

# Staff Report



Development Services Department

www.kitchener.ca

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

**DATE OF MEETING:** October 30, 2023

**SUBMITTED BY:** Rosa Bustamante, Director of Planning, 519-741-2200 ext. 7319

**PREPARED BY:** Tim Seyler, Senior Planner, 519-741-2200 ext. 7860

**WARD(S) INVOLVED:** Ward 2

**DATE OF REPORT:** October 2, 2023

**REPORT NO.:** DSD-2023-430

**SUBJECT:** Official Plan Amendment Application OPA23/011/W/TS  
Zoning By-law Amendment Application ZBA23/018/W/TS  
20 Woolner Trail  
Waterloo Catholic District School Board

---

## RECOMMENDATION:

That Official Plan Amendment Application OPA23/011/W/TS for the Waterloo Catholic District School Board requesting the addition of Specific Policy Area No. 67 for the lands specified and illustrated as the “Area of Amendment” on Schedules ‘A’ and ‘B’, be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2023-430 as Appendix ‘A’, and accordingly forwarded to the Region of Waterloo for approval; and

That Zoning By-law Amendment Application ZBA23/018/W/TS for the Waterloo Catholic District School Board be approved in the form shown in the ‘Proposed By-law’, and ‘Map No. 1’, attached to Report DSD-2023-430 as Appendix ‘B’.

## REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding the Official Plan Amendment and Zoning By-law Amendment Applications for the subject lands located at 20 Woolner Trail. It is Planning staff’s recommendation that the Official Plan and Zoning By-law Amendment Applications be approved.
- The proposed Amendments support the creation of a Catholic elementary school and secondary school (grades 7-12) in a predominantly residential community within the catchment area (Appendix F) identified by the school board.
- Community engagement included:
  - circulation of a preliminary notice letter to property owners and residents within 240 metres of the subject site;
  - installation of 2 large billboard notice signs on the property;

\*\*\* This information is available in accessible formats upon request. \*\*\*  
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

- follow up one-on-one correspondence with members of the public;
- Neighbourhood Meeting held on August 15, 2023;
- On-site meeting with community members on September 21, 2023;
- postcard advising of the statutory public meeting was circulated to all residents and property owners within 240 metres of the subject site, those who responded to the preliminary circulation; and those who attended the Neighbourhood Meeting;
- notice of the public meeting was published in The Record on October 6, 2023.
- This report supports the delivery of core services.

### **EXECUTIVE SUMMARY:**

The owner of the subject lands, addressed as 20 Woolner Trail, is proposing to change the Official Plan designation from 'Mixed Use' and 'Low Rise Residential' to 'Institutional' with Specific Policy Area No. 67' within the City of Kitchener Official Plan, and to change the zoning from 'Agricultural Zone (A-1)' with Special Use Provision 69U, and Special Regulation Provision 107R in Zoning By-law 85-1 to 'Major Institutional Zone (INS-2)' with Site Specific Provision (381) in Zoning By-law 2019-051 to permit a maximum parking rate of 1 parking space per 77 square metres of gross floor area and to apply Holding Provision 54H to require an updated Noise Study to the satisfaction of the Region of Waterloo. Staff recommends that the applications be approved.

### **BACKGROUND:**

The Waterloo Catholic District School Board has made applications to the City of Kitchener for an Official Plan Amendment and a Zoning By-law Amendment proposing to permit a new Catholic elementary school and secondary school (grades 7-12) on the subject property in a predominantly residential community within the catchment area identified by the school board.

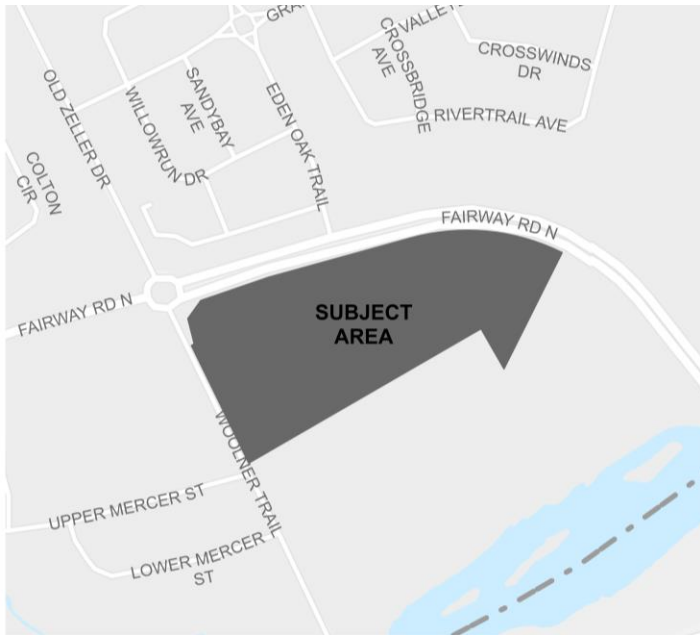
The proposed Official Plan Amendment would add a Site Specific Policy Area No. 67 to permit an Institutional land use designation and a "Major Institutional" use within a Neighbourhood Node within the City's Urban Structure.

