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**REPORT TO:** Planning and Strategic Initiatives Committee

**DATE OF MEETING:** June 19, 2023

**SUBMITTED BY:** Garrett Stevenson – Interim Director, 519-741-2200 ext. 7070

**PREPARED BY:** Garrett Stevenson – Interim Director, 519-741-2200 ext. 7070

**WARD(S) INVOLVED:** Ward 5

**DATE OF REPORT:** May 23, 2023

**REPORT NO.:** DSD-2023-256

**SUBJECT:** Draft Plan of Subdivision Application 30T-18202  
Official Plan Amendment Application OP18/006/B/GS  
Zoning By-law Amendment ZBA18/007/B/GS  
2079546 Ontario Limited (Mattamy Homes Can)

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## RECOMMENDATION:

That the City of Kitchener, pursuant to Section 51 (31) of the Planning Act R.S.O. 1990, Chapter P 13 as amended, and delegation by-law 2002-64, grant draft approval to Plan of Subdivision Application 30T-18202 in the City of Kitchener, for 2079546 Ontario Limited, subject to the conditions attached to Report DSD-2023-256 as Appendix 'A'; and,

That Official Plan Amendment Application OP18/006/B/GS for 2079546 Ontario Limited requesting a change to the Land Use Designation on the parcels of land specified and illustrated on Schedule 'A', be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2023-256 as Appendix 'B', and accordingly forwarded to the Region of Waterloo for approval; and further,

That Zoning By-law Amendment Application ZBA18/007/B/GS to amend Zoning By-laws 85-1 and 2019-051 for 2079546 Ontario Limited be approved in the form shown in the "Proposed By-law" and "Map No. 1" attached to Report DSD-2022-366 as Appendix 'C'.

## REPORT HIGHLIGHTS:

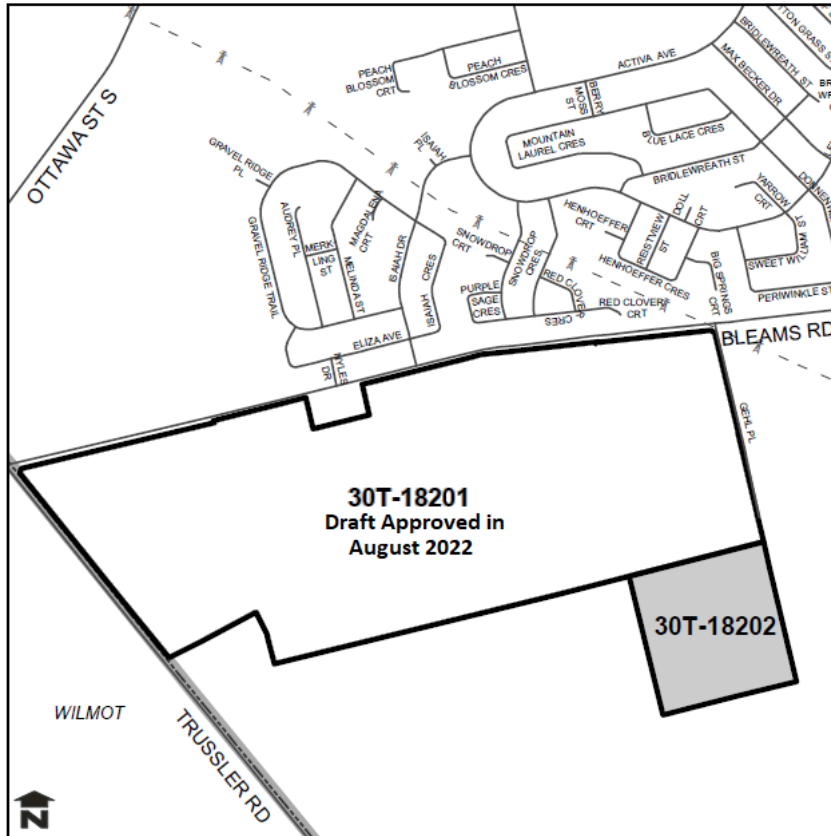
- The purpose of this report is to provide a planning recommendation regarding a Draft Plan of Subdivision, an Official Plan Amendment, and a Zoning By-law Amendment to allow the subject lands to be developed with a residential subdivision which proposes up to 277 dwelling units, an urban green and open space blocks.
- Planning staff recommend approval of the applications subject to the conditions outlined in the report. The development proposal represents good planning and will allow for the completion of the western portion of the Rosenberg community.
- Community engagement included:
  - installation of a notice signs on the property;
  - a notice of application circulation letter to all property owners within 120 metres;
  - discussions with interested members of the public;
  - a notice of the statutory public meeting sent to all property owners within 240 metres; and

- notice of the public meeting was given in The Record on May 26, 2023.
- This report supports the delivery of core services.

