



July 26, 2023

Committee of Adjustment

via email

City of Kitchener
200 King Street West
Kitchener ON, N2G 4V6
CofA@kitchener.ca

Re: **Minor Variance and Consent Applications**
A 2023-102, A 2023-103, B 2023-032 and B 2023-033
485 and 495 Huron Road, Kitchener
MHBC Planning/Activa Holdings Inc.

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted applications for minor variances and consents in support of the construction of a residential and a commercial development.

Recommendation

Based on our review of the materials provided, we have no concerns with the approval of the above-noted applications.

Documents Reviewed by Staff

Staff have reviewed the following documents submitted with this application:

- Letters from MHBC to Garrett Stevenson, City of Kitchener related to minor variance applications for 485 and 495 Huron Road, both dated June 2, 2023 including attachments
- Letters from MHBC to Garrett Stevenson, City of Kitchener related to consent applications for 485 and 495 Huron Road, both dated June 29, 2023 including attachments
- Severance sketch, prepared by MHBC, dated June 2023

GRCA Comments

GRCA has reviewed the applications under the Mandatory Programs and Services Regulation (O.R. 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a regulatory authority under Ontario Regulation 150/06 and as a public body under the *Planning Act* as per our CA Board approved policies.

Information currently available at our office indicates that the lands the subject lands contain/are adjacent to the Strasburg Creek Provincially Significant Wetland Complex. The subject lands also contain slope erosion hazard and floodplain of Strasburg Creek. As such, GRCA regulates a portion of the property under Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation). Any future development within the regulated area on both the proposed severed and retained parcels requires the prior

issuance of a permit from GRCA under Ontario Regulation 150/06. Development will not be permitted within the floodplain, slope erosion hazard, its slope setback and the wetland.

The severance sketch (prepared by MHBC, dated June 2023) provided with the applications illustrates the proposed residential and commercial developments. Based on this sketch, there are suitable building envelopes available on each lot for development outside of the floodplain, slope erosion hazard and its setback (as identified through the associated site plan application) and wetland.

Please note, however, GRCA's recommendation of approval for these minor variance and severance applications does not include support for the site plans as attached. We have several outstanding concerns that need to be addressed prior to our recommendation of final approval of the site plan applications and for the issuance of any GRCA permits. We trust that those concerns can be addressed through the site plan process.

For municipal consideration

Please be advised that on January 1, 2023, a new Minister's regulation (Ontario Regulation 596/22: Prescribed Acts – Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the Conservation Authorities Act) came into effect. As a result, non-mandatory technical review services that the GRCA formerly provided under agreement with some municipalities (e.g., technical reviews related to natural heritage and select aspects of stormwater management) will no longer be provided.

Consistent with GRCA's 2023 approved fee schedule, the applications are considered minor consent and minor variance applications and the applicant will be invoiced in the amount of \$465.00 for GRCA's review. The minor fee will be charged since GRCA has invoiced the major fee for the associated site plan applications. A separate fee will be required for GRCA permits on both severed parcels. Refer to our site plan comments for permitting requirements.

Should you have any questions, please contact Chris Foster-Pengelly at cfosterpengelly@grandriver.ca or 519-621-2763 extension 2319.

Sincerely,



Melissa Larion, MCIP, RPP
Supervisor of Resource Planning
Engineering and Planning Services

Attached: GRCA map of property

Copy: Alex Sumner – Activa Holdings Inc., owner (via email)
Pierre Chauvin – MHBC Planning Ltd., applicant (via email)
Rachel Wolff – MHBC Planning Ltd., applicant (via email)
Chris Foster-Pengelly – GRCA (via email)