

Staff Report



Development Services Department

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REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: April 22, 2024

SUBMITTED BY: Garett Stevenson, Director of Development & Housing Approvals,
519-741-2200 ext. 7070

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

WARD INVOLVED: Ward 6

DATE OF REPORT: April 5, 2024

REPORT NO.: DSD-2024-092

SUBJECT: 15 Laurentian Drive
Official Plan Amendment Application OPA24/003/L/AP
Zoning By-law Amendment Application ZBA24/003/L/AP
Owner: Kitchener Waterloo Christian School Society

RECOMMENDATION:

That Official Plan Amendment Application OPA24/003/L/AP for Kitchener Waterloo Christian School Society be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2024-092 as Attachment 'A' and, accordingly, forwarded to the Regional Municipality of Waterloo for approval; and

That Zoning By-law Amendment Application ZBA24/003/L/AP for Kitchener Waterloo Christian School Society be approved in the form shown in the Proposed By-law and Map No. 1, attached to Report DSD-2024-092 as Attachment 'B'.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide planning recommendations regarding the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) Applications requested by Kitchener Waterloo Christian School Society for the subject property, addressed as 15 Laurentian Drive. It is Planning staff's recommendation that the OPA be adopted and the ZBA be approved.
- The proposed amendments would permit future expansion options for the abutting Laurentian Hills Christian School, located at 11 Laurentian Drive, which is under the same ownership. The subject property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students.
- Community engagement included:
 - Circulation of a preliminary notice letter to property owners within 240 metres of the subject property;
 - Installation of a notice sign on the property;
 - Virtual neighbourhood meeting held on January 30, 2024;

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

- Postcard advising of the statutory public meeting was circulated to all property owners and occupants within 240 metres of the subject property and those who responded to the preliminary circulation;
- Notice of the public meeting was published in The Record on March 28, 2024.
- This report supports the delivery of core services.
- These applications were deemed complete on January 20, 2024. The Applicant can appeal these applications for non-decision after May 19, 2024.

EXECUTIVE SUMMARY:

The owner of the subject property is requesting to change the land use designation from 'Low Rise Residential' to 'Institutional' in the City of Kitchener Official Plan and to change the zoning from 'Low Rise Residential Two Zone (RES-2)' to 'Neighbourhood Institutional Zone (INS-1)' with Site Specific Provision (391). These amendments would permit future expansion options for the abutting Laurentian Hills Christian School, which is under the same ownership. The property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students. The Region of Waterloo has requested the site specific provision to prohibit geothermal wells. Planning staff recommends that the Official Plan Amendment be adopted, and the Zoning By-law Amendment be approved.

BACKGROUND:

Kitchener Waterloo Christian School Society has made applications for an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) for the property addressed as 15 Laurentian Drive, shown in Figure 1. These applications will permit future expansion options for the abutting Laurentian Hills Christian School (private school) located at 11 Laurentian Drive, which is under the same ownership.

Through a separate, future planning application, the owner also is considering the possibility of an expansion of / renovation to the existing school building that would occur on the 11 Laurentian Drive property only (not the subject property). This proposal may involve changes to the north side of the existing school building and an update to the surface parking area. After the OPA and ZBA have been decided, the applicant may submit a Site Plan Application to clarify the details of how 15 Laurentian Drive would function with the overall changes to the school site.

