



PLANNING, DEVELOPMENT
AND LEGISLATIVE SERVICES
Community Planning
150 Frederick Street 8th Floor
Kitchener Ontario N2G 4J3 Canada
Telephone: 519-575-4400
TTY: 519-575-4608
Fax: 519-575-4466
www.regionofwaterloo.ca

Will Towns 1-519-616-1868
File: C14/2/24019
September 10, 2024

Eric Schneider
Senior Planner
City of Kitchener
200 King Street West, 6th Floor
P.O. Box 1118, Kitchener, ON
N2G 4G7

Dear Mr. Schneider,

**Re: Zoning By-law Amendment ZBA24/019
60 Trussler Road
1000160668 Ontario Corp. c/o Patterson Planning
Consultants Inc.
City of Kitchener**

On behalf of the property owner, Patterson Planning Consultants Inc. has submitted a zoning by-law amendment (ZBA) application for a development proposal at 60 Trussler Road in the City of Kitchener.

The applicant is proposing to develop a currently-vacant lot with three, three-storey multi-residential buildings (stacked/back-to-back townhomes) containing a total of 64 units, 73 parking spaces, and an outdoor amenity area. A vacant land condominium proposing low-density residential use of these lands was draft approved in September 2021 by the City of Kitchener (30CDM-21207).

The property is located in the Urban Area and Delineated Built Up Area in the ROP; designated Low Rise Residential in the City's Official Plan; and zoned Low Rise Residential One (RES-1). The ZBA seeks to change the zone category to RES-5 to permit the proposed form, and seeks site-specific relief from side-yard setback, parking, and building height requirements.

The site is located in the Urban Area and Delineated Built Up Area in the Regional Official Plan; designated Low Rise Residential in the City's Official Plan; and zoned Low Rise Residential-4 (RES-4). The ZBA proposes to change the zone category to RES-5 to permit the proposed built form (stacked townhomes) and seeks relief from maximum FSR and minimum rear yard setback requirements.

The Region has had the opportunity to review the proposal and offers the following:

Community Planning

Provincial Policy Statement (PPS) 2020

The PPS encourages the development of livable communities. It also provides a framework for planning authorities to ensure the wise use of resources while protecting Ontario's long-term prosperity and environmental and social well-being. It directs growth to built-up areas and promotes a mix of land uses that efficiently use resources, minimize negative environmental impacts, and support active transportation and transit use. Policy 1.2.6 requires the assessment of compatibility in instances where sensitive uses are proposed in proximity to industrial facilities.

The Planning Opinion Report prepared by Patterson Planning Consultants Inc. (dated June 2024) provides a review of applicable PPS policies. The development proposes an intensified use of serviced (and underutilized) land in proximity to transit services, expands the range of housing options in the neighbourhood and proposes some diversity in unit types (both one and two-bedroom units proposed). PPS policy 1.2.6 is not explicitly addressed in the Planning Opinion Report – however, compatibility in this location relates primarily to stationary noise, and these issues are addressed in the Updated Environmental Noise Impact Study prepared by GHD Group Ltd. (dated April 16, 2024). This study is discussed in a later section. Overall, Regional staff are satisfied that the proposal is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan recognizes the Greater Golden Horseshoe (GGH) as a fast-growing and dynamic region. It directs development in a way that supports economic prosperity, the environment, and quality of life – specifically emphasizing intensification, compact built form, and housing choice in built-up areas.

The Planning Opinion Report provides an analysis of applicable Growth Plan policies, including comments on the proposed development's emphasis on intensification and proximity to transit services. The site's location within the Built Up area on underutilized, serviced land is in keeping with Growth Plan direction, and therefore Regionals staff are satisfied that the application conforms with the Growth Plan.

Regional Official Plan

Section 1.6 of the Regional Official Plan establishes the overview of the Regional Planning Framework and Section 2.B.1 and 2.C establish policies for the Urban System. Section 2.F of the Regional Official Plan establishes policies for intensification targets within the Delineated Built-Up Area, which is set at 60 percent annually for the City of Kitchener. Furthermore, development in the Built Up Area is intended to provide gentle density and other missing middle housing options that are designed in a manner that supports the achievement of 15-minute neighbourhoods.

