

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: May 8, 2023

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

PREPARED BY: Andrew Pinnell, Senior Planner, 519-741-2200 ext. 7668

WARD INVOLVED: 1

DATE OF REPORT: April 19, 2023

REPORT NO.: DSD-2023-198

SUBJECT: Zoning By-law Amendment Application ZBA22/011/N/AP
Draft Plan of Condominium Application 30CDM-22208
67 & 71 Nelson Avenue and portion of the undeveloped Tagge
Street right-of-way
2415274 Ontario Inc.

RECOMMENDATION:

- That Zoning By-law Amendment Application ZBA22/011/N/AP for 67 & 71 Nelson Avenue be approved in the form shown in the Proposed By-law and Map No. 1, attached to Report DSD-2023-193 as Attachment A; and
- That the City of Kitchener, pursuant to Section 51(31) of the Planning Act R.S.O. 1990, c.P.13, as amended, and By-law 2005-170 as amended by By-law 2007-042, hereby grants draft approval to Condominium Application 30CDM-22208 for 67 & 71 Nelson Avenue and a portion of the undeveloped Tagge Street right-of-way, in the City of Kitchener, subject to the conditions shown in Attachment B.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide planning recommendations regarding the Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land) applications requested by 2415274 Ontario Inc. for the subject lands. It is Planning staff's recommendation that the Zoning By-law Amendment be approved, and the Draft Plan of Condominium be draft approved.
- Community engagement included:
 - Circulation of a preliminary notice postcard to owners and occupants within 240m of the subject lands;
 - Installation of notice signs on the lands;
 - Virtual neighbourhood meeting held on September 20, 2022;
 - Postcard advising of the statutory public meeting was circulated to all property owners and occupants within 240 metres of the subject lands, those who responded to the preliminary circulation, and those who attended the neighbourhood meeting; and,
 - Notice of the public meeting was published in The Record on April 14, 2023.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

The owner of the lands, known as 2415274 Ontario Inc., has made application for Draft Plan of Condominium (Vacant Land) for the subject lands, which consist of the lands addressed as 67 & 71 Nelson Avenue and a portion of the undeveloped Tagge Street right-of-way that the applicant is requesting to purchase from the City via a separate process. The condominium comprises 23 vacant land condominium units, each of which is planned to contain a future single detached dwelling with an attached garage. Units (lots) range between 224 square metres and 374 square metres in area, while lot widths range between 9.0 metres and 13.3 metres. Each unit is wide enough to accommodate a single detached dwelling with an attached garage. Proposed common elements of the condominium include a private driveway, landscaped areas, and a narrow parcel of land to be used for a noise wall. The owner is also requesting a Zoning By-law Amendment to facilitate the proposal. A holding provision is recommended to prohibit development until a stationary noise study is completed to the satisfaction of the Region. Planning staff recommends approval of the applications.

BACKGROUND:

The owner of the lands, known as 2415274 Ontario Inc., has made application for Draft Plan of Condominium and Zoning By-law Amendment for the subject lands, which consist of the lands addressed as 67 & 71 Nelson Avenue and a portion of the undeveloped Tagge Street right-of-way that the applicant is requesting to purchase from the City (the disposition of these lands is not the subject of this report). These applications would facilitate the redevelopment of the lands with 23 vacant land condominium units for single detached dwellings (details found in the Report section).