The proposed Zoning By-law Amendment would add a new site specific provision (381) to permit an increased parking rate on site for the elementary school and secondary school.

### **SITE CONTEXT:**

The subject property is located at the southeast corner of Fairway Road North and Woolner Trail and the site is currently undeveloped. The site is surrounded primarily by low rise residential uses, in close proximity to the Walter Bean Grand River Trail and Grand River, and the adjacent residential property, municipally addressed as 80 Woolner Trail is a designated property under Part IV of the Ontario Heritage Act and is known as the Woolner Homestead

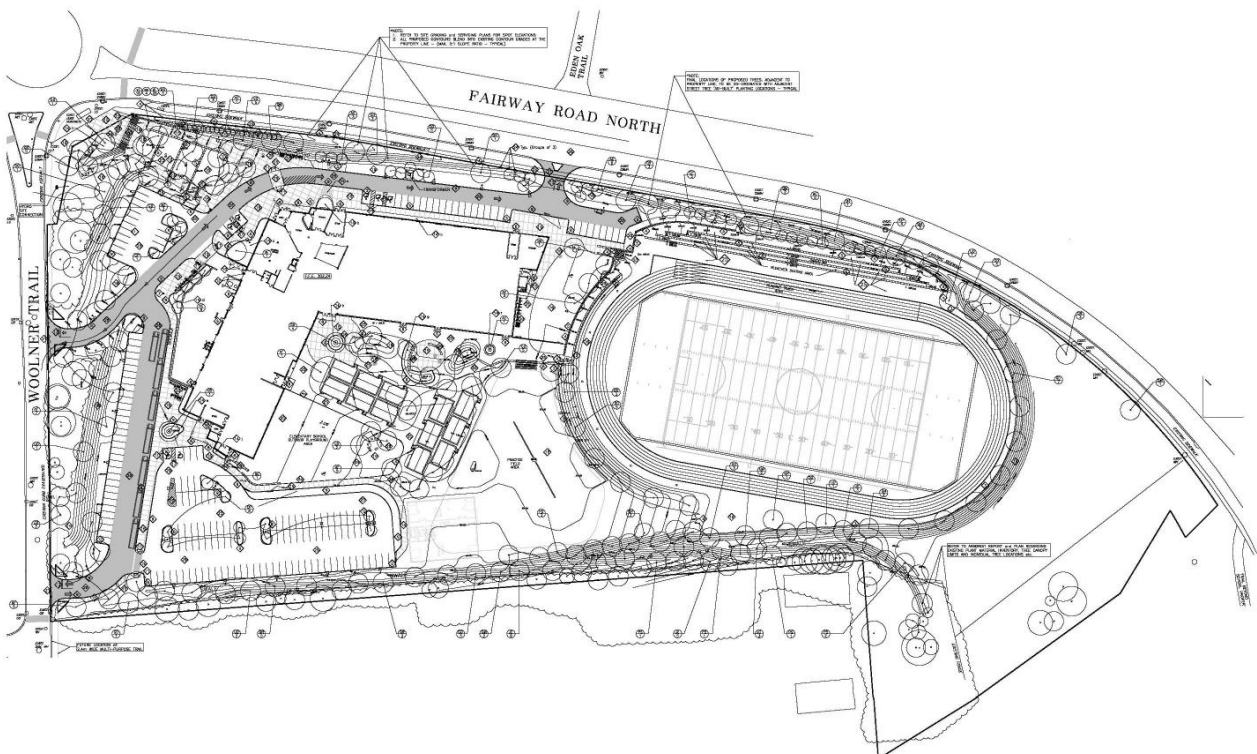
The property is currently undeveloped as it formally was used as a gravel pit, which has now been decommissioned.