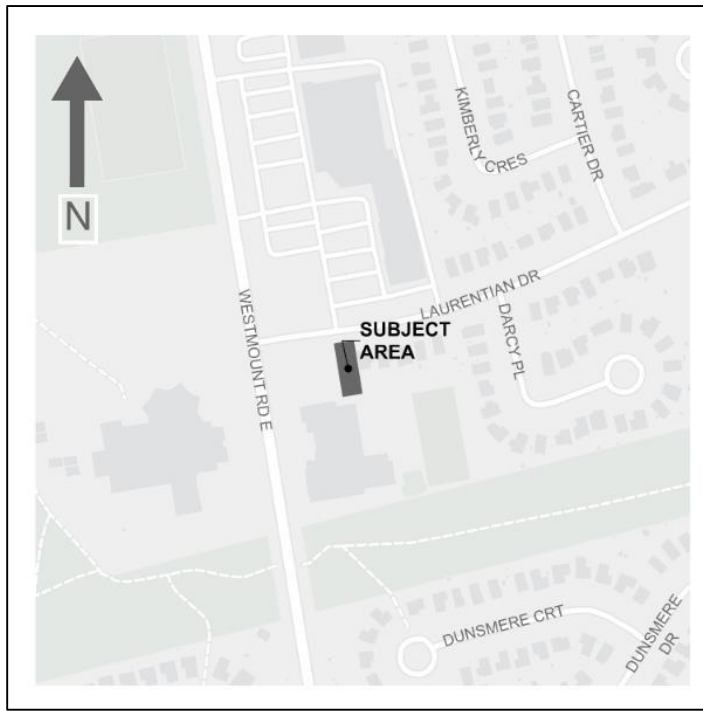


Figure 1 – 15 Laurentian Drive (“Subject Area”).

The subject property is presently designated “Low Rise Residential” in the 2014 Official Plan and is zoned “Low Rise Residential Two Zone (RES-2)” in By-law 2019-051.

The RES-2 Zone permits primarily low density residential uses: Single Detached Dwelling, Attached Additional Dwelling Units, Detached Additional Dwelling Units, Hospice, Small Residential Care Facility, and Home Occupation.

Site Context

The subject property has approximately 13.7 metres of frontage on the south side of Laurentian Drive, east of Westmount Road East, within the Laurentian Hills Planning Community. The property is approximately 522 square metres in area and is located immediately north and east of Laurentian Hills Christian School (private school). The property contains a single detached dwelling that was constructed in approximately 1971 as part of the low rise residential subdivision to the east.

The subject property is located close to several other schools:

- Laurentian Public School (WRDSB) – located 70 metres to the west, on the opposite side of Westmount Road East;
- Trillium Public School (WRDSB) – 225 metres to the east; and
- Monsignor Haller Catholic School (WCDSB) – 520 metres to the east.

Laurentian Hills Plaza (including, for example, Freshco, Remax, Anytime Fitness) and a recently constructed commercial building (pharmacy / drug store and professional offices) are located on the opposite side of Laurentian Drive.

The lands south of Laurentian Hills Christian School are used as a 60-metre-wide hydro corridor and community path. A low density residential neighbourhood is located further to the south.

The property was purchased by the current owners in 2015 and is being rented for residential purposes. The current tenants were advised in early November 2023 that they would be required

to relocate by June 30, 2024. At this time, no formal offers have been made by the school with respect to assisting with the move.

Planning staff has confirmed that 15 Laurentian Drive (subject property) and 11 Laurentian Drive (abutting school property) have merged under the Planning Act and are legally considered one property. However, for the purposes of this report and for simplicity, these are referred to as individual properties.

REPORT:

The owner is requesting an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) to permit future expansion options for the abutting Laurentian Hills Christian School located at 11 Laurentian Drive, which is under the same ownership. The property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students. A conceptual plan showing an outdoor play space for school students is provided below (Figure 2). However, it should be noted that the owner is still exploring all options for expansion. Accordingly, the purpose of the subject OPA and ZBA is to change the overall permitted land use to institutional and to provide expansion options, not to facilitate a specific development proposal / site concept. In any event, the owner intends to ultimately demolish the existing single detached dwelling at some future point in time.