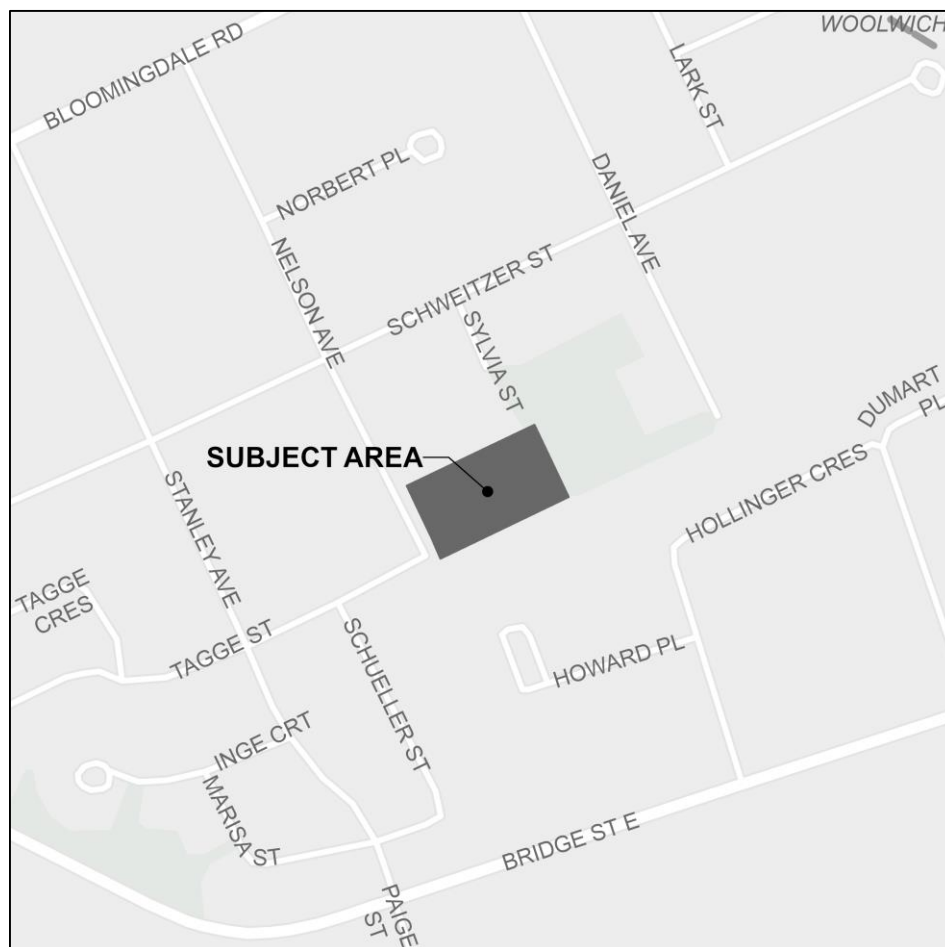


Figure 1 – Subject Lands comprised of 67 & 71 Nelson Avenue and a portion of the undeveloped Tagge Street right-of-way

The subject lands are designated Low Rise Residential on Map 3 – Land Use within the 2014 Official Plan and are identified as Community Areas on Map 2 – Urban Structure. The lands are presently zoned Residential Three Zone (R-3) under By-law 85-1. Applicable highlights of the current zoning permissions are as follows:

- Permitted uses include Additional Dwelling Unit (Detached), Duplex Dwelling, Home Business, Private Home Daycare, Residential Care Facility, and Single Detached Dwelling.
- Single detached dwellings are subject to the following regulations:
 - Minimum lot area of 411 square metres;
 - Minimum lot width of 13.7 metres;
 - Minimum corner lot width of 15.0 metres;
 - Minimum front yard and minimum side yard abutting a street of 4.5 metres, except no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.

The subject lands are located northeast of the intersection Nelson Avenue and Tagge Street, in the Bridgeport East Planning Community. The lands have approximately 62 metres of frontage on Nelson Avenue and are 0.8 hectares (2 acres) in area. The lands also have approximately 20 metres of frontage at the terminus of Sylvia Street. The lands presently contain a single detached dwelling on 67 Nelson Avenue and a single detached dwelling on 71 Nelson Avenue.

The surrounding residential neighbourhood to the north and west is composed of low rise residential land uses, mainly single detached dwellings. Lots within this neighbourhood vary greatly in size and shape. Also, dwellings in this area vary greatly in built form and date of construction. Sylvia Park abuts the subject lands to the east.

Although the travelled portion of Tagge Street terminates at the intersection with Nelson Avenue (directly in front of the subject lands), the undeveloped Tagge Street right-of-way abuts the subject lands to the south, extending eastward approximately 450 metres to the Croatian Roman Catholic Church. The lands south of Tagge Street comprise Bridgeport Industrial Park East, which is accessed via Hollinger Crescent (off Bridge Street). Currently, pedestrian access to Sylvia Park is achieved by walking south along Sylvia Street. Alternatively, pedestrians may walk along the undeveloped Tagge Street right-of-way (not a formal City trail) to access the park.

A Site Plan Application was circulated to City departments and agencies in June 2022 (Application SP22/103/N/AP). At the July 20, 2022 Site Plan Review Committee (SPRC), Site Plan Approval in Principle was not granted, pending the outcome of the aforementioned, necessary land disposition decisions and necessity of a Zoning By-law Amendment. Since that time, the Site Plan has been revised to address the SPRC comments and remains under review, pending decision on the sale of the portion of Tagge Street (see Figure 2). A conceptual site plan rendering is included as Figure 3 and the most updated version of the site plan (under review) is included as Figure 4. The plans show 23 single detached dwellings served by a private driveway, as well as common areas for snow storage, utilities, landscaping, etc. A future City trail is also shown south of the subject lands which would facilitate access to Sylvia Park (would be developed through a separate process).