The proposed density will contribute to the achievement of Kitchener's intensification target for the Delineated Built Up Area. In addition, the applicant has proposed stacked townhouses throughout the development, which is encouraged as a form of missing-

middle housing in the Delineated Built-Up Area. This development, while proposing only residential uses, introduces additional units and housing types to a neighbourhood that already includes some townhomes and is in proximity to transit services on Highland Road West, employment uses, and a Regional Employment Area (185m north of the site). Staff are satisfied that the application conforms to the ROP.

Corridor Planning

Condition of Approval for ZBA

Approval of the noise study and would be required prior to final approval of the ZBA.

Environmental & Stationary Noise

Staff note that a noise study entitled Updated Environmental Noise Impact Study Proposed Residential Development 60 Trussler Road, Kitchener, Ontario dated April 16, 2024, and prepared by GHD Group Ltd. was submitted in support of this application. Stationary noise sources from proximate industrial uses within 500m of the site were included in the analysis. The study was circulated to a third-party peer reviewer for review and comment, and comments from the peer reviewer will be provided under separate cover.

Should the application proceed to Council for approval prior to the receipt of peer review comments, the Region will require a holding provision until the preliminary study is completed and a detailed noise study addressing final design of the site and its impact on surrounding sensitive land uses and itself is prepared and accepted by the Region. Required wording for the holding provision is as follows:

That a holding provision shall apply to the entirety of the subject lands until satisfactory preliminary and detailed stationary noise studies have been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

Region of Waterloo International Airport (Advisory)

Please be advised that the lands are subject to the Region of Waterloo International Airport Zoning Regulations issued under the federal Aeronautics Act. The purpose of the Regulations is two-fold: 1) to prevent lands adjacent to or in the vicinity of the Region of Waterloo International Airport site from being used or developed in a manner that is incompatible with the safe operation of the airport or an aircraft; and 2) to prevent lands adjacent to or in the vicinity of facilities used to provide services relating to aeronautics from being used or developed in a manner that would cause interference with signals or communications to and from aircraft or to and from those facilities.

It is the landowner's responsibility to be aware, and to make all users of the land aware of the restrictions under these Regulations, which may include but are not limited to height restrictions on buildings or structures, height of natural growth, interference with

communications, and activities or uses that attract birds. While not a concern with the proposed application, please be advised that the height limit at this location is approximately 157m above ground level. All buildings and cranes must not exceed this height.

Other

A Site Plan pre-consultation fee of \$300 and a Site Plan review fee of \$805 will be required for the review and approval of a future Site Plan application.

Record of Site Condition

In accordance with the Region's Implementation Guideline for the Review of Development Applications on or Adjacent to Known and Potentially Contaminated Sites, a Record of Site Condition (RSC) is required due to the presence of a "high" potential threat of contamination in the Region's Threats Inventory Database on adjacent lands (associated with Heroux Devtek Aerospace Product and Parts Manufactural facility at 1665 Highland Road West).

As the RSC and associated Acknowledgement Letter from the Ministry of Environment, Conservation and Parks (MECP) have not been submitted as part of a complete application, Regional staff will require a holding provision implemented through the ZBA requiring the submission of the RSC and MECP Acknowledgement Letter to the Region's satisfaction. Alternately, the City's Chief Building Official may provide the Region with written confirmation that an RSC is required under O. Reg 153/04. Required wording for the holding provision is as follows:

That a holding provision shall apply to the entirety of the subject lands until a satisfactory Record of Site Condition has been submitted to the Ministry of Conservation and Parks, and that the Record of Site Condition and Ministry Acknowledgment Letter are provided to the Regional Municipality of Waterloo.

Risk Management & Source Water Protection

The subject property located in a Part IV area of the CWA (WHPA). No Section 59 notice submitted with application; circulated to RMO for comment.

RMO staff indicate property is in a source protection area where Risk Management Plan or prohibition policies implemented by the Region of Waterloo may apply. A Notice of Source Protection Plan Compliance (Section 59 Notice) is required.

Under the 2022 Grand River Source Protection Plan, a Risk Management Plan for salt application may be required for proposed and/or altered surface parking and vehicle driveway areas greater than 200 square metres. Design considerations with respect to salt management that will form the Risk Management Plan include;

- Minimizing the transport of meltwater across the parking lots or driveways
- Directing downspouts away from paved areas

- Locating snow storage areas on impermeable (ie paved) surfaces that drain directly to catch basins

Note that the Region does not support any engineered and/or enhanced infiltration of runoff originating from paved surfaces within chloride Issue Contributing Areas. The above noted property is within a chloride Issue Contributing Area. Engineered and/or enhanced infiltration features may include ponds, infiltration galleries, permeable pavers, ditches, swales, oil-grit separators, etc.