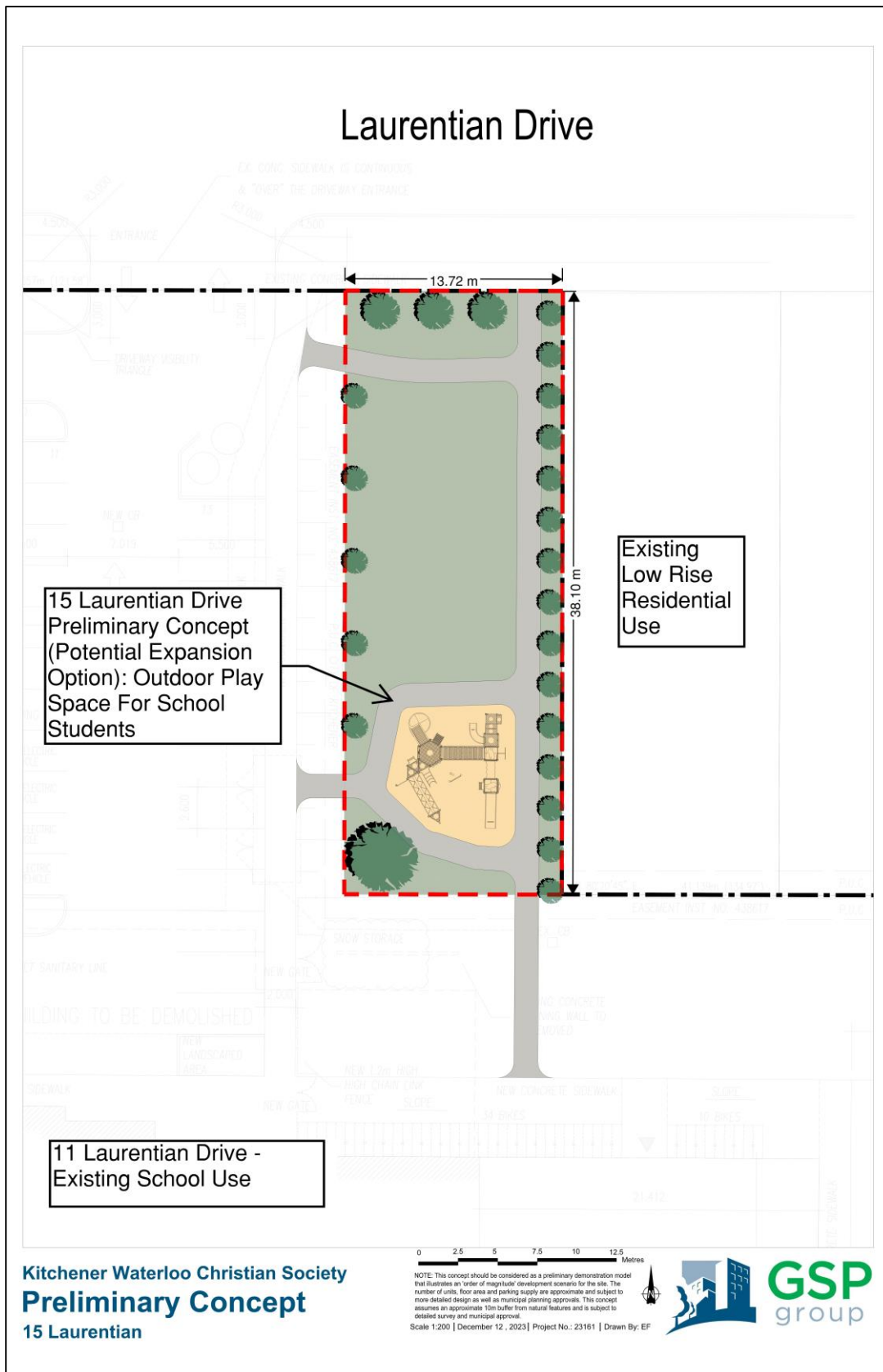


Figure 2 – Preliminary Concept (Potential Expansion Option): Outdoor Play Space for School Students

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 (*emphasis added*):

- d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- 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;
- i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- j) The adequate provision of a full range of housing, including affordable housing;
- 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. 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. Policy 1.1.1 of the PPS states that healthy, livable, and safe communities are sustained by several means including, "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." (*emphasis added*)

The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of land uses, while supporting the environment, public health and safety. Provincial policies promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

To support Provincial policies relating to the optimization of infrastructure, transit and active transportation, the requested Official Plan designation and zoning facilitate the expansion of institutional use; the subject property is located near bus transit (including iXpress service and local GRT routes); and the proposal makes use of both existing roads and active transportation networks. The property is serviced and is in proximity to parks, trails and other community uses.

In addition, Policy 1.3.1 of the PPS states that, “Planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs”.

Planning staff is of the opinion that the requested amendments will increase the viability of an existing institutional use and enhance the mix of uses within the community, thereby promoting economic development and competitiveness. It should be noted that the expansion of land for institutional use is rare, and the subject applications represent a unique opportunity to add to the City’s institutional land inventory. Moreover, no new public roads or services would be required for the proposal.

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 achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime, and feature a mix of land uses, convenient access to stores, services, and public service facilities. Making efficient use of land and infrastructure, providing for a range, and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation is important.