**Figure 1 - Location Map: 20 Woolner Trail**

**REPORT:**

The applicant is proposing to develop the subject lands with a 3-storey elementary and secondary catholic school (grades 7-12). The proposed development includes 197 parking spaces, which includes 7 Barrier-Free Accessible parking spaces, 4 Electric Vehicle Ready parking spaces, 28 EV spaces for future installation, 15 Class A bicycle spaces and 152 Class B bicycle spaces. A sports field and track are also included within the proposed development.



**Figure 2 – Development Concept Site Plan**



**Figure 3 – Proposed Building: Front elevation from Fairway Rd and Woolner Tr.**

To facilitate the development of 20 Woolner Trail with the proposed school, an Official Plan Amendment and Zoning By-law Amendment are required to change the land use designation and zoning of the subject lands. The lands are currently designated 'Mixed Use' and 'Low Rise Residential' in the City of Kitchener's Official Plan (2014). The lands are currently identified as a 'Neighbourhood Node' in the Official Plan. The applicant is proposing to change the land use designation to 'Institutional' and to add a Site Specific Policy Area No. 67 to Map 5. Policy 15.D.12.67 is proposed to be added to the text of the Official Plan to permit an 'Institutional' land use designation and a 'Major Institutional' use within a Neighbourhood Node Urban Structure Component.

The proposed Zoning By-law Amendment would remove the subject lands from Zoning By-law 85-1 and add the lands into Zoning By-law 2019-051. The lands are currently zoned 'Agricultural Zone (A-1)' with Special Use Provision 69U and Special Regulation Provision 107R. The lands are proposed to be zoned to 'Major Institutional Zone (INS-2)' with Site Specific Provision (381) to permit a maximum parking rate of 1 parking space per 77 square meters of gross floor area. Holding Provision 54H is proposed to require an updated Noise Study, to be completed to the satisfaction of the Region of Waterloo.

Following the digital Neighbourhood Information, Planning staff arranged a meeting with Councillor Schneider, Regional and City transportation staff, along with area residents on site to discuss transportation and safety concerns. As a result of those discussions, further recommendations were included from the Director of Transportation Services that will be implemented and incorporated as part of the development of the site. The following is a summary of those recommendations:

- That stopping be prohibited along the east side (school side) of Woolner Trail along the school frontage.
- That parking be prohibited on the west side of Woolner Trail between Upper Mercer Street and Fairway Road.

- That Woolner Trail, Upper Mercer Street and Lower Mercer Street be monitored upon school opening to make any additional necessary adjustments to parking prohibitions to ensure overall road user safety.
- That the speed limit on Woolner Trail be reduced to 30km/h in the identified school zone.
- That Upper Mercer Street be considered for seasonal traffic calming beginning in 2024.
- That traffic conditions be monitored upon school opening to determine if there are other traffic calming considerations that can be considered for Upper Mercer and Lower Mercer Streets.

Further updates will be reviewed as part of the Site plan application that has been submitted (SP23/049/W/TS).

### **Planning Analysis:**

#### **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.

The Ministry of Municipal Affairs and Housing is proposing 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 in effect at the time this report was prepared.

#### **Provincial Policy Statement, 2020:**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

Section 1.1.1 of the PPS promotes healthy, liveable and safe communities which are sustained by promoting efficient development and land use patterns as well as accommodating an appropriate mix of uses, including residential, institutional and employment 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.

To support provincial policies relating to the optimization of infrastructure, transit and active transportation, the proposed designation and zoning facilitate a form of development which efficiently uses the lands, provides an elementary and secondary school (institutional use) in close proximity to residential areas within the catchment area as well as transit options including bus transit. This location offers transportation choice for walkers and transit users and makes efficient use of both existing roads and active transportation networks. The lands are serviced and are in proximity to parks, trails and other community uses.

Provincial policies are in support of providing a broad range of uses within a community, and that public service facilities should be located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration with access to transit and active transportation.

Planning staff is of the opinion that the proposed applications will provide an additional institutional use that is compatible with the surrounding community, contributes to a liveable community, is transit supportive and will make use of the existing infrastructure. No new public roads would be required for the proposed development and Engineering staff have confirmed there is capacity in the sanitary sewer to permit the development of the subject lands.

Based on the foregoing, 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. Policies of the Growth Plan promote growth within strategic growth areas including major transit station areas, in order to provide a focus for investments in transit and other types of infrastructure.