Figure 2 – Plan showing the proposed sale of a portion of the undeveloped portion of Tagge Street, proposed easement for noise wall, and proposed trail connection



Figure 3 – Conceptual Site Plan Rendering

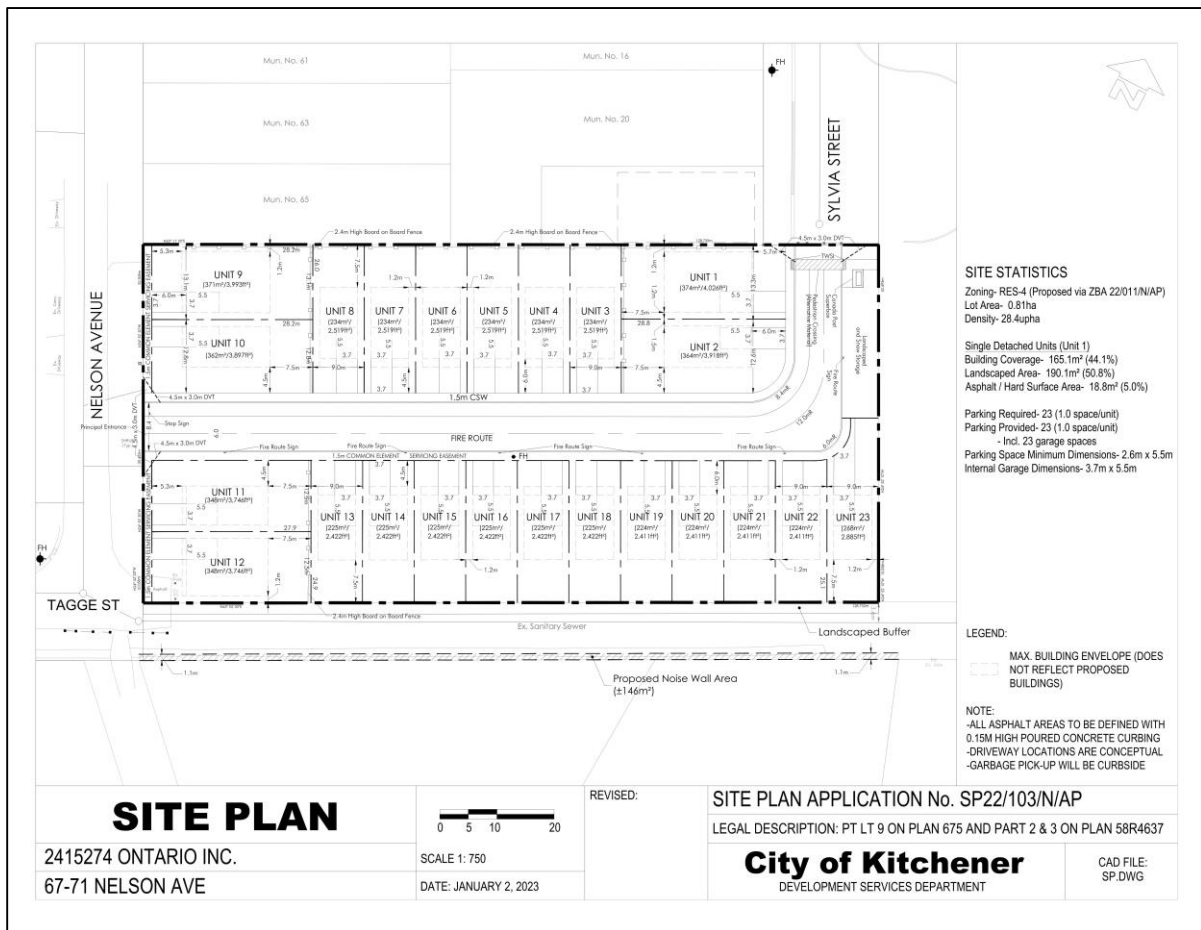


Figure 4 – Site Plan drawing (under review)

REPORT:

The owner is requesting Draft Approval of Vacant Land Condominium (VLC) to facilitate a redevelopment concept consisting of single detached dwellings fronting on a private driveway that extends between the current terminus of Sylvia Street and Nelson Avenue (see Figure 5).

Specifically, the VLC comprises 23 vacant land condominium units (total of 0.608 hectares), each of which is planned to contain a future single detached dwelling. Units (lots) range between 224 square metres and 374 square metres in area, while lot widths range between 9.0 metres and 13.3 metres. Each unit is wide enough to accommodate a single detached dwelling with an attached garage.

Proposed common elements of the condominium comprise 0.213 hectares and include:

- A private driveway, including space for:
 - “On-street” parking on the north side,
 - A 1.5 metre wide sidewalk along the north side, and
 - A pedestrian crossing.
- Landscaped areas, including space for:
 - Snow storage abutting Sylvia Park,
 - A Canada Post centralized mailbox adjacent to the connection to Sylvia Street, and
 - 1.5 metre wide servicing easements, for utilities and plantings, located between Nelson Avenue and abutting units, and along the south side of the private driveway.
- A 1.1-metre-wide by 130-metre-long parcel of land abutting the industrial lands to the south. This common element of the condominium is not contiguous with the land to be developed for residential purposes and would be used for the construction of a noise wall. The parcel

would continue to be owned by the City and would be made subject to an easement in favour of the owner / future condominium corporation. The future noise wall would mitigate noise generated by the adjacent industrial lands. The long-term maintenance and all cost associated with the noise wall would be the responsibility of the condominium corporation.

