is important in considering compatibility.

Policy 4.C.1.12. The City favours a land use pattern which mixes and disperses a full range of housing types and styles both across the city as a whole and within neighbourhoods.

Policy 4.C.1.22: The City will encourage the provision of a range of innovative housing types and tenures such as rental housing, freehold ownership and condominium ownership including common element condominium, phased condominium, and vacant land condominium, as a means of increasing housing choice and diversity.

Staff is of the opinion that the development proposal is at a scale and features massing consistent with surrounding lands. Appropriate buffers have been established and proposed special regulations have been assessed to ensure impacts on the heritage dwelling and surrounding lands have been considered.

Transportation

The City's Official Plan contains policies to develop, support, and maintain a complete, convenient, accessible, and integrated transportation system that incorporates active transportation, public transit, and accommodates vehicular traffic.

In regard to alternate modes of transportation, objectives of the Official Plan include promoting land use planning and development that is integrated and conducive to the efficient and effective operation of public transit and encourages increased ridership of the public transit system. The City shall promote and encourage walking and cycling as safe and convenient modes of transportation.

The proposed development aims to increase density on an existing site that is served well by public transit, with access to Grand River Transit Routes 12, 33, and iXpress Routes 205. The proposed development concept includes provision of safe, secure indoor bicycle storage to encourage active transportation. Staff is of the opinion that the requested zoning by-law amendment conforms with the transportation policies of the City's Official Plan.

Urban Design

The City is committed to achieving a high standard of urban design, architecture and place-making to positively contribute to quality of life, environmental viability and economic vitality. Urban design is a vital component of city planning and goes beyond the visual and aesthetic character of individual buildings and considers the functionality and compatibility of development as a means of strengthening complete communities.

Urban Design policies in the 2014 Official Plan support creating 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 that promote and recognize excellence and innovation in architecture, urban design, sustainable building design and landscape design. The City will require high quality urban design in the review of all development applications through the implementation of the policies of the Official Plan and the City's Urban Design Manual.

An Urban Design Brief has been submitted in support of the application and it provides design direction, assesses compatibility and outlines building materials and landscaping as required by policy. Given Bill 109 timelines, further refinement is necessary and thus, staff will be imposing a Holding Provision to have it approved by staff prior to releasing the Holding Provision.

Cultural Heritage

In accordance with the requirements of the Official Plan, a Heritage Impact Assessment (HIA) and Archaeological Impact Assessment (AIA) were prepared in support of the proposed application.

The Heritage Impact Assessment identified the existing schoolhouse with belfry, woodshed, and fence as designated heritage structures on the Subject Property. Pursuant to the policies contained in Section 12, these will be preserved, and no changes are proposed to these structures through this application. The HIA was discussed at Heritage Kitchener on March 7, 2023.

An Archaeological Assessment (Stages 1 & 2) has been submitted as a part of the rezoning application. It found that a Stage 3 assessment would be required, which will be submitted and completed. It is therefore being recommended that, given Bill 109 timelines, both the HIA and AIA receive final approval by staff of the City and Region, prior to the lifting of a Holding Provision. One of the stipulations of the HIA is to ensure the proposed townhouses is setback further than the heritage home to protect easterly views from Bleams Road.

Rosenberg Community Secondary Plan (RSP)

The Rosenberg Community is a complete community where people are able to walk or cycle to school, shop, and potentially to work. Each neighbourhood within the Rosenberg Community will be designed based on the "five-minute walk principle" and will be connected to the surrounding area

The Subject Property is designated 'Medium Density Residential One' in the RSP (*Map 22 e- Land Use Plan*, Refer to Figure 14) and identified as a 'Corridor' (*Map 22 a: Community Structure Plan*). The Subject Property is identified as a 'Cultural Heritage Resource' (*Map 22 b: Cultural Heritage Resources*), comprising of former Williamsburg School House built in the Georgian Architecture Style.

Each neighbourhood within the Rosenberg Community will be planned, designed, and zoned to achieve a variety of housing types, styles and lot widths. The Medium Density Residential 1 land use designation will permit a range of medium density housing types including townhouse and multiple dwellings. The net density range will generally be 26-100 units per hectare and a maximum Floor Space Ratio of 1.0. Building heights will generally range between 3-8 storeys and will be regulated through the Zoning By-law.

The objectives of cultural heritage policies are to conserve cultural heritage resources and to ensure that all development is sensitive to and respects cultural heritage resources. To that end, and as mentioned previously, an HIA and AIA have been submitted

Policy Conclusion

Planning staff are of the opinion that the proposed Zoning By-law amendment is consistent with policies of the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan, and represents good planning.

Proposed Zoning By-law Amendment:

The subject lands are currently zoned in Zoning By-law 85-1. The necessary changes as part of this Zoning By-law Amendment are described below.

Zoning By-law 85-1:

The 'Agricultural (A-1)' zone does not permit the development of the subject property for medium density residential development. As such, an amendment to the Zoning By-law is required to facilitate the proposal.