Policies 2.2.1.4 states that complete communities will:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;

- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- d) expand convenient access to:
  - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
  - ii. public service facilities, co-located and integrated in community hubs;
  - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
  - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;
- f) mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
- g) integrate green infrastructure and appropriate low impact development.

Policy 3.2.8.6 states that new public service facilities, including hospitals and schools, should be located in settlement areas and preference should be given to sites that are easily accessible by active transportation and transit, where service is available. The proposed school is located adjacent to a residential community, and it is located within the catchment area identified by the school board.

Planning staff is of the opinion that the applications conform to 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 Designated Greenfield Areas. The subject lands are designated Urban Designated Greenfield Areas in the ROP. This neighbourhood provides for the physical infrastructure and community infrastructure to support the proposed development, including transportation networks and municipal drinking-water supply and wastewater systems.

Regional policies require Area Municipalities to establish a network of continuous sidewalks, community trails and bicycle pathways that provide direct, safe, comfortable and convenient linkages within the neighbourhood and externally to other neighbourhoods, including linkages to transit stops, employment areas, school sites, food destinations and community facilities. The proposed development will be well connected as existing sidewalks and multi-use pathways have been developed.

Regional staff have indicated that they have no objections to the proposed applications (Appendix 'D'). Planning staff are of the opinion that the applications conform to the Regional Official Plan.

**City of Kitchener Official Plan (OP)**

The City of Kitchener OP provides the long-term land use vision for Kitchener. The vision is further articulated and implemented through the guiding principles, goals, objectives, and policies which are set out in the Plan. The Vision and Goals of the OP strive to build an innovative, vibrant, attractive, safe, complete and healthy community.

### Complete Community

A complete community creates and provides access to a mix of land uses including, a full range and mix of housing, including affordable housing, recreation, commerce, community and cultural facilities, health care facilities, employment, parks and open spaces distributed and connected in a coherent and efficient manner. 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. Kitchener will be planned as a complete community that creates opportunities for all people to live, work and interact within close proximity. 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.

The applicant is proposing to contribute aspects of a complete community on the subject lands with a new elementary and secondary school.

### Urban Structure

The Official Plan establishes an Urban Structure for the City of Kitchener and provides policies for directing growth and development within this structure.

The subject lands are located within a Neighbourhood Node. The planned function of Neighbourhood Nodes is to serve the day to day commercial needs of surrounding residential areas and are encouraged to be cycling and pedestrian friendly. Properties that are located within a Neighbourhood Node are intended to accommodate mixed use and commercial uses when deemed appropriate for achieving the planned function of the Neighbourhood Node.

The Institutional land use designation and uses, and particularly 'Major Institutional' uses are not permitted in a Neighbourhood Node.

The applicant is proposing to add a Site Specific Policy Area No. 67 to the subject lands to permit an Institutional land use designation and a 'Major Institutional' use within a Neighbourhood Node.

Although institutional and community uses are not part of the Neighbourhood Node designation, the Neighbourhood Node designation does indicate that the intent of the site was to accommodate non-residential uses as part of the community. Institutional uses, such as schools, help serve the existing community by providing educational facilities and amenities that can be used by the neighbourhood, while helping to meet the planned function of the area.

Staff is of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment will support a development that help meets the planned function of the Neighbourhood Node designation and also contributes to the vision for a sustainable and more sustainable city.

### Land Use

The subject lands are designated 'Mixed Use' and 'Low Rise Residential' (Map 3) in the City of Kitchener Official Plan.



The 'Mixed Use' designation is intended to be flexible and responsive to land use pattern changes and demands and permit a broad range of uses at different scales and intensities depending on the lands' geographic location and identification at the urban structure level. As such, an appropriate and compatible mix and range of commercial, retail, institutional and residential uses, at different scales and intensities will be encouraged and supported within lands designated Mixed Use.

The Low Rise Residential' designation permits a full range of low density housing types which may include single detached dwellings, additional dwelling units, attached and detached, semi detached dwellings and other forms of low-rise housing.

The applicant is proposing to change the land use designation to 'Institutional' and to add Site Specific Policy Area No. 67 to the subject lands. The Institutional designation's primary use is intended for institutional uses that are of a community or regional nature, such as secondary and post-secondary educational facilities, long-term care facilities and social, cultural and administrative facilities. This land use designation also includes small-scale institutional uses compatible with surrounding uses such as public and private elementary schools, libraries, day care centres, and places of worship. Some of these small-scale institutional uses may also be permitted in other land use designations found in this Plan.