**BACKGROUND:**

2079546 Ontario Limited (Mattamy Homes Canada) have requested draft approval of a plan of subdivision approval, approval of an Official Plan Amendment, and approval of a Zoning By-law Amendment and bring the subject lands into the Rosenberg Secondary Plan.

Mattamy Homes Canada also owns lands to the north which were drafted approved by Council in August 2022. Those lands include five parcels totaling 96.21 hectares.



**REPORT:**

The applications seek approval of additional lands which will be development with the adjacent lands to the north. A residential subdivision which includes up to 277 dwelling units, an urban green and open space blocks is proposed.

This plan of subdivision is immediately south of the larger mixed use community which is centered along the future westerly extension of Rosenberg Way, which is a planned street that will extend from Fischer Hallman Road (partially built as part of other communities to the east) to Trussler Road. Non-residential uses, including schools and commercial blocks are within the plan to the north at the intersection of Rosenberg Way and Bandon Drive. The plan to north of the subject lands will feature both school blocks, the neighbourhood park, a large open space storm water management block, a mixed use block, and two of the multiple dwelling blocks.

## **Policy Conformity**

### **Planning Act, R.S.O. 1990, c. P.13 25.**

Section 2 of the Planning Act establishes matters of provincial interest and states that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as:

- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) The minimization of waste;
- h) The orderly development of safe and healthy communities;
- j) The adequate provision of a full range of housing, including affordable housing;
- k) The adequate provision of employment opportunities;
- p) The appropriate location of growth and development;
- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- 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;
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

These matters of provincial interest are addressed and are implemented through the Provincial Policy Statement, 2020, as it directs how and where development is to occur. The City's Official Plan is the most important vehicle for the implementation of the Provincial Policy Statement, 2020 and to ensure Provincial policy is adhered to.

### **Provincial Policy Statement (PPS)**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets out principles to achieve "healthy, liveable and safe communities". The PPS is supportive of efficient development patterns that optimize the use of land, resources, and public investment in infrastructure and public service facilities. Further, the PPS directs the development of new housing to locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs and promotes densities for new housing which efficiently uses land, resources, infrastructure, and public service facilities.

Section 3(5) of the Planning Act requires that a decision of the council of a municipality shall be consistent with the policy statement that are in effect on the date of decision and shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.

The PPS focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing,

including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel.

Policy 1.1.1 of the PPS states that, “Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- e) promoting 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;
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.”

Policy 1.1.2 requires that sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines.

The PPS notes that settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets, and policy 1.1.3.1 states that settlement areas shall be the focus of growth and development. Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which;

- a) efficiently use land and resources; and
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion.

Further, policy 1.1.3.2 states that land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated. Policy 1.1.3.3 requires that Planning authorities (such as the City of Kitchener) shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The proposed draft plan of subdivision, Official Plan Amendment, and Zoning By-law Amendment applications represent the final phase of a larger planned development that has been designed with a mix of housing types and densities and introducing new commercial and institutional uses. The proposal makes efficient use of the land through comprehensively planned development and that meet minimum density requirements, thus maximizing the recently constructed infrastructure which was installed to service this area. The plan provides for a range of low rise residential housing types and densities that are in close proximity to the planned Urban Green. Planning staff is of the opinion that the proposed applications are consistent with the PPS.

## **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)**

Part of the Vision of the Greater Golden Horseshoe (GGH) is to ensure municipalities have sufficient housing supply that reflects market demand and what is needed in local communities. Two of the guiding principles of the Growth Plan are to prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability and to support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.

The Growth Plan directs Planning authorities in the Region of Waterloo to plan for a population of 923,000 people and 470,000 jobs by 2051. This would mean a population increase of approximately 299,070 in comparison to the Region's 2020 population of 623,930. The forecasted growth to the 2051 horizon is allocated to each municipality in the Region based on the following considerations: the vast majority of growth will be directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of complete communities. As one of three cities in the Region, it can be expected that Kitchener will be allocated a significant amount of the additional population allocation.