The proposed Zoning By-law Amendment application seeks to rezone the subject property from 'Agricultural Zone (A-1)' to 'Residential Seven Zone (R-7) with Special Use Provision 789R', in Zoning By-law 85-1. 789 R is required to:

- Permit an interior (western) side yard setback of 1.2 metres, whereas 2.5 metres is required (Section 41.2.6);
- Permit an overall parking rate of 1 space per unit for the proposed development, while 1.5 spaces per unit is required for multiple residential dwellings, together with visitor and barrier free parking spaces (Sections 6.1.2; 6.1.2(b)(vi); 6.7);
- Permit a landscape buffer of 2.4 metres along the street line whereas 3 metres is required (Section 6.1.1.1(a)(iv));
- Permit a drive aisle encroachment of 0.6 metres within the 3 metre buffer from the street line, whereas drive aisles are not permitted within this buffer (Section 6.1.1.1(a)(iv)); and,
- Acknowledgement of the location, height, and rear yard setback of the existing heritage house and shed (Section 5.5)

Interior Side Yard Setback

The proposed townhouses building will be deficient in the western side yard setback, as the R-7 zone requires a minimum setback of 2.5 metres for buildings between 9 metres and 10.5 metres in height, while the proposed development contemplates a setback of 1.2 metres. The lands to the west and south of the subject property form part of Plan of Subdivision 30T-09201. This Plan of Subdivision identifies the adjacent lands as being a stormwater management (SWM) facility. As such, the western lot line will abut a SWM facility, and no negative impacts are anticipated due to the reduced western side yard.

Parking

One parking space per dwelling unit can be supported by staff for two primary reasons. The subject property is within close walking distance to public transit as discussed in the Transportation section of this report and secondly, each unit will have a garage and driveway that can easily accommodate two vehicles. The internal road can also accommodate short-term parking without impacting the Regional right-of-way on Bleams Road, if needed.

Landscape Buffer

The proposed development contemplates a landscape buffer of 2.4 metres along Bleams Road, whereas 3 metres is required by the Zoning By-law. The deficiency in the landscape buffer is a result of the conveyance of a 2-metre-wide road widening along Bleams Road to the Region. The landscape buffer has been reduced to facilitate the provision of an internal drive aisle as only one (1) access is permitted from the abutting Regional Road for the revised driveway and drive aisle location allow for the preservation of additional trees in the front yard and rear yards, where possible.

Based on the above, a minor reduction of 0.6 metres in the landscape buffer is appropriate as it enables achievement of various other development objectives on the subject property, while providing a reasonable buffer along Bleams Road.

Further, Section 6.1.1.1.(a)(iv) does not permit aisles giving direct access to abutting parking spaces within the first 3 metres from the street line. The proposed internal road has a setback of 2.4 metres from the street line, instead of the required 3 metres. As previously noted, this deficiency results from road widening requirement along Bleams Road. Further, only one (1) access is permitted on a Regional Road, which necessitates the provision of an internal road to service the proposed development. As such, this encroachment is minor and reasonable without any significant impacts.

Setback from Existing Home to Development Proposal

Staff worked with the applicant to ensure there is an appropriate setback established between the existing home and the new development to ensure there is adequate separation for viewshed purposes, vegetation plantings and access to the rear yard.

Holding Provisions

Holding provisions enable lands to be zoned for specific uses but prevents development and redevelopment from occurring until the City is satisfied that certain conditions have been met. Holding provisions are operationalized in the Zoning By-law using a holding symbol "H", in conjunction with a specific land use or land use designation category. The removal of the holding symbol occurs after fulfillment of the specific requirements as set out in the Official Plan (section 17.E.13). The City will utilize holding provisions to achieve orderly development and ensure that policies established in this Plan have been met prior to development proceeding. The policies in 17.E.13. Section allow for the implementation of holding provisions in the City's Zoning By-law on a comprehensive or site-specific basis.

Bill 109 timelines have necessitated the use of a Holding Provision to ensure certain requirements are satisfied prior to development occurring on the subject lands. Holding Provision 101H has been included to require final approval of the HIA, an Urban Design Brief, a Tree Management Plan, a Servicing Report, an Archaeological Assessment, and Environmental Noise Study. These are outlined in the attached by-law and will remain in place until such time each item has been addressed satisfactorily and an application has been made to lift the Holding provision.

WHAT WE HEARD



1 person provided comments



1 Neighbourhood Meeting held on March 9, 2023



143 households circulated and notified

Department and Agency Comments:

Preliminary circulation of the Zoning By-law Amendment occurred in February 2023 to applicable City departments and other review authorities. No major concerns were identified by any commenting City department or agency. Copies of the comments are found in Attachment “C” of this report.