Policy 2.2.1.4 states that applying the policies of the Growth Plan will support the achievement of complete communities that (emphasis added):

- 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;
- c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes 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.

The subject lands are located within the City’s delineated Built-Up Area. Planning staff is of the opinion that the requested amendments will assist in achieving a complete community by expanding the existing, viable institutional use. The impact of losing one residential unit is

negligible considering the thousands of dwelling units that have been approved and not yet built or are within the planning phase.

Planning staff is of the opinion that the requested amendments 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 Area. The subject lands are designated Built-Up Area in the ROP. Growth is directed to the Built-Up Area of the Region to make better use of infrastructure that can assist in transitioning the Region into an energy efficient, low carbon community.

The proposal assists the gradual transition of existing neighbourhoods within the Region into 15-minute neighbourhoods with a broad mix of land uses where people can meet their daily needs for goods, services, and employment within a 15-minute trip by walking, cycling, and rolling, and where other needs can be met by taking direct, frequent, and convenient transit. 15-minute neighbourhoods include an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. They are also age-friendly places and may take different shapes and forms appropriate to their contexts.

The requested amendments will increase the land area devoted to an institutionally designated and zoned property, thereby facilitating the expansion of an existing institutional use. Such increases are rare, and allocation of new institutional land typically occurs only during the initial application of small pockets of land through secondary and community planning exercises. The expansion may also increase the usability / functionality of the school use.

Development in the Built-Up Area is intended to provide gentle density that assists in providing opportunities for residents to use alternative forms of transportation (e.g., walking, rolling, strolling). The school is adjacent to an existing transit route (Route 12/Westmount) and is located adjacent to Regional and City roads where sidewalks and trails are located, facilitating walking to/from the existing school.

Section 2.F of the Regional Official Plan establishes policies for intensification targets within the Delineated Built-Up Area, which is set at 60% annually for the City of Kitchener. It is not intended that the 60% target would apply to individual developments, but rather that it is to be achieved over the entire Built-Up Area. Planning staff advises that many other development opportunities exist to achieve the intensification target.

The Region of Waterloo has indicated it has no objections to the proposed application, subject to site specific provision in the Zoning By-law prohibiting geothermal wells (see Attachment 'D'). The Region prohibits geothermal energy systems within wellhead protection sensitive areas because they have the potential to contaminate ground water – the region's main source for drinking water.

Planning staff is of the opinion that the applications conform to the Regional Official Plan.

Requested Official Plan Amendment to City of Kitchener Official Plan, 2014:

The applicant is requesting to change the land use designation of the subject property from *Low Rise Residential* to *Institutional*. No other changes to the Official Plan are requested. Planning staff commentary regarding applicable Official Plan policies and the details of the requested amendment are below.

The City of Kitchener Official Plan (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.

Urban Structure

The subject property is identified as *Community Areas* on *Map 2 – Urban Structure* of the Official Plan. The planned function of this Urban Structure Component is to provide for residential uses and non-residential supporting uses intended to serve the immediate residential areas. Policy 3.C.2.51 states, “Within areas identified as *Community Areas* on *Map 2* the applicable land use designation may include Low Rise Residential, Medium Rise Residential, High Rise Residential, Open Space, *Institutional* and/or Major Infrastructure and Utilities as shown on *Map 3* and detailed in Sections 15.D.3, 15.D.7, 15.D.10 and 15.D.11” (*emphasis added*). The applicant is not requesting a change to the urban structure.

Land Use Designation

The subject property is currently designated Low Rise Residential on *Map 3 – Land Use of the City of Kitchener Official Plan*. The Low Rise Residential land use designation is intended to accommodate a full range of low density housing types, including single detached dwellings, additional dwelling units, semi-detached dwelling, street townhouse dwellings, cluster townhouses, low-rise multiple dwellings, special needs housing, and other forms of low density residential use.

The current designation permits a maximum Floor Space Ratio of 0.6, but site-specific increase up to 0.75 may be considered where it can be demonstrated that the increase is compatible and meets the general intent of the Official Plan. The maximum height limit in the Low Rise Residential designation is 3 storeys or 11 metres, though heights may be increased to 4 storeys or 14 metres in certain circumstances. Within this designation, the predominant land use is residential. However, it is intended that complementary non-residential land uses be integrated, subject to locational criteria and zoning.