The development of the subject lands are within the City's delineated 'Designated Greenfield Area'. New development taking place in designated greenfield areas must be planned, designated, and zoned in a manner that supports the achievement of complete communities, supports active transportation, and encourages the integration and sustained viability of transit services.

The Growth Plan notes that complete communities should be designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes. Complete communities support quality of life and human health by encouraging the use of active transportation and providing high quality public open space, adequate parkland, opportunities for recreation, and access to local and healthy food. Complete communities support climate change mitigation by increasing the modal share for transit and active transportation and by minimizing land consumption through building compact, mixed-use communities.

The subject lands are located within the City's Designated Greenfield Area, an area within the Settlement Boundary that is designated for growth. Policy 2.2.7.1 states that new development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:

- a) supports the achievement of complete communities;
- b) supports active transportation; and
- c) encourages the integration and sustained viability of transit services.

Policy 2.G.1.2 (Table 4) of the Regional Official Plan (approved as amended in April 2023) requires that the minimum density target applicable to the designated greenfield area for Kitchener is not less than 65 residents and jobs combined per hectare. The minimum density for Kitchener's designated greenfield area, in Kitchener Official Plan policy 3.C.A.A14.a) is 55 residents and jobs combined per hectare.

The proposed density range for this community is a minimum of 53 residents and jobs (not including work from home) combined per hectare based on the total build out of 166 single detached dwellings and a maximum of 62 residents and jobs (not including work from home) combined per hectare based on the total build out of 277 townhouse dwellings.

Up to 277 dwelling units, in a combination of single detached and townhouse dwellings, are planned. The planned density of this development exceeds minimum density targets in the Rosenberg

Secondary Plan. The total density will be determined at the final build out of the lands, depending on the scale and density of the multiple dwelling sites.

Planning staff are of the opinion that the proposed applications conform to the Growth Plan. The lands have been designated to permit residential, open space blocks, and two Urban Greens. The applications propose a variety of low density dwelling types. The planned density is 53-62 residents and jobs combined per hectare.

The Ministry of Municipal Affairs and Housing is currently consulting on proposed policies for an integrated province-wide land use planning policy document, potentially replacing the Provincial Policy Statement and A Place to Grow: Growth plan for the Greater Golden Horseshoe, with a singular Provincial Planning Statement (PPS) which is in draft form and not currently in effect. Minimum greenfield density targets are not contained within the draft PPS.

### **Regional Official Plan**

The subject lands are within the 'Urban Designated Greenfield Area' established in the Regional Official Plan. The build out of the lands will include a combination of single detached dwellings, duplexes, semi-detached dwellings, fronting and live-work townhouses dwellings and the density will be within the range required by the City of Kitchener Official Plan.

In accordance with Regional Official Plan policy 2.G.1.4, Kitchener will establish policies in its Official Plan to ensure that new development within designated greenfield areas is phased in a manner that provides for the logical and orderly progression of development, ensures that the pace, scale and phasing of development is aligned with the delivery of infrastructure and public service facilities in a financially sustainable manner at the Regional and/or City level; and will not adversely affect the achievement of the minimum intensification and density targets.

The ROP policies require new communities to have sidewalks, community trails and bicycle pathways that provide linkages within the neighbourhood and to other neighbourhoods, transit stops, employment areas, school sites, food destinations, and community facilities.

Regional Planning have provided comment on the proposed applications, including subdivision approval conditions, but overall have no objections to the proposed applications.

This future neighbourhood will complete the western portion of the Rosenberg community. The City's Development Manual, coupled with the attached draft approval conditions, will ensure that the lands are appropriately developed to City and Regional standards.

### **Official Plan**

The vision of the City's Official Plan states *"Together we will build an innovative, vibrant, attractive, safe, complete and healthy community contributing to an exceptional quality of life."* A complete community creates and provides access to a mix of land uses including a full range and mix of housing types. A complete community also supports the use of public transit and active transportation, enabling residents to meet most of their daily needs within a short distance of their homes. Planning for a complete community will aid in reducing the cost of infrastructure and servicing, encourage the use of public transit and active modes of transportation, promote social interaction, and foster a sense of community.

### **Housing**

Policy 4.1.1 states a housing 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. Policy 4.C.1.12 notes 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.1.1 states that the City will maintain at all times the ability to accommodate residential growth for a minimum of ten years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development. The proposed land use designations and proposed zoning permit a range of housing options throughout the community.