A Valid Notice of Source Protection under Section 59 of the Clean Water Act has not yet been provided in support of this application. It is our understanding that the applicant is currently working with the Regional Risk Management Official (rmo@regionofwaterloo.ca) to update an existing Risk Management Plan for the property to reflect the development concept. Provided the Section 59 Notice is issued, staff will have no concern with source protection in relation to this application.

Water Services

Regional staff have reviewed the Functional Servicing Report provided in support of the application and have no comments or concerns with the servicing proposal.

Waste Management

The subject lands are located approximately 1km from the boundary of an active Regional landfill site. Staff have considered land use compatibility in accordance with the Ministry of the Environment, Conservation and Parks' (MECP) Guideline D-4. As part of a future plan of condominium application, Regional staff will require as a condition of draft approval that the following warning clause be included in all offers of purchase and sale, lease and rental agreements, and the condominium declaration:

“Due to proximity to the Waterloo Regional Waste Management Centre, odour levels on this property may occasionally cause concern for some individuals.”

This warning clause shall be secured in a registered agreement with the City of Kitchener or the Regional Municipality of Waterloo.

Housing Services

The following Regional policies and initiatives support the development and maintenance of affordable housing:

- Regional Strategic Plan
 - o Strategic Priority 1 is “Homes for All” in the 2023-2027 Strategic Plan.
- 10-Year Housing and Homelessness Plan
 - o Contains an affordable housing target for 30% of all new residential development between 2019 and 2041 in Waterloo Region to be affordable to low and moderate income households.
- Building Better Futures Framework

- Demonstrates Regional plans to create 2,500 units of housing affordable to people with low to moderate incomes by 2025.
- Region of Waterloo Official Plan
 - Section 3.A (Range and Mix of Housing) contains land use policies that ensure the provision of a full and diverse range and mix of permanent housing that is safe, affordable, of adequate size, and meets the accessibility requirements of all residents.

The Region supports the provision of a full range of housing options, including affordable housing. Should this Zoning By-law amendment be approved, staff recommend that the applicant consider providing a number of affordable housing units on the site, as defined in the Regional Official Plan. Rent levels and house prices that are considered affordable according to the Regional Official Plan are provided below in the section on affordability.

In order for affordable housing to fulfill its purpose of being affordable to those who require rents or purchase prices lower than the regular market provides, a mechanism should be in place to ensure the units remain affordable and establish income levels of the households who can rent or own the homes.

Staff further recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs and mechanisms to support a defined level of affordability.

Affordability

For the purposes of evaluating the affordability of an ownership unit, based on the definition in the Regional Official Plan, the purchase price is compared to the least expensive of:

Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households	\$395,200
Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area	\$740,000

*Based on the most recent information available from the PPS Housing Tables (2023).

For an owned unit to be deemed affordable, the maximum affordable house price is \$395,200.

For the purposes of evaluating the affordability of a rental unit, based on the definition of affordable housing in the Regional Official Plan, the average rent is compared to *the least expensive of*:

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income renter households	\$2,040
A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$1,164 1-Bedroom: \$1,346 2-Bedroom: \$1,658 3-Bedroom: \$2,039 4+ Bedroom: n/a

*Based on the most recent information available from the PPS Housing Tables (2023)

For a rental unit to be deemed affordable, the average rent for the proposed units must be at or below the average market rent in the regional market area as shown above.

Please do not hesitate to contact Housing Services staff directly at JMaanMiedema@regionofwaterloo.ca or phone at 226-753-9593 should you have any questions or wish to discuss in more detail.

Fees

Please be advised that the Region is in receipt of fees for the ZBA review (\$3,000, deposited August 22, 2024) and peer review of the environmental noise study (\$5,085, received August 21, 2024).