As aforementioned, the applicant is requesting to change the land use designation of the subject property from *Low Rise Residential* to *Institutional*. No other changes to the Official Plan are requested. The Official Plan states that the primary use of land designated Institutional is for institutional uses that are of a community or regional nature (e.g., secondary and post-secondary educational facilities, long-term care facilities, and social, cultural and administrative facilities). This designation also includes small-scale institutional uses that are compatible with nearby uses such as public and private elementary schools, libraries, day care centres, and places of worship.

It should be noted that the City’s institutional land inventory is vulnerable to attrition through conversion because residential development tends to yield higher property values than institutional uses. Accordingly, Policy 15.D.7.3 states that, “The City may designate small scale institutional uses as Institutional in order to protect areas for institutional use and ensure their continued contribution to supporting a complete community.” This policy highlights the importance of protecting institutional uses and ensuring their continuation. It also highlights the valuable contribution that institutional lands make in achieving complete community.

Policy 15.D.7.5 provides direction for considering an OPA for new institutional uses. Although the subject OPA is not for a new institutional use, but rather an expanded institutional use, this policy nonetheless provides useful guidance. Under this policy, the City is to have regard to the following considerations:

Policy Number	Consideration	Planning Staff Response
a)	The lands are within walking distance to existing or planned public transit.	The subject property is on the GRT local route #12 and within 680m of iXpress route #201.
b)	The location would contribute to creating and maintaining a walkable and complete community.	The proposal would expand an existing, viable institutional use, thereby supporting the planned function and complete community.
c)	The lands can incorporate a strong focus on the creation of links for pedestrians and cyclists with surrounding uses.	The proposal may strengthen the existing institutional use, which may support use of existing active transportation networks that are in the neighbourhood.
d)	The compatibility of the proposed community institutional use with surrounding height, massing and scale of other community institutional uses or adjacent residential buildings.	The subject lands are likely to be used for play space or parking area to support the existing institutional use. No buildings are proposed on the subject property. The Site Plan Approval process would review physical changes to the site and assist with ensuring compatibility.
e)	Whether the lands are of an appropriate size to accommodate such use, buffering as necessary to ensure compatibility with adjacent uses, recreational amenities as necessary and sufficient on-site parking.	The lands would expand the existing institutional use, including the possibility of an enlarged parking area. Any institutional use on adjacent low rise residential development would be buffered or mitigated through the site plan process, fencing, and zoning (e.g., setbacks).
f)	The location of community institutional uses to form neighbourhood focal points and to facilitate and encourage the sharing of complementary facilities.	The applicant advises that while there are no formal agreements in place, the existing surface parking facility and playground/play fields are regularly used informally by the surrounding community; it is expected that this will continue. In addition, the gym is regularly rented out to several community sports groups and organizations; it is expected that this practice will also continue. Also, the subject applications would increase the size of the existing institutional hub, noting there are 4 existing schools in the area.
g)	The adequacy of municipal infrastructure.	The City's Engineering Services advises that it has no concerns with the subject applications, regarding infrastructure or otherwise.
h)	For large sized institutional uses, the lands are located on a Regional Road, Arterial Street or Major Community Collector Street.	The abutting private school is not considered a large-sized institutional use. Notwithstanding, while Map 11 identifies Laurentian Dr as a Minor Neighbourhood Collector Street, Westmount Rd (which the subject property would have frontage on via consolidation) is identified as a Regional Road.

In summary, Planning staff is of the opinion that the requested OPA satisfies the considerations of Policy 15.D.7.5. The requested *Institutional* land use designation will assist in achieving a complete community by expanding an existing, viable institutional use. The subject property and proposal are close to transit, do not require servicing upgrades, and support and strengthen the use of existing active transportation networks within the neighbourhood.

Proposed Official Plan Amendment Conclusions:

The Official Plan Amendment Application requests that the land use designation as shown on *Map 3 – Land Use* of the 2014 Official Plan be changed from *Low Rise Residential* to *Institutional* to permit future expansion options for the abutting Laurentian Hills Christian School. The subject property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students. Based on the above noted policies and analysis, Planning staff is of the opinion that the requested OPA represents good planning and recommends that it be adopted in the form shown in Attachment 'A'.