The proposed Institutional land use designation will permit the proposed development of the site with an elementary and secondary school. An objective of lands designated Institutional is to provide appropriate locations and opportunities for community infrastructure, facilities and amenities to support a complete and healthy community. Lands which are designated Institutional may have the following characteristics:

- a) they serve a population beyond that found in the immediate neighbourhood surrounding their location;
- b) they can generate large volumes of vehicular traffic which generally cannot be accommodated on local streets;
- c) they may require large areas of land to accommodate buildings, outdoor activity areas and on-site parking; and,
- d) they generally have extended hours of operation including weekday evenings and weekends and in some cases they may operate 24 hours a day, all year round.

The proposed school is located adjacent to a residential community, and it is located within the catchment area identified by the school board (Appendix F). The area served by the school goes beyond the immediate neighbourhood and will benefit a considerable portion of the City's population. The proposed school will be constructed on a large parcel of undeveloped land, and is located on a road that has been identified as having capacity to accommodate the additional traffic.

Policy 17.E.13.1 of the City of Kitchener Official Plan require that holding provisions will be applied in situations where it is necessary or desirable to zone lands for development or redevelopment in advance of the fulfillment of specific requirements and conditions, and where the details of the development or redevelopment have not yet been fully resolved. A Holding provision may be used in order to ensure that certain conditions, studies or requirements related to a proposed Zoning By-law Amendment are met. A Holding

Provision shall be applied to the lands and will not be removed through a by-law amendment until such time as the Region of Waterloo has reviewed and approved an updated Noise Study.

### Urban Design

The City's urban design policies are outlined in Section 11 of the City's Official Plan. In the opinion of staff, the proposed development meets the intent of these policies, specifically: Streetscape; Safety; Universal Design; Site Design; and Building Design. To address these policies, an Urban Design Brief Report was submitted and has been reviewed by City staff. The Urban Design Brief outlines the vision and principles guiding the site design, some examples include: providing an architectural design that is appropriate to the existing neighbourhood fabric, providing clean visual site lines, providing safe pedestrian circulation, and providing a sustainable built form. Detailed design will be reviewed through the site plan design and approvals process.

Streetscape – As part of the site plan approval process the footprint of the building was moved closer to the street to promote an active streetscape. Furthermore, the majority of the parking is buffered from the street as it is located behind the building. City staff will also require adequate landscaping on each side of the property to provide additional screening for the parking areas.

Safety – As part of the site plan approval process, staff will ensure Crime Prevention Through Environmental Design (CPTED) principles are achieved and that the site meets the Ontario Building Code and the City's Emergency Services Policy.

Universal Design – The development will be designed to comply with Accessibility for Ontarians with Disabilities Act and the Ontario Building Code.

Site Design – As part of the site plan approval process, Staff have requested additional changes to the site, specifically relocating some of the parking spaces away from the front corner of the property, increasing and prioritizing pedestrian access by altering the pedestrian access at the corner, to reduce the number of retaining walls, and increasing the amount of pedestrian accesses to the building. Furthermore, staff have requested that a right out only access be provided for the access closest to the roundabout in order to encourage traffic to be directed to the roundabout.

Building design – As part of the site plan process design elements within the building materials such as varying shades of brick and stone accents, have been included to add to the visual interest of the building.

### Transportation Policies:

The Official Plan supports an integrated transportation system which incorporates active transportation, allows for the movement of people and goods and promotes a vibrant, healthy community using land use designations and urban design initiatives that make a wide range of transportation choices viable. The proposed development aims to increase density on an existing site that is served by public transit. Grand River Transit Route 23 is easily accessible to the site and an Institutional use will help support the ridership of Route 23. Further review of transit routes will be undertaken as the site develops to review if additional routes would be required. Staff also understand that the school board works

closely with Grand River Transit to ensure transit options are available to secondary school sites.

An objective of the Transportation polices in the Official plan is to develop, support and maintain a complete, convenient, accessible and integrated transportation system that incorporates active transportation, public transit and accommodates vehicular traffic.

At future site plan approval processes, the design of the building will have to feature a high-quality public realm to enhance the identity of the area and create gathering points for a variety of community functions, sports events and other activities. Additionally, secured and visitor bicycle parking will be required as part of the Zoning By-law. Furthermore, as noted, though consultation with the area residents, improvements such as no stopping areas, no parking areas, reduction of the speed limit and seasonal traffic calming have all been discussed and will be incorporated and implemented as part of the development of the site.