Conclusions & Next Steps

Regional staff have no objection to approval of the proposed application, provided the following are addressed:

- A Valid Section 59 Notice is provided to the Region.
- A holding provision is applied to these lands requiring Regional acceptance of the preliminary noise study and completion of a detailed noise study prior to site plan approval.
- A holding provision is applied to these lands requiring submission of a Record of Site Condition and Ministry Acknowledgement letter to the Region.
- Inclusion of a warning clause related to proximity to an active Regional landfill in any future agreements of purchase and sale, lease/rental agreements, and condominium declarations is secured in a registered development agreement as part of a future Planning Act application.

Note also that peer review comments in relation to the preliminary stationary noise study submitted in support of this application will be provided under separate cover once received from the third-party peer reviewer.

Please be advised that any future development on the lands subject to the above-noted application will be subject to the provisions of Regional Development Charge By-law 19-037 or any successor thereof.

Further, please accept this letter as our request for a copy of the decision pertaining to this application. Should you have any questions, please do not hesitate to contact the undersigned at wtowns@regionofwaterloo.ca.

Yours truly,

A handwritten signature in black ink, appearing to read "Will Towns". The signature is fluid and cursive, with a long horizontal stroke at the end.

Will Towns, RPP
Senior Planner

C. Patterson Planning Consultants Inc, c/o Scott Patterson (Agent)
1000160668 Ontario Corp. c/o Michael Brenner (Owner)

Eric Schneider

From: Niall Melanson
Sent: Wednesday, September 18, 2024 2:08 PM
To: Eric Schneider
Cc: Angela Mick; Primmer, Sarah
Subject: 60 Trussler Road, ZBA24-019-T-ES - Engineering Clearance

Hey Eric

Please be advised that Engineering and Kitchener Utilities can provide our clearance for the ZBA application.

Thank you.

Niall Melanson, C.E.T.
Project Manager, Development Engineering, City of Kitchener
niall.melanson@kitchener.ca, 519-741-2200 x 7133
200 King St. W., Kitchener, ON N2G 4G7

Hey Eric,

This is not regulated by the GRCA and we have no comments.

Thanks,

Trevor Heywood B.Sc.(Env.)

Resource Planner

Grand River Conservation Authority

400 Clyde Road, PO Box 729

Cambridge, ON N1R 5W6

Phone: 519-621-2761 ext. 2292

Email: theywood@grandriver.ca

www.grandriver.ca | [Connect with us on social media](#)

City of Kitchener

ZBA comments

Application type: Zoning By-law Amendment ZBA24/019/T/ES
Project address: 60 Trussler Road
Comments of: Transportation Services
Commenter's name: Dave Seller
Email: dave.seller@kitchener.ca
Phone: 519-741-2200 e 7369
Date of comments: August 22, 2024
Comments due: September 5, 2024

As part of a complete Zoning By-law amendment application, a Transportation Impact Study (TIS) was submitted (May 2024) by Paradigm Transportation Solutions Limited in support of this application. Transportation Services reviewed the TIS and offer the following comments.

Development proposal

The applicant is proposing to redevelop the site with 64-unit townhouse development with a total of 73 parking spaces. The development is estimated to generate 28 AM and 34 PM peak hour vehicle trips and the site will be serviced by one full moves access along Trussler Road. The assumed build out for this development is 2027.

Intersection analysis

The two intersections noted below were reviewed under existing 2024 base year traffic conditions and both intersections are operating within acceptable levels of service and within capacity during the AM and PM peak hours.

- Trussler Road at Snyder's Road East (Wilmot Township)/Highland Road West (Regional Road 6) - unsignalized
- Trussler Road/Highview Drive at Ira Needles Boulevard (Regional Road 70) - roundabout

The two intersections noted above were reviewed under 2032 future background traffic conditions and are both operating within acceptable levels of service and within capacity during the AM and PM peak hours. The intersection of Trussler Road/Highview Drive at Ira Needles Boulevard (Regional Road 70) noted that Highview Drive is operating with a LOS E and v/c of 0.71 in the PM peak hour. While delay is noted, there remains excess vehicle capacity for this movement. Trussler Road is operating with a LOS C and v/c of 0.93 in the PM peak hour.

The three intersections below were reviewed under 2032 future total traffic conditions and are operating within acceptable levels of service and within capacity during the AM and PM peak hours,

except where noted. Future total traffic includes forecasted background traffic plus site development traffic.