### Designated Greenfield Area

Policy 3.C.1.14.a) requires that a Designated Greenfield Area must be planned and developed to achieve a minimum average density of 55 residents and jobs combined per hectare on lands not subject to a plan of subdivision application as of June 16, 2006. As per policy 3.C.1.15, the achievement of the average density targets is planned through the development of the Rosenberg Secondary Plan. The proposed density of this community is a minimum of 53-62 residents and jobs combined per hectare based on the total build out of the lands.

### **Rosenberg Secondary Plan**

Community structure elements and land use designations have not been approved for these lands in the Rosenberg Secondary Plan, which is part of the City's Official Plan. Through this application, the subject lands are proposed to be added to the Rosenberg Secondary Plan. These lands are part of a planned complete community where people can walk or cycle to school, shop, and work. This neighbourhood follows the "five minute walk principle" design and has been designed to be connected to the surrounding area, including the communities to the east which are approved and under construction.

### Community Structure

The proposed applications conform to the objectives of the community structure elements in the Rosenberg Secondary Plan. In addition to the centrally located neighbourhood park, an Urban Green is proposed to ensure that public amenities are within a comfortable walk (around 5 minutes) for all residents.

### Parks and Open Space

An Urban Green is planned and required in accordance with the provisions of the Planning Act and the City's Parkland Dedication Policy. The Urban Green will be centrally located generally within the 5 minute walk model.

### Built Form and Streetscapes

A variety of built form typologies are planned for this community, including single detached dwellings, duplexes, semi-detached dwellings, fronting and live-work townhouses. The Urban Green is planned for the gateway intersection and will feature a landscape design that is welcoming.

### Natural Environment

The Rosenberg community is home to a natural heritage system of Core Areas and Non-Core Areas including Provincially Significant Wetlands, Regionally Significant Core Environmental Features, Significant Habitat of Endangered or Threatened Species, Locally Significant Woodlands, Locally Significant Wetlands and Locally Significant Valleylands.

All development is required to implement the recommendations of the Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update (CH2MHILL, 2008), Strasburg Creek Master Watershed Plan (Paragon, 1991) and Implementation Report (City of Kitchener, 1996) and the Middle Strasburg Creek Environmental Implementation Statement (Stanley Consulting, 1997) as well as relevant documentation completed through the Southwest Urban Area Studies: Community Master Plan and Rosenberg Secondary Plan where appropriate.

The Region has confirmed that correspondence from Ministry of Northern Development, Mines, Natural Resources and Forestry (April 4, 2022) indicates the Ministry's acceptance of the status of the wetlands identified as W1, W2 and W4 in the Environmental Impact Study (EIS) as Provincially Significant Wetlands, and as such, these areas are now considered to meet the Regional Official Plan (ROP) criteria for designation as Core Environmental Features.

Further, the Region's Environmental Planner confirmed that Wetland W4 is partially within the limits of Plan 30T-18201. The wetland (W4) is proposed to be protected and a 30 metre buffer has been applied to the wetland which is comprised of a 15 metre 'no touch' area directly adjacent to the wetland, and a 15 metre enhancement area outside of the no touch area. The wetland and the associated buffer also incorporate components of the Blanding's Turtle mitigation plan, which has been approved by the Ministry of the Environment, Conservation and Parks (MECP). Notwithstanding the inclusion of a portion of wetland W4 and associated Blanding's Turtle enhancement within this plan, Regional environmental staff withdraw their objection to this plan proceeding to draft approval based on confirmation from MECP that there are no concerns and/or anticipated mitigation measures required which will impact the proposed draft plan (30T-18201). The wetland identified as "W4" and the associated 30 metre buffer ("Open Space Block 33") located in the northern portion of the subject lands are proposed to be zoned as 'Natural Conservation Zone (NHC-1)' which prohibits development activities.

A portion of the lands within the Grand River Conservation Authority regulated limit. GRCA staff have undertaken a preliminary review of the applications and are supportive of draft approval and have provided draft approvals conditions which has been incorporated in Appendix 'A'. Regional and City Environmental Planning staff have reviewed the proposed plan of subdivision and have no concerns with the proposed applications and have provided draft approval conditions for further review at different stages (prior to grading, prior to registration).

