

Staff Report



Development Services Department

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REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: June 19, 2023

SUBMITTED BY: Stevenson, Garrett - Interim Director of Planning, 519-741-2200 ext. 7070

PREPARED BY: Dumart, Craig – Senior Planner, 519-741-2200 ext. 7073

WARD(S) INVOLVED: Ward 9

DATE OF REPORT: May 19, 2023

REPORT NO.: DSD-2023-254

SUBJECT: Draft Plan of Subdivision 30T-19201
Official Plan Amendment Application OPA19/002/C/GS
Zoning By-law Amendment Application ZBA19/005/C/GS
263, 321- 325 Courtland Avenue East, 230 and 240 Palmer Avenue
and 30 Vernon Avenue
321 Courtland Ave Developments Inc

RECOMMENDATION:

That the City of Kitchener, pursuant to Section 51 (31) of the Planning Act R.S.O. 1990, Chapter P 13 as amended, and delegation by-law 2002-64, grant draft approval to Plan of Subdivision Application 30T-19201 in the City of Kitchener, for 321 Courtland Ave Developments Inc. subject to the conditions attached to Report DSD-22-254 as Appendix 'A'; and

That Official Plan Amendment Application OPA/19/002/C/GS 321 Courtland Ave Developments Inc. requesting a change in land use designation on the parcels of land specified and illustrated on Schedule 'A', be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2023-254 as Appendix 'B', and accordingly forwarded to the Region of Waterloo for approval; and

That Deferral No. 8 from Map 6 - Natural Heritage System in the 2014 OP be lifted on the parcels of land specified and illustrated on Schedule 'B'; be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2023-254 as Appendix 'B', and accordingly forwarded to the Region of Waterloo for approval; and

That Zoning By-law Amendment Application ZBA19/005/C/GS for 321 Courtland Ave Developments Inc. be approved in the form shown in the 'Proposed By-laws', and 'Map No. 1', attached to Report DSD-2023-254 as Appendix 'C'; and further

That the Urban Design Report dated February 2023 and attached to Report DSD-2023-254 as Appendix 'D', be adopted, and that staff be directed to apply the Urban Design Report through the Site Plan Approval process.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding a Draft Plan of Subdivision, an Official Plan Amendment, and a Zoning By-law Amendment to allow the subject lands to be developed with a mixed use subdivision which includes up to 3,345 residential dwelling units, a large 0.71 hectare Neighbourhood Park, multi-use trails, three (3) mixed use blocks, four (4) high density residential blocks, two (2) medium density residential blocks, as well as road widenings blocks.
- Planning staff recommends approval of the applications, subject to the conditions outlined in the report. The development proposal represents good planning and will allow for the development of mixed use, high density, complete community in a Major Transit Station Area.
- Community engagement included:
 - circulation of a preliminary notice letter to property owners and residents within 120 metres of the subject site;
 - installation two large notice signs on the properties;
 - follow up one-on-one correspondence with members of the public;
 - A Neighbourhood Meeting held on July 15, 2019;
 - A follow up Neighbourhood Meeting held on August 24, 2022
 - 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 Meetings;
 - notice of the public meeting was published in The Record on May 26, 2023.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

The property owner of the subject lands addressed as 263 and 321-325 Courtland Avenue East, 230 and 240 Palmer Avenue, and 30 Vernon Avenue (the former Schneider's factory lands) is proposing a Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment. The Owner is proposing to comprehensively redevelop the lands into a mixed-use, complete community with residential, commercial, employment uses, parks and a multi-use trail. Three existing buildings are proposed to remain, including the six storey office building, the large distribution warehouse building, and the former maintenance garage. The existing buildings will be repurposed for a mix of commercial and employment uses. New buildings are proposed to range from three storeys to thirty-eight storeys in height. In total, approximately 3,345 residential units, including 135 affordable dwelling units are proposed in the mixed use development. Staff are recommending that the applications be approved.