- Trussler Road at Snyder's Road East (Wilmot Township)/Highland Road West (Regional Road 6) - unsignalized
- Trussler Road/Highview Drive at Ira Needles Boulevard (Regional Road 70) - roundabout
- Trussler Road at site access (*NEW*) – unsignalized

The intersection of Trussler Road/Highview Drive at Ira Needles Boulevard noted that Highview Drive which is operating with a LOS E and v/c of 0.76 in the PM peak hour. While delay is noted, there remains excess vehicle capacity for this movement. Trussler Road is operating with a LOS C and v/c of 0.93 in the PM peak hour.

The new site access to Trussler Road is forecasted to operate with a LOS B or better and v/c ratios of 0.03 or lower in the AM and PM peak hours.

Transportation Demand Management (TDM) analysis

There are two Grand River Transit (GRT) routes less than 700m from this development. They include routes: 1 and 77. These routes offer connectivity to a broader transit network throughout the Region of Waterloo and within Kitchener itself. The walkability for pedestrians accessing the site and surrounding area is possible as sidewalks are generally provided on both sides of roadways in the surrounding area. While Trussler Road doesn't have any dedicated cycling facilities, Ira Needles Boulevard and Highland Road West do have cycling facilities available. There is also an off-road trail that connects Trussler Road to Ira Needles Boulevard through Waldau Woods Park.

Left turn lane analysis

A left turn lane analysis was completed along Trussler Road at the site access, utilizing the Ministry of Transportation (MTO) Geometric Design Standards for the 2032 Background and 2032 Total future traffic conditions and it was determined that a left turn lane along Trussler Road is not warranted. Transportation Services supports Paradigms conclusions.

AutoTURN swept path analysis

The following Transportation Association of Canada (TAC) design vehicle was reviewed for loading/garbage:

- Medium Single Unit (MSU) - acceptable

Conclusion

Based on the analysis within the TIS, Transportation Services supports Paradigms recommendation that the development be approved and that there are no provisions for any off-site transportation network improvements.

Good morning Eric,

The Waterloo Catholic District School Board has reviewed the subject application and based on our development circulation criteria have the following comment(s)/condition(s):

A) That any Education Development Charges shall be collected prior to the issuance of a building permit(s).

B) That the developer and the Waterloo Catholic District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the development sign advising prospective residents about schools in the area. A sign specifications document can be found at the bottom of the board's planning department web page (<https://www.wcdsb.ca/about-us/cs/planning/>).

C) That the developer shall include the following wording in the site plan agreement / future condominium declaration to advise all purchasers of residential units and/or renters of same:

"In order to limit risks, public school buses contracted by Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up and drop off students, and so bussed students will be required to meet the bus at a congregated bus pick-up point."

Jennifer Passy, BES, MCIP, RPP (she/her)
Manager of Planning
Waterloo Catholic District School Board
Phone: 519-578-3677, ext. 2253
Cell: 519-501-5285

City of Kitchener
OPA & ZBA Comment Form

Project Address: 60 Trussler Road, Kitchener

Application Type: Zoning Bylaw Amendment

Comments Of: Urban Design

Commenter's Name: Katey Crawford

Email: Katey.Crawford@kitchener.ca

Phone: 519-741-2200 ext. 7157

Date of Comments: September 4th 2024

- ☐ I plan to attend the meeting (questions/concerns/comments for discussion)
- ☒ No meeting to be held
- ☐ I do NOT plan to attend the meeting (no concerns)
-

1. Documents Reviewed

- Zoning By-law Amendment Application Form
- Floor Plans, Building Elevations, and Building Sections
- Renderings
- Concept Site Plan
- Civil Engineering Plans
- Noise Study
- Urban Design Report
- Tree Management Plan

2. Site Specific Comments & Issues:

There are updates required to the documentation noted below to address urban design concerns with the proposed ZBA application.

Site Plan Comments

- A 3.9-meter-wide front yard setback is measured to the corner of the building, not 4.7m as noted on the plan.