### Cultural Heritage

Draft Plan of Subdivision 30T-18202 has been modified to include lands which are part of a registered archaeological site of cultural heritage value or interest (the "Locus B" Archaeological Site Avoidance and Protection Area, a Portion of Site AiHd-160) for which a Stage 4 Mitigation of Development Impacts is required. The site is currently surrounded by active agricultural fields. Through the draft approval of Plan of Subdivision 30T-18202 and the related Official Plan Amendment and Zoning By-law Amendment applications, appropriate zoning will be applied that would prohibit any development on these lands, including limiting any activities that might alter the archaeological site in any way, either temporarily or permanently such as minor forms of soil disturbance, tree removal, minor landscaping, utilities installation, etc. As an interim measure, draft approval conditions are proposed to require fencing of the site to prevent any soil disturbance with earth moving associated with the subject lands.

### Transportation Choice

Neighbourhoods in Rosenberg are planned to promote walkability, to create efficient and interconnected circulation routes, to achieve transit-supportive development, and to provide for a transportation network that is based on a modified grid pattern with short walkable blocks within 450 metres of transit service.



Rosenberg Way, Bandon Drive, and George Israel Street have (in the plan to the north) all been identified as potential transit routes. As such, all higher density and non-residential uses have been planned to front these streets to provide easy access to the public transportation system. Rosenberg Way is planned as a secondary bike route and primary priority street.

### Servicing and Utilities

All lots will be serviced with municipal sanitary sewers and municipal water servicing in accordance with City standards. Engineering Services staff have confirmed that there is sufficient servicing capacity. Conditions of approval have been included to ensure that services are constructed at the appropriate timeframes.

Comments from the appropriate utility and telecommunications companies are addressed through the draft approval conditions.

### **Kitchener Growth Management Plan (KGMP) 2019-2021**

The subject lands (Parcel 134 on the KGMP Map) are identified as Priority 'B' which supports consideration of development applications and initiatives to be actively worked on with high priority in the coming 2-year timeframe. Priority B applications may require some additional infrastructure. Since the approval of the 2019-2021 KGMP, additional infrastructure has been developed to support the development of these lands including the Middle Strasburg Trunk Sewer and the Strasburg Creek Control Structure (Fisher Hallman Road). The applications were received in 2018 and have been under review and are now being recommended for approval.

### **Proposed Official Plan Amendment**

Planning staff are recommending approval of the Official Plan Amendment to add land use designations and bring the subject lands into the Rosenberg Secondary Plan to implement the proposed draft plan of subdivision. No new land use designations are proposed as part of this application. Lands are proposed to be designated as Low Density Residential 1, Natural Conservation, and Open Space.

### **Proposed Zoning By-law Amendment**

The Zoning By-law Amendment proposes to implement the proposed revised land use designations noted above with corresponding zoning. Planning staff are recommending amending By-law 2019-051 and By-law 85-1 be amended so that all lands are in Zoning By-law 2019-051 and to bring the additional lands into the Rosenberg Secondary Plan. As such, new residential (RES), Natural Conservation (NHC), and Open Space (OSR) zones are proposed. The proposed zoning would permit low rise residential uses, open spaces, and an Urban Green.

Planning staff are recommending the following zoning for the subject lands as follows:

- |                   |   |
|-------------------|---|
| Areas 1, 2, and 3 | Zoned as Low Rise Residential Five Zone (RES-5) with Site Specific Provision (370) to permit low rise residential uses including single detached dwellings, duplexes, semi-detached dwellings, fronting and live-work townhouses, with a maximum height of 12.5 metres. |
| Areas 4 and 5     | Zoned Open Space: Recreation Zone (OSR-1) for the Urban Green and walkway blocks.   |

- Areas 6, 7, and 8      Zoned Natural Conservation (NHC) with Site Specific Provision (370) to prohibit development and protect archaeological features.
- Areas 9 and 10      Zoned Natural Conservation (NHC) to prohibit development and protect natural features.

Staff have considered the proposed zoning categories and are of the opinion that they are appropriate for the proposed subdivision.

### **Department and Agency Comments**

All requirements have been addressed or are included as conditions of approval.

The following Reports and studies were considered as part of this review:

- Urban Design Brief, Sustainability Statement, Trail Corridor Plan  
Prepared By: NAK Design Strategies, May 17, 2018, updated August 16, 2021
- Planning Justification Report  
Prepared By: SGL Planning and Design Inc., July 2018
- Environmental Impact Study  
Prepared By: Natural Resource Solutions Inc., July 2018, updated August 2021
- Geotechnical Investigation  
Prepared By: DS Consultants Ltd., June 12, 2018
- Hydrogeological Assessment  
Prepared By: MTE Consultants Inc., July 6, 2018
- Functional Servicing Study and Plan, Existing Conditions Plan, Preliminary Grading Plan  
Prepared By: MTE Consultants Inc., August 31, 2018, revised November 29, 2019
- Preliminary Stormwater Management Plan, Chloride Impact Study  
Prepared By: MTE Consultants Inc., July 6, 2018, revised November 29, 2019, revised August 31, 2021
- Preliminary Environmental Noise Assessment  
Prepared By: MTE Consultants Inc., July 6, 2018, revised November 19, 2019
- Transportation Impact Study  
Prepared By: Salvini Consulting, July 2018
- Final Materials Management Plan, Technical Memorandum  
Prepared By: MTE Consultants Inc., November 3, 2020
- Stage 3 Site-Specific Assessment Site Aihd-160  
Prepared by ASI, August 21, 2007
- Stage 4 Archaeological Mitigation of Site AiHd-160  
Prepared by ASI, March 18, 2021

## **Community Input**

# WHAT WE HEARD



**192 addresses (occupants and property owners) were circulated and notified**



**4 people/households/businesses provided written comment**

Staff received four comments on the proposed applications. A summary of the comments received are listed below along with Planning staff's response addressing each comment.

### **Bleams Road Widening and Design**

Planning staff received comments and questions about the future design of Bleams Road. Planning staff connected these residents with the Project Manager, Region of Waterloo, for the Bleams Road reconstruction project to have their question addressed. Lands are being dedicated to the Region of Waterloo for the widening of the right-of-way with this application, and the design and reconstruction of Bleams Road is a regional project that is ongoing.

### **Construction Timing**

A resident requested clarification of the timing of the construction of the development and Planning staff provided available information (back in 2018) and advised that construction would commence after the planning phase was nearing completion.

### **Matters Relating to the Adjacent Plan of Subdivision**

Planning staff were advised of ongoing considerations between land developers with the Rosenberg Community with respect to cost sharing, infrastructure design and construction, and integration of different plans of subdivision. Planning staff have worked through applicable issues through the Ontario Land Tribunal approval of the adjacent plan of subdivision. Planning staff are also recommending draft approval conditions for this application which are consistent with the draft approval conditions of recently approved subdivisions within the vicinity.

### **Planning Analysis and Conclusions:**

Planning staff are recommending approval of the attached Draft Plan of Subdivision, draft approval conditions, and the Official Plan Amendment and Zoning By-law Amendment applications. The proposed development completes this section of the Rosenberg Community and will result in a complete mixed-use community. Planning staff have worked to address technical and community concerns and all departmental and agency comments have been addressed or will be addressed through draft approval conditions.

### **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 - Upon registration, there will be ongoing operations costs for the maintenance of the park, walkways, streets, street trees, underground services, and other infrastructure which is being dedicated to the City. In the long term, there will be repair and replacement costs for streets, sidewalks and services. Also, following registration, there will be ongoing revenue in the form of residential property tax revenue. Development Charges will be paid to the City, the Region, and school boards at the time of building permit issuance.

## **COMMUNITY ENGAGEMENT:**

INFORM – This report has been posted to the City’s website with the agenda in advance of the Council / Committee meeting. Notice signs were posted on the property and information regarding the application posted to the City’s website in 2021. Notice of the Public Meeting was posted in The Record on May 26, 2023 (a copy of the Notice may be found in Appendix ‘D’).

CONSULT – The applications were originally circulated to property owners within 120 metres of the subject lands on October 5, 2018. In response to this circulation, staff received four written responses and spoke with all residents who provided comments to address their concerns. Written comments are included in Appendix ‘F’.

## **PREVIOUS REPORTS/AUTHORITIES:**

- *Municipal Act, 2001*
- *Planning Act, R.S.O. 1990, c. P.13*
- *Provincial Policy Statement, 2020*
- *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020*
- *Regional Official Plan, 2010*
- *City of Kitchener Official Plan, 2014*
- *Kitchener Growth Management Strategy*
- *Kitchener Growth Management Plan 2019-2021*
- *Zoning By-laws 85-1 & 2019-051*
- *City of Kitchener Urban Design Manual*

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

**APPROVED BY:** Justin Readman, General Manager, Development Services

## **ATTACHMENTS:**

- Appendix A - Draft Plan and Conditions of Draft Approval
- Appendix B - Proposed Official Plan Amendment
- Appendix C - Proposed Zoning By-law Amendment
- Appendix D - Newspaper Notice
- Appendix E - Department and Agency Comments
- Appendix F - Community Comments