The land parcel located between the subject lands and the aforementioned noise wall parcel is not subject to the proposed draft plan of condominium, contains a City-owned sanitary sewer, and is proposed to be retained by the City for future trail purposes.

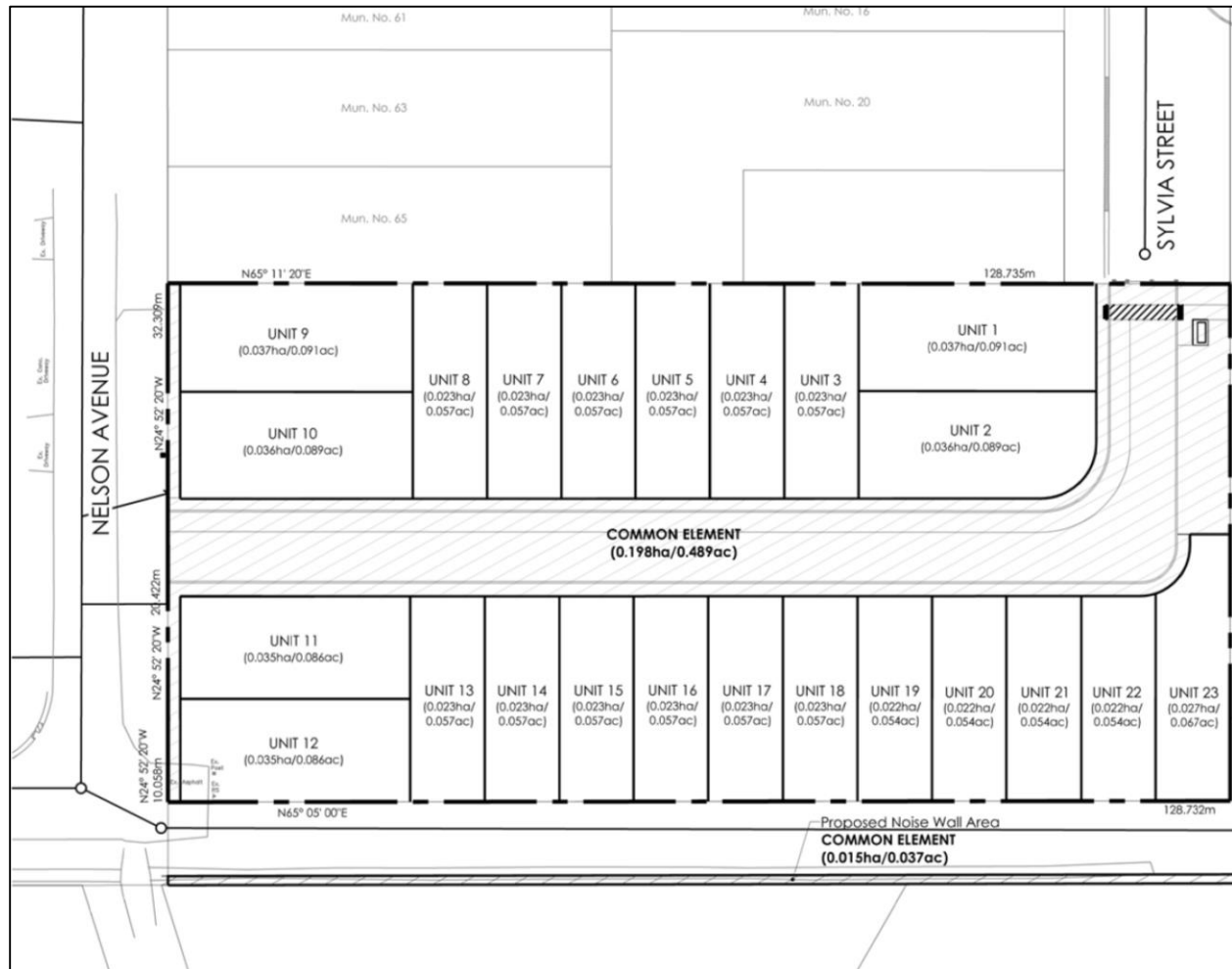


Figure 5 – Draft Plan of Condominium (Vacant Land)

A recommended Draft Plan of Condominium condition would require that Site Plan Application SP22/103/N/AP receive final Site Plan Approval, prior to condominium registration. Also, prior to the registration, the land transactions related to the sale of an undeveloped portion of the Tagge Street right-of-way and the establishment of an easement on City lands for a noise wall shall be complete. The disposition of these lands will occur through a separate process. It must be noted that City Council has the ultimate authority regarding whether to sell the lands and the sale price. The Draft Plan, as outlined in this report, cannot proceed if Council denies sale of the lands.