The following reports and studies were considered as part of this proposed Zoning By-law Amendments:

- Concept Plan, prepared by Polocorp Inc., and dated 11 November 2023
- Planning Justification Report, prepared by Polocorp Inc., and dated 26 January 2023
- Existing Conditions Plan, prepared by MTE Consultants Inc.; and dated 5 May 2022
- Preliminary Grading Plan, prepared by MTE Consultants Inc; and dated 16 September 2022
- Archeological Assessment (Stage 1 & 2), prepared by Detritus Consulting Ltd., and dated 27 September 2022
- Archeological Assessment (Stage 3), prepared by Detritus Consulting Ltd., and dated 12 December 2022
- Heritage Impact Assessment, prepared by CHC Ltd., and dated January 9, 2023
- Urban Design Brief, prepared by Polocorp Inc., and dated 26 January 2023
- Tree Management Plan, prepared by Hill Design Studio Inc.; and dated 21 October 2022
- Arborist Report, prepared by Hill Design Studio Inc., and dated 24 January 2023
- Building Elevations, prepared by Orchard Design Studio Inc.; and dated 23 January 2023
- 3-D Massing model, prepared by Polocorp Inc.; and dated 25 January 2023
- Sustainability Statement, prepared by Polocorp Inc., and dated 26 January 2023
- Correspondence on Notice of Source Water Protection Plan

Community Input and Staff Response:

Staff received written responses from one (1) resident with respect to the proposed development. This can be found in Attachment ‘D’. A summary of what we heard, and staff responses are noted below.

What We Heard	Staff Comment
Are Turning lanes proposed at Helena Feasby/Bleams Rd.?	Bleams Road is governed by the Regional Municipality of Waterloo. As such, any road improvement/upgrade are subject to the Region’s discretion. However, given the

	emerging subdivision development proposed along Bleams Road and adjacent to the subject development, the Region is proposing road improvements in the form of roundabouts and multi-use trails along both sides of Bleams Road. For more information on what the Region is proposing, please refer to: Kitchener: Bleams Road Road Improvements EngageWR .
Concerned residents from this development will cut across Bleams Road to Helena Feasby Street from Proposed Development	There is nothing preventing residents of this proposal to utilize Helena Feasby Street depending on where they wish to travel. It may be preferable to turn right and enter the roundabout and circle back to Helena Feasby Street.
What will happen to the Existing Dwelling?	The existing schoolhouse building will remain as a single detached dwelling.
Vegetation Proposed along Bleams	To be determined at the detailed design stage. A 2.4 metre wide landscape buffer is proposed.
Timeline for Development	The applicant would like to construct the dwelling units as soon as possible.

Planning Conclusions:

In considering the foregoing, staff are supportive of the proposed Zoning By-law Amendment. Staff is of the opinion that the subject application is consistent with policies of the Provincial Policy Statement, conforms to Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan and represents good planning. Staff recommends that the application be approved. The proposed application represents an opportunity to provide 'missing middle' housing that addresses a need in our community.

STRATEGIC PLAN ALIGNMENT:

The recommendation of this report supports the achievement of the City's strategic vision through the delivery of core service.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this recommendation.

Bill 109, More Homes for Everyone Act, 2022 introduced a requirement for a municipality to refund planning application fees if a decision is not made within a prescribed timeframe. Decisions on Zoning By-law Amendments are required within 90 days to retain planning application fees, effective January 1, 2023. Planning Staff are recommending that a Special Council meeting be held on April 24, 2023 following the Planning and Strategic Initiatives Meeting to make a decision on this application. If the decision is made by Council on May 8, 2023 at the next regularly scheduled Kitchener Council Meeting, the Planning Division must issue an application fee refund of \$12,800.00, being 50% of the \$25,600 Major Zoning By-law Amendment Application fee. The Planning Division does not have a funding source or budget for refunding planning application fees.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the Council / Committee meeting. A large billboard notice sign was posted on the property and information regarding the application was posted to the City's website. A postcard was mailed to all property owners and residents within 240 metres regarding this application. Following the initial

circulation referenced below, an additional courtesy notice of the statutory public meeting was circulated to all property owners and residents within 240 metres of the subject lands and Notice of the Public Meeting was posted in the Waterloo Region Record on March 31, 2023 (a copy of the Notice may be found in Attachment 'B').

CONSULT – The proposed Zoning By-law Amendment was originally circulated to property owners and residents within 240 metres of the subject lands on February 7, 2023. In response to this circulation, staff received one written response, which is included in Attachment 'D'. A Neighbourhood Meeting was held on March 9, 2023 and attended by approximately 3 members of the public and no questions were asked.

PREVIOUS REPORTS/AUTHORITIES:

- Zoning By-law 85-1
- Official Plan, 2014
- Regional Official Plan, 2010
- Provincial Policy Statement, 2020
- Planning Act, 1990
- A Place to Grow Growth Plan, 2020

REVIEWED BY: Malone-Wright, Tina – Interim Manager of Development Review, Planning Division

APPROVED BY: Justin Readman - General Manager, Development Services

ATTACHMENTS:

Attachment A – Proposed Zoning By-law and Map No. 1
Attachment B – Newspaper Notice
Attachment C – Department & Agency Comments
Attachment D – Resident Comments