BACKGROUND:

321 Courtland Ave Developments Inc. has made applications to the City of Kitchener for a Plan of Subdivision, an Official Plan Amendment and a Zoning By-law Amendment proposing to change the land use designation and zoning of the lands at 263 and 321-325 Courtland Avenue East, 230 and 240 Palmer Avenue, and 30 Vernon Avenue to permit the lands to be comprehensively redeveloped into a mixed-use, complete community with residential, commercial, employment uses, a city owned park and a multi-use trail through the site connecting the Ion Horse Trail to the Mill ION station. The proposed development includes dividing the lands into 15 blocks through a Plan of Subdivision to accommodate the development of seven (7) high rise multiple dwelling buildings at the back of the site, ranging in height from 18 to 38 storeys; one (1) high rise mixed use building, 16 storeys in height; four (4) commercial/employment use buildings, 1 storey to 6 storeys in height; five (5) medium rise residential buildings 5 to 8 storeys in height; and two (2) low rise residential blocks with 3,345 residential units total, 19,500 square metres of non-residential space (employment and commercial uses) and a 0.71 hectare City-owned park. The proposed development includes 3,876 vehicle parking spaces proposed to be located underground, internal to the buildings and on the surface.

1,716 bicycle parking spaces are proposed within the development including 1,668 Class A indoor bicycle stalls and 48 Class B outdoor parking stalls. The lands are designated 'General Industrial with Special Policy Area 9' in the City of Kitchener Mill Courtland Woodside Park Neighbourhood Secondary Plan and zoned 'General Industrial Zone (M-2) with Special Regulation Provision 1R and Special Use Provisions 155U and 159U' in Zoning By-law 85-1. The existing zoning permissions permit a wide range of industrial uses such as slaughtering, eviscerating, rendering or cleaning of meat, warehousing, beverage distillation, repair of motor vehicles and major recreational equipment manufacturing, wholesaling, transportation depot, truck and transport terminal and other similar industrial uses and require GRCA permits for development on the lands.



Figure 1: Previous Built Form of the Subject Lands

Site Context

The subject lands are addressed as 263 and 321-325 Courtland Avenue East, 230 and 240 Palmer Avenue, and 30 Vernon Avenue (the former Schneider's factory lands) are located along Courtland Avenue East and bounded by Stirling Avenue South, Borden Avenue South and the CN Railway. The consolidated subject properties form a large irregular shape parcel of land and have a combined lot area of 10.36 hectares (25.6 acres) with approximately 375 metres of frontage along Courtland Avenue East.

The three existing buildings are proposed to remain, including the six storey office building, the large distribution warehouse building, and the former maintenance garage. The existing buildings will be repurposed for a mix of commercial and employment uses. The majority of the site is vacant as area grading and building removals were completed over the past 5 years.



Figure 2: Existing Site Context

The surrounding neighbourhood consists of a variety of uses including commercial buildings, industrial buildings, medium-rise residential uses, single detached dwellings, low-rise multiple dwelling buildings, and institutional buildings. Directly across the street to the north of the property along Courtland Avenue East and properties located along Courtland Avenue East between Vernon Avenue and Palmer Avenue are existing residential buildings. Directly to the west along Stirling Avenue is a commercial plaza with surface parking. Lands to the east of the subject properties along Borden Avenue are properties developed with low rise residential uses and directly to the south, abutting the subject lands is the CN Railway. The subject lands are in close proximity to the Mill ION stop (400 Metres) and the Borden ION stop (600 metres). Furthermore, existing bus routes operate along Courtland and Stirling Avenue and there are walking, and bike trails and bike lanes located nearby.