Planning staff recommends that the draft approval be granted to the Draft Plan of Condominium Application. In addition, the applicant is also requesting a Zoning By-law Amendment (ZBA) to facilitate the Draft Plan of Condominium. The ZBA is discussed in the below Planning Analysis.

Planning Analysis:

Provincial Policy Statement, 2020:

The Provincial Policy Statement (PPS) sets the policy foundation for regulating the development and use of land. The PPS promotes building healthy, liveable and safe communities, the efficient development of lands and provision of a range of housing types and densities. Planning staff is of the opinion that the requested applications are consistent with the policies and intent of the PPS.

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

The subject lands are within the 'Built-Up Area' as defined by the 2020 Growth Plan for the Greater Golden Horseshoe. The Growth Plan promotes development that contributes to complete communities, creates street configurations that support walking, cycling and sustained viability of transit services. The proposal conforms with the policies of the Growth Plan.

Regional Official Plan (ROP):

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 proposal conforms to the policies of this plan. Through the review of the application, the Region of Waterloo has no objections to the proposed Zoning By-law Amendment or Draft Plan of Condominium, subject to application of the aforementioned holding provision and certain conditions of Draft Approval (see Attachment B).

City of Kitchener Official Plan:

Urban Structure

The subject lands are located within the Community Areas in the City's Urban Structure (Map 2 of the Official Plan). The planned function of Community Areas is to provide for residential uses as well as non-residential supporting uses intended to serve the immediate residential areas. Per Policy 3.C.2.52 limited intensification may be permitted within Community Areas in accordance with the applicable land use designation on Map 3 and the Urban Design Policies in Section 11. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context.

Planning staff is of the opinion that the proposed development is sensitive to and compatible with the character, form, and planned function of the surrounding context. The proposal would facilitate single detached dwellings which are the predominant land use in the area, while allowing for compatible intensification. The proposed condominium units are smaller than most other lots within the area created through previous subdivision approvals. However, the location of the subject lands on the periphery of the residential neighbourhood creates an appropriate transition from the existing neighbourhood to the adjacent industrial area. Also, the built form of the dwellings is compatible with the surrounding neighbourhood, noting that there is great variety in the building form and construction dates of existing dwellings in the neighbourhood.

Land Use Designation

The subject lands are designated Low Rise Residential in the 2014 Official Plan. The Low Rise Residential land use designation permits a full range of low density housing types which may include single detached dwellings, semi-detached dwellings, street townhouse dwellings, and low-rise multiple dwellings. The Low Rise Residential land use designation considers a Floor Space Ratio up to 0.75 and allows a maximum building height of 3 storeys or 11 metres.

The condominium units and proposed development conforms to the Low Rise Residential policies. Floor Space Ratio is not a consideration for single detached dwellings. However, it should be noted that the dwellings outlines shown on the Draft Plan of Condominium comply with the requested RES-4 Zone with respect to lot coverage. Building heights are expected to be 3 storeys or less.

It should be noted that an Official Plan Amendment is not required to facilitate the proposal.

Policy Conclusion:

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

Proposed Zoning By-law Amendment:

Similar to other areas in the City subject to Secondary Plans in the Official Plan, and for lands within Major Transit Station Areas, the Bridgeport East area was not comprehensively rezoned via Stage 2B of the City's Comprehensive Review of the Zoning By-law (CRoZBy). Accordingly, Bridgeport East remains under Zoning By-law 85-1 and will be comprehensively rezoned through a future planning exercise.

In the meantime, to facilitate the VLC, the applicant has requested a Zoning By-law Amendment (ZBA) to change the zoning of the subject lands from Residential Three Zone (R-3) under By-law 85-1 to Low Rise Residential Four Zone (RES-4) with Site Specific Provision (365) and Holding Provision (45H) under By-law 2019-051. This approach tailors the zoning to the proposed development concept. A comparison of the current, proposed base zoning, and requested Site Specific Provision is included below:

	Current R-3 Zone (By-law 85-1)	Base RES-4 Zone (By-law 2019-051)	Site Specific Provision (365)
Minimum Lot Area	411 square metres	235 square metres	224 square metres
Minimum Lot Width	13.7 metres	9.0 metres	Same as RES-4
Minimum Corner Lot Width	15.0 metres	12.8 metres	12.5 metres
Minimum Front Yard	4.5 metres	Average of the front yards of the abutting lots minus one metre	4.5 metres for any dwelling not directly abutting Nelson Ave, provided that no part of any building used to accommodate off street parking shall be located closer than 6.0 metres to the street line; 6.0 metres for any dwelling directly fronting Nelson Avenue.
Maximum Front Yard	N/A	Average of the front yards of the abutting lots plus one metre	Not required
Minimum Side Yard	1.2 metres	1.2 metres	Same as RES-4
Minimum Rear Yard	7.5 metres	7.5 metres	Same as RES-4
Maximum Building Height	10.5 metres	11.0 metres	Same as RES-4
Maximum Lot Coverage	Total: 55%, Habitable: 45%	55%	Same as RES-4
Minimum Parking for Single Detached Dwelling	1 space per dwelling unit (Section 6)	1 space per dwelling unit (Section 5)	Same as RES-4

Also, because of the unique “lot” orientation of Unit 23 and its connection to a curve in the common driveway, a typical driveway leading to a future single detached dwelling would not comply with the parking regulations. Accordingly, a Site Specific Provision is requested to ensure a typical driveway can be constructed [Provision f)].

Furthermore, Section 4.4.2 of Zoning By-law 2019-051 will apply and will require *units* within the Vacant Land Condominium to comply with all zoning regulations that apply to single detached dwellings on *lots* created by plan of subdivision. This general regulation of the Zoning By-law ensures future unit owners redevelop or modify their homes in accordance with the vision and policies of the City’s Official Plan.

Holding Provision (45H)

As a result of the nearby industrial operations, as part of the application submission, the applicant submitted a Stationary Noise Impact Study, prepared by GHD Consulting. The Region reviewed this study and advised that the consultant assessed the cumulative impact of all noise sources on the proposed development. The stationary noise exceeds the noise level limits of the Province by 3 decibels for daytime and 1 decibel for nighttime. The consultant recommended a 1.8 metre high noise wall (approximately 132.77 metres in length) along the southern property line of the City-owned lands (lands directly adjacent to the industrial land uses) to address stationary noise concerns. The Region advises that this exceedance is not acceptable and the exceedance and any required noise mitigation measures must be addressed to the satisfaction of the Region. This may be done by increasing the height of the proposed noise wall or including a berm and wall combination to reduce the exceedances.

Accordingly, Regional staff require the implementation of a holding provision to obtain an updated stationary noise study that provides adequate mitigation for the cumulative impact of the stationary noise sources on the proposed sensitive development.

In this regard, Holding Provision (45H) is requested to apply to the entirety of the subject lands to prohibit all permitted land uses until such time as a Stationary Noise Study has been completed and implementation measures have been addressed to the satisfaction of the Regional Municipality of Waterloo and this holding provision has been removed by by-law.

Planning staff recommends that the ZBA be approved as shown in Attachment A.

Department and Agency Comments:

Preliminary circulation of the Zoning By-law Amendment and the Draft Plan of Condominium (Vacant Land) was undertaken in June 2022 to applicable City departments and other review authorities. All concerns were satisfactorily addressed through the application review. At the request of the Region, Planning staff is recommending a holding provision to prohibit development until such time as a Stationary Noise Study has been completed and implementation measures have been addressed to the satisfaction of the Region. A consolidation of Department and Agency comments has been included as Attachment D.

The following reports and studies were considered as part of this proposed Zoning By-law Amendment and Draft Plan of Condominium:

- Draft Plan of Vacant Land Condominium
Prepared by: MHBC Planning, March 30, 2023
- Site Plan Drawing
Prepared by: MHBC Planning, January 2, 2023

- Parking Plan
Prepared by: MHBC Planning, January 2, 2023
- Truck Turning Plan
Prepared by: MHBC Planning, January 2, 2023
- Urban Design Brief
Prepared by: MHBC Planning, April 2022 (Updated January 2023)
- Sustainability Statement
Prepared by: MHBC Planning, January 23, 2023
- Functional Servicing and Preliminary Stormwater Management Report
Prepared by: MTE Consultants Inc., December 17, 2021
- Geotechnical Investigation Report
Prepared by: MTE Consultants Inc., September 28, 2021
- Salt Management Plan
Prepared by: MTE Consultants Inc., December 17, 2021
- Transportation Impact Brief
Prepared by: Paradigm Transportation Solution, October 28, 2021
- Tree Inventory, Protection, and Removals Plan
Prepared by: MHBC Planning, November 12, 2021
- Stationary Noise Impact Study
GHD Consulting, October 26, 2021
- Scoped Planning Justification Report
Prepared by: MHBC Planning, January 2022

Community Input & Staff Responses

WHAT WE HEARD



280 households (occupants and property owners) were circulated and notified



Approximately 13 people/households provided comments



A City-led Neighbourhood Meeting was held on September 20, 2022 and approximately 12 people logged on