Requested Zoning By-law Amendment to Zoning By-law 2019-051:

The subject lands are currently zoned *Low Rise Residential Two Zone (RES-2)* in Zoning By-law 2019-051. The existing zoning permits a variety of low density residential land uses, as follows:

- Single Detached Dwelling,
- Additional Dwelling Units (both Attached and Detached),
- Hospice,
- Small Residential Care Facility, and
- Home Occupation.

The applicant is requesting an amendment to change the zoning from *Low Rise Residential Two (RES-2)* to *Neighbourhood Institutional (INS-1)* under By-law 2019-051. The Institutional zoning provisions state that, "The Institutional zones apply to lands designated Institutional in the Official Plan." Accordingly, the requested 'INS-1' Zone appropriately implements the Institutional land use designation of the Official Plan. The 'INS-1' Zone permits a wide variety of institutional uses, as follows:

- Adult Education School
- Artisan's Establishment
- Cemetery
- Community Facility
- Continuing Care Community
- Cultural Facility
- Day Care Facility
- Elementary School
- Funeral Home
- Health Clinic
- Hospice
- Hospital
- Large Residential Care Facility
- Place of Worship
- Post-Secondary School
- Secondary School

- Small Residential Care Facility
- Social Service Establishment

A comparison of the current 'RES-2' Zone and requested 'INS-1' Zone is provided below, along with a comparison / commentary by Planning staff:

Regulation	Current RES-2 Zone (Regulations for Single Detached Dwellings)	Requested INS-1 Zone	Planning Staff Comparison / Comment
Min Lot Area	411 square metres	N/A	No comment.
Min Lot Width	13.7 metres	15 metres	The subject property is only 13.75m wide. However, Planning staff have confirmed that the subject property has merged on title with the abutting school property and, therefore, the width is greater than 15 metres. Accordingly, this issue has been resolved.
Min Front Yard Setback	Minimum front yard shall be the established front yard minus one metre (Appendix D)	6 metres	If the school building was to expand in the future, the minimum setback would be reasonably consistent with the Laurentian Drive street wall, which is estimated to have an average setback of 7.5 metres.
Max Front Yard Setback	The maximum front yard shall be the established front yard plus one metre (Appendix D)	N/A	No comment.
Minimum Interior Side Yard Setback	1.2	3 metres	This setback would be superseded by the below regulation (i.e., <i>minimum yard setback to a lot with a low rise residential zone</i>).
Minimum yard setback abutting a lot with a low rise residential zone	N/A	7.5 metres	This 7.5m will provide an adequate buffer to the adjacent single detached dwelling should the school building expand in the future. The existing single detached dwelling will become legal non-conforming until its expected future demolition.
Minimum Rear Yard Setback	7.5 metres	7.5 metres	No comment. The setbacks are the same.
Maximum Lot Coverage	55%	N/A	No comment.
Maximum Building Height	11.0 metres	14 metres	Building height in INS-1 is a full storey higher, however, the

			setback to low rise residential is also greater (7.5 m), and a 14 m building height is still considered low rise. Planning staff has no concerns.
Maximum Floor Space Ratio	N/A	1	The subject property has merged with 11 Laurentian Dr, which ensures that compliance will be maintained in the event of any future building expansion.
Minimum Landscaped Area	N/A	20%	No comment.
Maximum number of storeys	3	N/A	Building height in INS-1 is regulated though the maximum building height regulation which limits the height to 14 m.

In addition, as discussed in the Regional Official Plan section of this report, the Region has requested that a site specific provision be applied to prohibit geothermal wells. Both Planning staff and the applicant are agreeable to the application of this provision.

Proposed Zoning By-law Amendment Conclusions:

Based on the above zoning review, Planning staff is of the opinion that the requested ZBA represents good planning. The requested zoning would properly implement the Official Plan designation requested through the corresponding OPA and would permit the enlargement of the institutional land use as well as the institutional expansion options contemplated by the applicant. In this regard, Planning staff recommends that the ZBA be approved in the form shown in Attachment 'B'.

Department and Agency Comments:

Preliminary circulation of the OPA and ZBA applications was undertaken on January 16, 2024 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 site specific provision to prohibit geothermal wells. Department and Agency comments have been included as Attachment 'D'.