### Sustainable Development

Section 7.C.4.1 of the City's Official Plan ensures developments will increasingly be sustainable by encouraging, supporting and, where appropriate, requiring:

- a) compact development and efficient built form;
- b) environmentally responsible design (from community design to building design) and construction practices;
- c) the integration, protection and enhancement of natural features and landscapes into building and site design;
- d) the reduction of resource consumption associated with development; and,
- e) transit-supportive development and redevelopment and the greater use of other active modes of transportation such as cycling and walking.

Development applications are required to demonstrate that the proposal meets the sustainable development policies of the Plan and that sustainable development design standards are achieved.

Sustainable development initiatives will be further explored at the Site Plan Application stage.

### **Proposed Official Plan Amendment Conclusions**

The Official Plan Amendment application requests that the land use designation as shown on Map 3 be changed from 'Mixed Use' and 'Low Rise Residential' to 'Institutional' with Site Specific Policy Area No. 67'. Based on the planning analysis, Planning staff is of the opinion that the proposed Official Plan Amendment represents good planning and recommends that the proposed Official Plan Amendment be approved in the form shown in Appendix "A".

### **Proposed Zoning By-law Amendment (Zoning By-laws 85-1 and 2019-051):**

The subject lands are zoned 'Agricultural Zone (A-1) with Special Use Provision 69U, and Special Regulation Provision 107R' in Zoning By-law 85-1. The existing zoning permits primarily agricultural uses as well as a single detached dwelling. Special Use provision

69U, which will be removed with this application, permits a gravel pit and Special Regulation Provision 107R further permits extraction from the gravel pit.

The applicant has requested a Zoning By-law Amendment to remove the lands from Zoning By-law 85-1 which are zoned 'Agricultural Zone (A-1) with Special Use Provision 69U and Special Regulation Provision 107R' and rezone them to 'Major Institutional Zone (INS-2) with Site-Specific Provision (381)' in Zoning By-law 2019-051.

The proposed Site Specific Provision is to permit an increased maximum parking rate of 1 parking space per 77m<sup>2</sup> of gross floor area for a total of 197 parking spaces provided on site.

Staff offer the following comments with respect to the proposed Site Specific Provision (381):

- a) The maximum parking rate shall be 1 parking space per 77m<sup>2</sup> of gross floor area for a total of 197 spaces.

The purpose of this regulation is to provide for an increased parking rate which is appropriate for the development.

Staff offer the following comments with respect to Holding Provision 54H:

Official Plan policies require that holding provisions will be applied in those situations where it is necessary or desirable to zone lands for development or redevelopment in advance of the fulfillment of specific requirements and conditions, and where the details of the development or redevelopment have not yet been fully resolved. A Holding provision is proposed to be used in order to facilitate the implementation of the 'INS-2' zone and site-specific provision. The City will enact a by-law to remove the holding symbol when all the conditions set out in the Holding Provision have been satisfied, permitting development or redevelopment in accordance with the zoning category assigned.

#### Holding Provision 54H

Planning staff are recommending the following Holding Provision as part of the Zoning By-law Amendment:

- i. No development on the lands shall occur until such time as a revised Noise Impact Study has been completed, and certification accepted mitigation measures recommended in the study meet NPC-300 noise level limits to the satisfaction of the Regional Municipality of Waterloo.

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

Staff is of the opinion that the proposed Zoning By-law Amendment Application to change the zoning of the subject lands to 'Major Institutional Zone' (INS-2) with Site-Specific Provision (381) and a new Holding Provision 54H' in Zoning By-law 2019-051 represents good planning as it will facilitate the redevelopment of the lands with a elementary and secondary school development that is compatible with the existing neighbourhood. Staff

are supportive of the proposed development and recommend that the proposed Zoning By-law amendment be approved as shown in Appendix 'B'.

### **Department and Agency Comments:**

Circulation of the Official Plan and Zoning By-law Amendment Applications was undertaken in June 2023 to all applicable City departments and other review authorities. No major concerns were identified by any commenting City department or agency and any necessary revisions and updates were made. Copies of the comments are found in Appendix "D" of this report.