- A revised site layout/approach to bicycle storage is required. Indoor designated bike storage is encouraged to prevent window obstruction from bike lockers and allow for additional landscaping and buffering on site.
- Show location of Class B bike parking on the plan.
- Landscape medians are required at the end of drive aisles.
- 0.3m wide landscape strips between concrete walkways and private patios will not be able to support plant material. Bring sidewalks up to the patio to increase landscape buffers offset north property line.
- Provide a 1.5m minimum width landscape buffer along all property lines, (measured at edge of curb) to allow for landscape buffer and tree planting.
- Walkways abutting parking stalls require a minimum of 1.8m width.
- The proposed ground floor balconies/patios should be a minimum of 11 square meters in size.
- 1.8m high wood screen fence is required offset property lines.
- Deep well waste storage to be noted on the plan. At grade “earth bin” are unacceptable. Encourage adding a 3rd bin for compost/organic material disposal in addition to garbage and recycling.

Built Form Comments

- Provide a flat rough structure for all buildings to reduce massing and better integrate the built form into the low-rise neighborhood context.
- Show and note colours and materials. Utilize a material and colour palette that is sympathetic to the neighborhood and less cold in appearance.
- Utilize masonry along the entire front façade of Building A, facing Trusser to improve articulation and appearance facing the public realm.
- Lower level patios are to be removed facing Trussler, as previously requested to allow for landscaping and an improved interface with the public realm.

Tree Management Plan Comments

- Written permission for removal of or impact to trees in joint ownership along property lines is required.
- There are numerous trees off property and in shared ownership which will be impacted where removal would be necessary. Has there been any consideration or efforts to re-design the site to preserve quality vegetation? Given the limited setbacks proposed, it will likely not be possible to replace trees at a 3:1 rate on site. Provide additional enhanced landscape buffer in effort to retain trees off property.

Urban Design Report Comments

- Provide conceptual details for on-site amenity spaces in the Urban Design Report including commentary and precedent images to guide detailed site design. A play space with play equipment, seating and a shade structure element is required.

- Please include the amenity area calculation in the urban design brief, following the formula provided. $(2\text{m}^2 \times \text{\#units}) + (2.5\text{m}^2 \times \text{\#bedrooms} - \text{\#units}) = \text{outdoor amenity space}$.
- Update report based on comments above.

Preliminary Comments

Eric Schneider
Senior Planner
City of Kitchener
Eric.Schneider@kitchener.ca

September 6, 2024

Re: Circulation for Comment - 60 Trussler Road (ZBA)

File No.:

Municipality: Kitchener

Location: 60 Trussler Road

Owner/Applicant: 1000160668 Ontario Corp./Patterson Planning Consultants Inc.

Dear Eric,

The Waterloo Region District School Board (WRDSB) has reviewed the above-noted application that proposes the development of a 64 unit low rise residential/ stacked townhouses. The WRDSB offers the following comments.

Student Accommodation

At this time, the subject lands are within the boundaries of the following WRDSB schools:

- Meadowlane Public School (Junior Kindergarten to Grade 6);
- Westheights Public School (Grade 7 to Grade 8); and
- Forest Heights Collegiate Institute (Grade 9 to Grade 12).

Please be advised that student accommodation pressures currently exist at Forest Heights CI. The WRDSB's [2020-2030 Long-Term Accommodation Plan](#) provides detailed enrolment projections for schools in this review area. Interim student accommodation measures, including portable classrooms, are presently on-site and may be required until an alternative accommodation solution is in place.

Additionally, the WRDSB may conduct a boundary review or designate this property as a "Development Area" and assign it to Holding Schools before occupancy or sales.

Student Transportation

The WRDSB supports active transportation, and we ask that pedestrians be considered in the review of all development applications to ensure the enhancement of safety and connectivity. WRDSB staff are interested in engaging in a conversation with the city, and applicant to review the optimization of pedestrian access to public transit, and municipal sidewalks so students may access school bus pick-up points.

Student Transportation Services of Waterloo Region (STSWR)'s school buses will not travel privately owned or maintained rights-of-way to pick-up/drop-off students. Transported students will be required to meet the bus at a congregated bus pick-up point. STSWR may have additional comments about student pick-up point(s) placement on municipal rights-of-way.