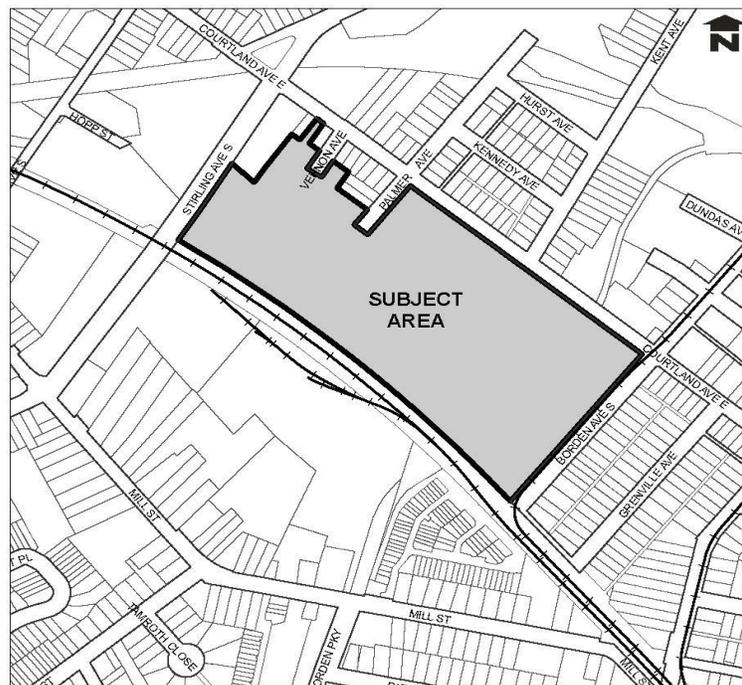


Figure 3 - 263 and 321-325 Courtland Avenue East, 230 and 240 Palmer Avenue and 30 Vernon Avenue.

REPORT:

The applicant is proposing a Plan of Subdivision to comprehensively redevelop the lands into a mixed-use complete community with residential, commercial, employment uses, parks and a multi use trail. The proposed development includes dividing the lands into 15 blocks in a Plan of Subdivision to accommodate the development of seven (7) high rise multiple dwelling buildings, ranging in height from 18 to 38 storeys; one (1) high rise mixed use building, 16 storeys in height; four commercial/employment use buildings, 1 storey to 6 storeys in height; five (5) medium rise residential buildings 5 to 8 storeys in height; and two (2) low rise residential blocks with 3,345 residential units total, 19,500 square metres of non-residential space (employment and commercial uses) and a 0.71 hectare City-owned park is planned for. The proposed development includes 3,876 vehicle parking spaces proposed to be located underground, internal to the buildings and on the surface. 1,720 bicycle parking spaces are proposed within the development including 1,672 Class A indoor bicycle stalls and 48 Class B outdoor parking stalls. Considerable thought and planning for proposed street network, proposed blocks, the location orientation and placement of the buildings, podium heights, building step backs, pedestrian and vehicular connections, and park spaces have been incorporated into the design for this proposed high intensity mixed use Plan of Subdivision.