In response to community circulation related to the proposed applications, Planning staff received written responses from 13 households. These are found in Attachment E. A summary of what staff heard from the community regarding the proposal, along with staff responses, are noted below:

What Staff Heard from the Community	Staff Response
<p><u>Traffic and Parking Concerns:</u></p> <ul style="list-style-type: none"> • Concern that parking and traffic congestion will worsen in Bridgeport, especially on dead-end streets (Nelson Ave & Sylvia St). • Concern that new developments in Bridgeport will generate more traffic and congestion. • Concern that insufficient parking for proposed development will overflow vehicles onto Sylvia and Nelson. 	<p>The City's Transportation Services (TS) staff reviewed the Transportation Impact Brief (October 28, 2021) submitted by Paradigm Transportation Solutions and supports its conclusions. TS also advises that:</p> <ul style="list-style-type: none"> • Transportation Services is of the opinion that the estimated traffic generated by this development will have minimal impact on the surrounding road network. • Under existing traffic operations, the intersection of Sylvia Street at Schweitzer Street is functioning in the AM and PM peak hours with acceptable levels of service and operate within capacity. • The vehicle trips expected to be generated as a result of the proposed development are as follows (based on the Institute of Transportation Engineers Trip General Manual): <ul style="list-style-type: none"> ○ Site traffic estimated during AM peak hour: 21 vehicles (enter 5/exit 16). This results in 1 vehicle every 2 minutes 51 seconds. ○ Site traffic estimated during PM peak hour: 25 vehicles (enter 16/exit 9). This results in 1 vehicle every 2 minutes 24 seconds. • Sufficient parking is proposed supplied for tenants and visitors. [Planning staff also notes that each dwelling will have an attached garage and the proposed private, common element driveway provides sufficient space for "on-street" parking spaces]. <p>Regarding the community concerns regarding traffic in the larger neighbourhood of Bridgeport, Transportation Services has provided the following information (compiled from multiple stakeholders, including the Region):</p> <ul style="list-style-type: none"> • As per Regional staff the current levels of service at the Bridge St/Lancaster St roundabout are generally acceptable. There is some queueing that is occurring on Lancaster Street between Bridge Street and Bridgeport Road in the PM peak caused by the interaction of the traffic signal at Bridgeport Road and the roundabout, and higher volumes of vehicle commuters. • Based on the Region's growth model, the level of service at the roundabout in the peak hours is expected to remain the same or deteriorate slightly. • There are capacity constraints that prevent increasing vehicle capacity at the roundabout on all three legs that limit the amount of traffic that can access the roundabout. There have been several Environmental Assessments that have occurred on all three legs of

	<p>the roundabout to consider road widenings. The results of these studies have consistently shown the impact was too great to the natural, social and economic environments to widen either Lancaster Street or Bridge Street (including the consideration of a new bridge to twin the existing Bridgeport Bridge). When the Bridgeport Bridge area Environmental Assessment was undertaken many options were considered. The preferred option was to rehabilitate the exiting historical bridge structure and add the roundabout due to significant natural, social and economic impacts of the alternatives.</p> <ul style="list-style-type: none"> • There are no plans to modify the roundabout to increase vehicle traffic capacity given engineering constraints identified through the Environmental Assessments. There is no technical, financial, or environmentally sustainable way to accommodate more capacity at this location, except by significantly increasing the modal share of non-auto trips. The Region's long-term plan is to increase the person carrying capacity of its transportation network by improving transit service (for medium and longer distance trips), the cycling network (for short and medium distance trips), and walking (for short trips). There are plans in the area to improve the cycling infrastructure to Triple A facilities (All Ages and Abilities) along Bridgeport Road and Erb Street (from Uptown Waterloo to Lancaster Street) and along Lancaster Street (south of Bridgeport Road). • With the new Highway 7, volumes at the roundabout are expected to be reduced in the future as this is a known alternative for auto trips to and from the Guelph area. The Province has been moving forward with purchasing land and design. In the spring of 2023 MTO is planning to commence the design build process to widen the Frederick Street bridge to accommodate new highway interchange ramps. This is one of the last major infrastructure projects to be undertaken before mainline construction can occur for the new Highway 7. While full funding is not identified in the Provincial Highway Programs at this time, the Province has continued to be committed to moving new Highway 7 along to construction.
<p><u>Neighbourhood Character Concerns:</u></p> <ul style="list-style-type: none"> • Concern that proposed development will change existing neighbourhood character. • Concern that proposed development will not match existing low density neighbourhood character. 	<p>The proposal would facilitate the development of single detached dwellings which are the predominant land use in the surrounding neighbourhood. While the lot area and width of the vacant condominium units ("lots") are smaller than many lots in the area, there entire streets in the immediate area that comprise lots that are of a similar size (e.g., Schueller St, Daniel Ave., and Stanley Ave south of Tagge St).</p> <p>Also, the location of the subject lands is on the periphery of the low rise residential area, noting the lands are adjacent to Bridgeport Industrial Park.</p>