WRDSB Draft Conditions

Concerning any future declaration or agreement, the WRDSB requests the following inclusions in the conditions of Draft Approval:

1. That the Owner/Developer shall include the following wording in the condominium declaration to advise all purchasers of residential units and/or renters of same:

- a. *"Despite the best efforts of the Waterloo Region District School Board (WRDSB), accommodation in nearby facilities may not be available for all anticipated students. You are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may, in future, be transferred to another school."*
 - a. *"For information on which schools are currently serving this area, contact the WRDSB Planning Department at 519-570-0003 ext. 4419, or email planning@wrdsb.ca. Information provided by any other source cannot be guaranteed to reflect current school assignment information."*
 - a. *"In order to limit risks, public school buses contracted by Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up and drop off students, and so bussed students will be required to meet the bus at a congregated bus pick-up point"*
2. That the Owner/Developer enters into an agreement with the City of Kitchener to be registered on the title to the Property that provides:
 - a. *"All agreements of purchase and sale or leases for the sale or lease of a completed home or a home to be completed on the Property must contain the wording set out below to advise all purchasers of residential units and/or renters of same."*
 - i. *"Despite the best efforts of the Waterloo Region District School Board (WRDSB), accommodation in nearby facilities may not be available for all anticipated students. You are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may, in future, be transferred to another school."*
 - i. *"For information on which schools are currently serving this area, contact the WRDSB Planning Department at 519-570-0003 ext. 4419, or email planning@wrdsb.ca. Information provided by any other source cannot be guaranteed to reflect current school assignment information."*
 - i. *"In order to limit risks, public school buses contracted by Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up and drop off students, and so bussed students will be required to meet the bus at a congregated bus pick-up point"*
3. That in cases where Agreements of Purchase and Sale have already been executed, the Owner/Developer sends a letter to all purchasers which include the above statements (conditions 2 a. i., ii., and iii.).
4. That the Owner/Developer supply, erect and maintain a sign (at the Owner/Developer's expense and according to the WRDSB's specifications), near or affixed to the development sign, advising prospective residents about schools in the area and that prior to final approval, the Owner/Developer shall submit a photo of the sign for review and approval of the WRDSB.
5. Prior to final approval, the WRDSB advises in writing to the Approval Authority how the above condition(s) has/have been satisfied.

Please be advised that any development on the subject lands is subject to the provisions of the WRDSB's [Education Development Charges By-law, 2021](#) or any successor thereof and may require the payment of Education Development Charges for these developments prior to issuance of a building permit.

The WRDSB requests to be circulated on any subsequent submissions on the subject lands and reserves the right to comment further on this application.

If you have any questions about the comments provided, don't hesitate to contact the undersigned.

Sincerely,

Sarah West
Senior Planner
Waterloo Region District School Board
sarah_west@wrdsb.ca
519 570 0003 x4439

cc: L. Agar, WRDSB

City of Kitchener
Zoning Bylaw Amendment Comment Form

Address: 60 Trussler Road
Owner: 1000160668 Ontario Corp.
Application: Zoning By-law Amendment #ZBA24/019/T/ES

Comments Of: Park Planning
Commenter's Name: Lenore Ross
Email: Lenore.ross@kitchener.ca
Phone: 519-741-2200 ext 7427
Date of Comments: Aug 12 2024

Documents Reviewed:

I have reviewed the documentation noted below submitted in support of a Zoning By-law Amendment to change the zoning from 'Low Rise Residential One Zone (RES-1)' to 'Low Rise Residential Five Zone (RES-5)' is requested to facilitate the use of multiple dwelling. A site-specific provision is also being sought for side yard setback, parking reduction of one parking space, and increase in building height.

- Zoning By-law Amendment Application Form
- Floor Plans, Building Elevations, and Building Sections
- Renderings
- Concept Site Plan
- Planning Opinion Report
- Civil Engineering Plans
- Noise Study
- Urban Design Report
- Tree Management Plan

Site Specific Comments & Issues:

There are minor updates required to the documentation noted below to address Park Planning's concerns with the proposed ZBA application. Park Planning can provide conditional support to the application subject to receiving satisfactory updates to the documentation noted.

Comments on Submitted Documents

The following comments should be addressed at this time.