The following reports, documents, and plans were considered as part of this requested OPA and ZBA applications:

- Planning Justification Letter
Prepared by: GSP Group, December 13, 2023
- Notice of Source Protection Plan Compliance
Prepared by: GSP Group, December 13, 2023
- Preliminary Concept Plan
Prepared by: GSP Group (as amended by City staff), December 12, 2023
- Surrounding Uses Map
Prepared by: GSP Group, December 2023

Community Input & Staff Responses

WHAT WE HEARD



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



2 people/households provided comments



A City-led Neighbourhood Meeting was held on January 30, 2024

In response to community circulation related to the proposed applications, Planning staff received written responses from 2 households. These are found in Attachment 'E'. All comments that staff received from the community regarding the proposal, along with staff responses, are noted below:

What Staff Heard from the Community	Staff Response
<p><u>Proposed Play Space:</u> Support for the school getting a green space.</p>	<p>Planning staff must clarify that the purpose of the OPA / ZBA is to permit future expansion options for the abutting school. The property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students. The exact usage of the parcel of land is not yet determined.</p>
<p><u>Student Safety:</u> Is the field in front of the play structure going to be fenced / gated? There is a traffic safety concern that play space is located close to the pick-up and drop off areas that the school students' parents use on Laurentian Drive and the parking lot of the commercial development on the opposite side of Laurentian Drive.</p> <p>The school's priority should be to use the land for additional parking space. Currently, although the by-law states no on-street parking between 8:30-4pm in the school zone, school students' parents still park on the street to drop-off and pick-up. There is a concern that school students will continue to dart onto the street, between parked cars</p>	<p>Transportation Services staff notes that there is a provision in City's Traffic and Parking By-law to prohibit stopping adjacent to the school property, along Laurentian Drive. If parents are dropping off on Laurentian Drive, community members may contact By-law Enforcement. Through any future Site Plan process for a play space, parking area, or otherwise, City staff will evaluate whether a fence / gate is warranted and should be installed.</p>

Planning Conclusions

In considering the foregoing, Planning staff recommends that the Official Plan Amendment be adopted, and the Zoning By-law Amendment be approved. Staff is of the opinion that the subject

applications are consistent with policies of the Provincial Policy Statement, and conform to Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan. Moreover, the proposal represents good planning.

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 - *Bill 109, More Homes for Everyone Act, 2022* introduced a requirement for a municipality to refund planning application fees if a decision is not made within a prescribed timeframe. Decisions on Zoning By-law Amendments, when combined with an Official Plan Amendment, are required within 120 days to retain planning application fees, for applications received after July 1, 2023. A decision must be made by Council prior to May 19, 2024 or the Planning Division must issue an application fee refund of \$12,800.00, being 50% of the \$25,600.00 Major Zoning By-law Amendment Application fee. The Development and Housing Approvals Division does not have a funding source or budget for refunding planning application fees.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the Committee / Council meeting. A notice sign was posted on the subject property and information regarding the application was posted to the City’s website in January 2024. Following the initial circulation referenced below, an additional postcard advising of the Neighbourhood Meeting was sent by mail. A third postcard was mailed with notice of the statutory public meeting was circulated to all owners and occupants within 240 metres of the subject property and those who responded to the preliminary circulation. Notice of the Statutory Public Meeting was also posted in The Record on March 28, 2024 (a copy of the Notice is attached as Attachment ‘C’).

CONSULT – The requested OPA and ZBA were originally circulated to property owners within 240 metres of the subject property on January 19, 2024. In response to this circulation, staff received written responses from 2 households, which are paraphrased as part of this staff report and attached as Attachment ‘E’. A virtual neighbourhood meeting was held on January 30, 2024, notice for which was sent via postcard to all owners and occupants within 240 metres and those who responded to the original circulation notice.

PREVIOUS REPORTS/AUTHORITIES:

- 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, Regional Municipality of Waterloo, 2015
- City of Kitchener Official Plan, 2014
- City of Kitchener Zoning By-law 2019-051

REVIEWED BY: Tina Malone-Wright – Manager, Development Approvals

APPROVED BY: Justin Readman – General Manager, Development Services

ATTACHMENTS:

- Attachment 'A' – Proposed Official Plan Amendment
- Attachment 'B' – Proposed By-law and Map No. 1
- Attachment 'C' – Newspaper Notice
- Attachment 'D' – Department and Agency Comments
- Attachment 'E' – Community Comments