	<p>Policy 4.C.1.22. of the Official Plan states that “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.” In this case, a new and innovative approach to providing housing is proposed for the area: constructing single detached dwellings on units within a vacant land condominium, on a common element road. The proposal is consistent with this policy.</p> <p>Lastly, the built-form and date of construction within this area is highly varied and there does not appear to be a consistent neighbourhood character. The proposed development will not alter the varied character of the area.</p>
<p><u>Neighbourhood Safety Concerns:</u></p> <ul style="list-style-type: none"> • Concern that “Low-income housing” will create safety issues and increase crime. • Concern that lack of sidewalks and bike lanes in Bridgeport neighbourhood will create safety conflicts between pedestrians and increased traffic. • Concern that increased traffic and street parking will impede access to emergency services. 	<p>Policy 4.1.1. of the Official Plan states than an objective of the City 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.” As aforementioned the proposal will increase housing choice within the Bridgeport area.</p> <p>Transportation Services staff has advised that they have no concerns with the proposed development from a safety perspective and no emergency services concerns have been flagged.</p>
<p><u>Availability of Amenities:</u></p> <ul style="list-style-type: none"> • Concern that residents of proposed development will overcrowd Sylvia Park and push out existing community. • Concern of costs associated with local schools having to expand to accommodate residents of new developments in Bridgeport. 	<p>The City’s Places and Spaces Report states that, “Bridgeport East is well above the city-wide average for local park provision (25.4 sq.m. per person) through 5 local parks - Schaefer (1), Sylvia (2), Marisa (3), Paige (4) and Tyson Park (5). The parks are well distributed through the community, though do offer similar recreational features (3 of the 5 contain playgrounds and trails, no other infrastructure present). Within the community are 2 additional City park facilities in Joe Thompson Sportsfield and Bridgeport Sportsfields (6). The ball diamonds and soccer fields are highly programmed and isolated from the community by Bridge St E., but are open to the public during non-active times. The parks do feature a raised pathway on the Grand River levee offering a unique vista of the river, adding value to community use. Conclusion: The community is well serviced for park and recreation service delivery. There is no long term need to consider park acquisitions or expansions. Improvements to the infrastructure within the parks should be prioritized based on asset management or other initiatives.” In this regard, Planning staff is not concerned about potential overcrowding of Sylvia Park.</p>

	<p>In addition, it is proposed that as part of the sale of the a portion of the Tagge Street lands that the owner would enter into a developer-build agreement with the City to construct a formal, public trail along the undeveloped Tagge Street right-of-way, south of the subject lands. This would provide greater access to Sylvia Park.</p> <p>A transit shelter for GRT Route #5 (local bus route) is located near the intersection of Nelson Ave/Schweitzer St, approximately 150 metres from the subject lands.</p> <p>The public and Catholic school boards have not raised any concerns about school accommodation / capacity within this area as a result of the proposed development.</p>
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Planning Conclusions

In considering the foregoing, Planning staff supports the Draft Plan of Condominium (Vacant Land) and associated Zoning By-law Amendment. Staff is of the opinion that the subject applications are consistent with policies of the Provincial Policy Statement (2020), conform to Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan and represent good planning. Staff recommends that the applications be approved.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the Council / Committee meeting. Two large notice signs were posted on the subject lands and information regarding the applications was posted to the City's website in June 2022. Following the initial circulation referenced below, an additional postcard advising of the statutory public meeting was circulated to all residents and property owners within 240 metres of the subject lands, those who responded to the preliminary circulation, and those who attended the Virtual Neighbourhood Meeting on September 20, 2022. Notice of the Statutory Public Meeting was also posted in The Record on April 14, 2023 (see Attachment C).

CONSULT – The applications were circulated to occupants and property owners within 240 metres of the subject lands in June 2022. In response to this circulation, staff received written responses from 13 households, which are summarized as part of this staff report.

PREVIOUS REPORTS/AUTHORITIES:

- Planning Act, R.S.O. 1990, c. P.13
- Growth Plan, 2020
- Provincial Policy Statement, 2020
- Regional Official Plan

- City of Kitchener Official Plan, 2014
- City of Kitchener Zoning By-law 2019-051
- City of Kitchener Zoning By-law 85-1

APPROVED BY: Justin Readman - General Manager, Development Services

ATTACHMENTS:

- Attachment A – Proposed Zoning By-law Amendment
- Attachment B – Recommended Conditions of Draft Plan of Condominium Approval and Draft Plan of Condominium
- Attachment C – Newspaper Notice
- Attachment D – Department and Agency Comments
- Attachment E – Community Comments