Urban Design Brief – Patterson Planning Consultants Inc. dated June 2024

As noted in Park Planning's Presubmission comments, the site is within the Forest Heights Planning Community and while this community has been identified as being well served overall with active neighbourhood park space the subject site is isolated from and beyond typical walkshed distances to existing neighbourhood park facilities. The provision of robust onsite recreational amenity space will be important for future residents of the proposed development and the required Urban Design Brief should provide details for a robust on-site outdoor amenity space with good solar access and protection from wind. This amenity space will be required as part of the site plan design and should include seating and

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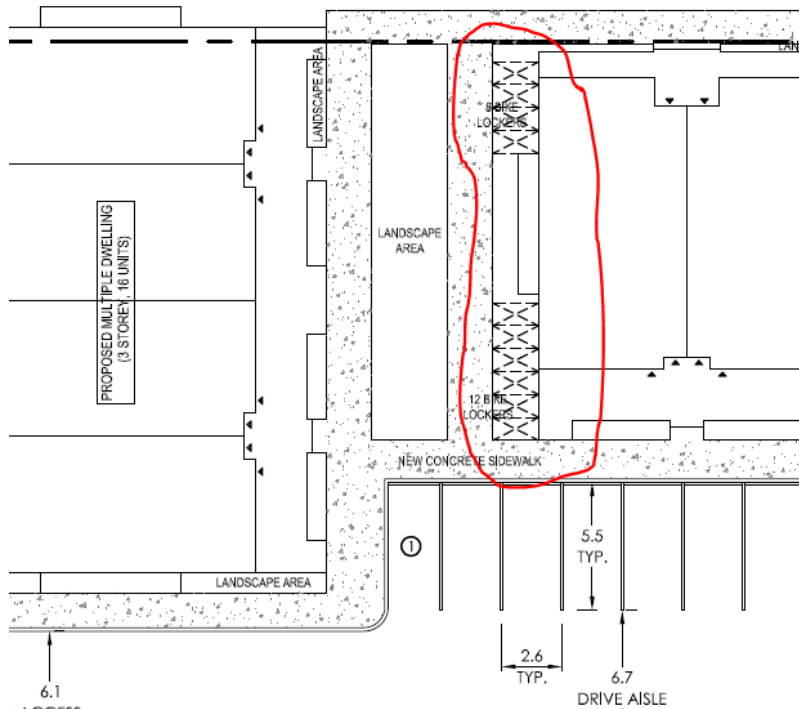
play equipment for residents of all ages and abilities. **The UDB should provide conceptual details for on-site amenity spaces including commentary and precedent images to guide detailed site design through the site plan application. A revised Urban Design Brief is required.**

Proposed Site Plan on City template, architectural renderings and preliminary floor plans – Reinders + Law Ltd.

Based on the proposed preliminary site plan, architectural renderings and preliminary floor plans, the stacked secure bicycle storage units will obstruct windows. A revised site layout/approach to bicycle storage is required.



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Policies, Standards and Resources:

- Kitchener Official Plan
- City of Kitchener Park Dedication Bylaw 2022-101 and Park Dedication Policy MUN-PLA-1074
- City of Kitchener Development Manual
- Cycling and Trails Master Plan (2020)
- Chapter 690 of the current Property Maintenance By-law
- Places & Spaces: An Open Space Strategy for Kitchener
- Multi-Use Pathways & Trails Masterplan
- Urban Design Manual

Anticipated Fees:

Parkland Dedication

Parkland dedication requirements will be **deferred** at the Zoning By-law Amendment application and assessed at a future Site Plan Application. Parkland dedication will be assessed based on the land use class and density approved through the ZBA and required as a condition of Site Plan Approval. Parkland

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dedication will be taken as **cash-in-lieu of land** according to the Planning Act, Parkland Dedication Bylaw 2022-101 and Parkland Dedication Policy MUN-PLA-1074 in effect.

If Site Plan Approval in Principle/Conditional Approval is issued within five (5) years of Nov 05, 2021, a credit for the demolished residential unit will be applied.

An estimate is provided using the approved land valuation of \$3,830,000/ha and a dedication rate of 1ha/1000 units; a maximum dedication of either land or CIL of 10% and a capped rate of \$11,862/unit. The estimated cash-in-lieu park dedication for the proposed 0.6127 ha site with 64 proposed units (possible credit for demolition of 1 units if AIP by Nov 05 2026) is **\$234,664**

Calculation:

63 units/1000units x \$3,830,000/ha = \$241,290 (alternate rate Bylaw 2022-101)

0.6127ha x 0.05 x \$3,830,000/ha = \$117,332 (5% rate Bylaw 2022-101)

0.6127ha x \$3,830,000/ha x 0.1 = \$234,664 (More Homes Built Faster Act 10% cap)