The following Reports and Studies were considered as part of this proposed Official Plan and Zoning By-law Amendment Applications:

- Planning Justification Report  
Prepared by: GSP Group, May 2023
- Urban Design Brief,  
Prepared by: Svedas Architectural Inc., April 2023
- Noise Study  
Prepared by: Aercoustics Engineering Ltd, May 2022
- Transportation Impact Study  
Prepared by: R.J. Burnside & Associates Limited, December 2023
- Functional Servicing Report  
Prepared by: Lanhack Consultants Inc., March 2023
- Sustainability Statement  
Prepared by: GSP Group, May 2023
- Noise Feasibility Study  
Prepared by: HGC Engineering, May 2023
- Arborist Report  
Prepared by: JK Consulting Arborists, April 2023
- Heritage Impact Assessment  
Prepared by: McCallum Sather, April 2021
- Hydrogeological Assessment  
Prepared by: MTE Consultants, May 2022

### **Community Input & Staff Responses**

# WHAT WE HEARD



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



**11 people/households provided comment**



**A City-led Neighbourhood Meeting was held on August 15, 2023 and 20 users logged on**



**A City-led on-Site Meeting was held on September 21, 2023 and 12 residents participated**

Staff received written responses from 11 residents with respect to the proposed development. The comments received are included in Appendix 'E'. A Neighbourhood Meeting was held on August 15, 2023 and a follow up on-site meeting was held on September 21, 2023. A summary of what we heard, and staff responses are noted below.

What We Heard	Staff Comment
Concerns that this is a floodplain area and that flooding could occur	The application was reviewed by the Grand River Conservation Authority, and they had no concerns with the proposed application. The lands are not within a floodplain but are in close proximity to lands regulated by the GRCA.
Traffic – Speeding, Roundabout capacity, traffic on adjacent roads	A Transportation Impact Study (TIS) was submitted and reviewed by City and Regional Staff. Based on the analysis and conclusions there was no concerns raised by either agency. Staff met with residents on-site on September 21, 2023 to listen to their concerns and Transportation Services staff have added some recommendations to address to respond to safety concerns discussed at the meeting. Proposed mitigation measures are outlined in the Transportation comments above. A final TIS would be required based on the final site access design determined through the site planning process. Further, the Region has indicated that a roundabout at Eden Oak would only be considered if there is any geometric change to the intersection, or a safety issue has been identified, or traffic control signals are warranted. At this time none of the criteria are met therefor a roundabout would not be considered at this time. The Region is also reviewing Roundabouts through a pilot safety program, and

	enhancements could be expanded to the roundabout at a future date should the pilot review be positive.
Impact on Wildlife	A wildlife connection will remain on the property due to a large swale at the south of the property that will not contain any built features.
Noise and Lighting Concerns	The property is subject to the City of Kitchener Noise and Lighting By-laws and will be required to adhere to the By-laws. If an exemption is required, the exemption will be required to be obtained through the City. A detailed lighting plan is required through the site plan process and will be reviewed to ensure there is limited light trespass off-site.

### **ALIGNMENT WITH CITY OF KITCHENER STRATEGIC PLAN:**

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

### **FINANCIAL IMPLICATIONS:**

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

Operating Budget – The recommendation has no impact on the Operating Budget. These applications were received prior to July 1, 2023 and therefore not subject to fee refund provisions in the Planning Act.

### **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 notice sign was posted on the property and information regarding the application was posted to the City’s website in July of 2023. 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, and those responding to the preliminary circulation. Notice of the Statutory Public Meeting was also posted in The Record on October 6, 2023 (a copy of the Notice may be found in Appendix ‘C’).

CONSULT – The proposed Official Plan Amendment and Zoning By-law Amendment Applications were circulated to residents and property owners within 240 metres of the subject lands on June 23, 2023. In response to this circulation, staff received written responses from 11 members of the public, which were summarized as part of this staff report in Appendix ‘E’. Planning staff also had one-on-one conversations with residents on the telephone and responded to emails. Further an on-site meeting was held on September 21, 2023 to discuss specific concerns with the residents.

### **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-laws 85-1 and 2019-051

**REVIEWED BY:**

Garett Stevenson - Manager of Development Review, Planning Division

Tina Malone-Wright - Supervisor Development Applications, Planning Division

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

**APPENDIXS:**

Appendix A – Proposed Official Plan Amendment

Appendix B – Proposed Zoning By-law Amendment

Appendix C – Newspaper Notice

Appendix D – Department and Agency Comments

Appendix E – Public Comments

Appendix F – Catchment area provided by the school board