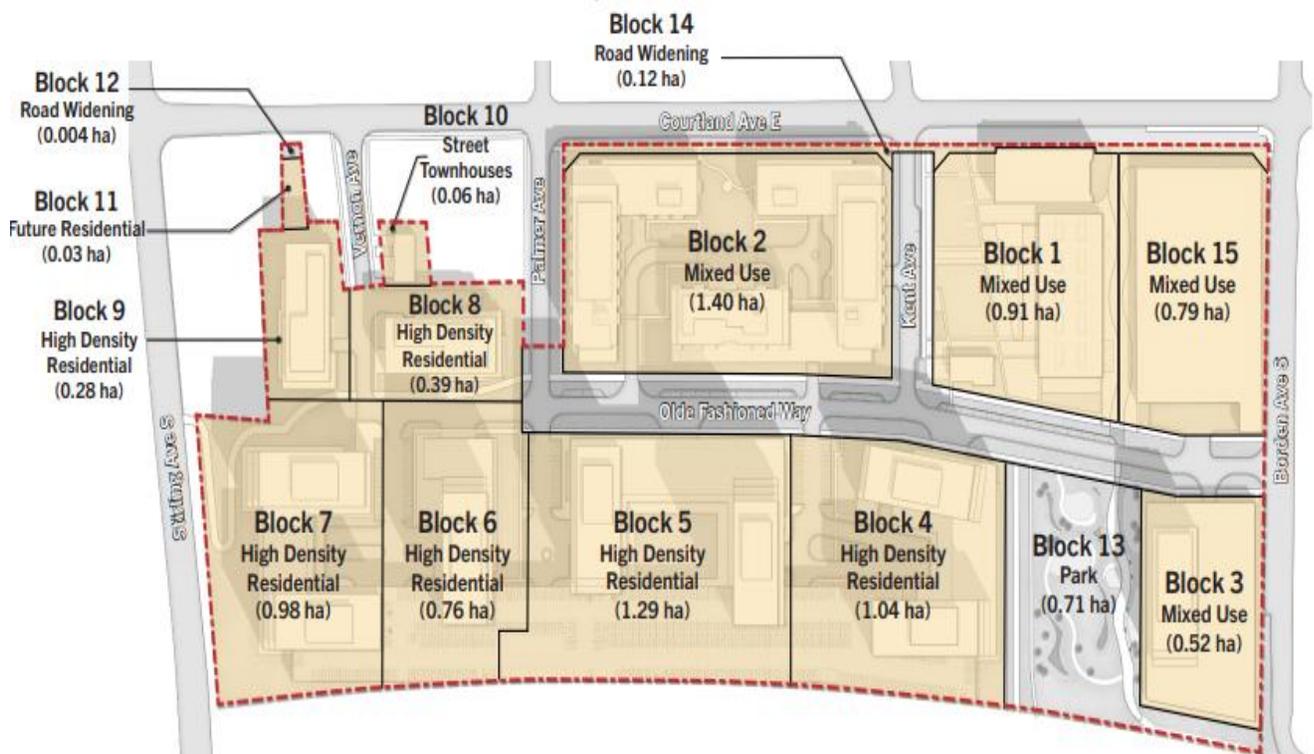


Figure 4- Development Block Plan

The proposed Official Plan and Zoning By-law Amendment applications were originally submitted in June 2019. Since this time there has been significant changes to the proposed development in direct response to public and staff comments, market conditions, and Provincial legislation. These changes include but are not limited, an increase to the maximum building height, residential units and Floor Space Ratio (FSR) and, an increase in size to the proposed City-owned park and increase in the number of affordable dwelling units, street network, three bed units and affordable house sponsorship.

Table 1 below provides a comparison of the development concepts, Figures 3 and 4 show the comparisons between the original concept master site plan and the revised development concept master site plan, and Figures 5 and 6 show comparison renderings of the original development proposal and the revised development proposal.

Table 1. Development Concept Comparison Table

	Original Development Concept	Revised Development Concept
Number of buildings	3 existing buildings repurposed with non residential uses 7 stacked townhouse blocks 5 medium rise towers 7 high rise towers 1 restaurant building	3 existing buildings repurposed with non residential uses 1 stacked townhouse block 5 medium rise towers 8 high rise towers 1 restaurant building
Number of Units	2,818 residential units	3,345 residential units
Unit Types	1 bedroom units 2 bedroom units	1 bedroom units 2 bedroom units 3 bedroom units (4% of total units, 143)
Affordable Dwelling Units	Contemplated providing 3.5% of the total housing stock as affordable (80 potential affordable dwelling units)	135 confirmed affordable dwelling units. (80% of market rate for a period of 25 years)
Affordable Housing Sponsorship	\$0.00	\$835,000.00 to a shovel ready affordable housing project
Parking Spaces	3,079 parking spaces	3,876 parking spaces
Bicycle Parking Spaces	1,500	1,720
Electric Vehicle Parking Spaces	0	20% of the required parking spaces will be dedicated to Electric Vehicle ready parking spaces. (775 spaces)
New Building Heights	3-35 Storeys	3-38 Storeys
Tall Building Guideline Compliant	No	Yes
Nancy Featherstone Park (City-owned park)	0.47 hectares	0.71 hectares



Figure 5 – Original Development Concept Master Site Plan

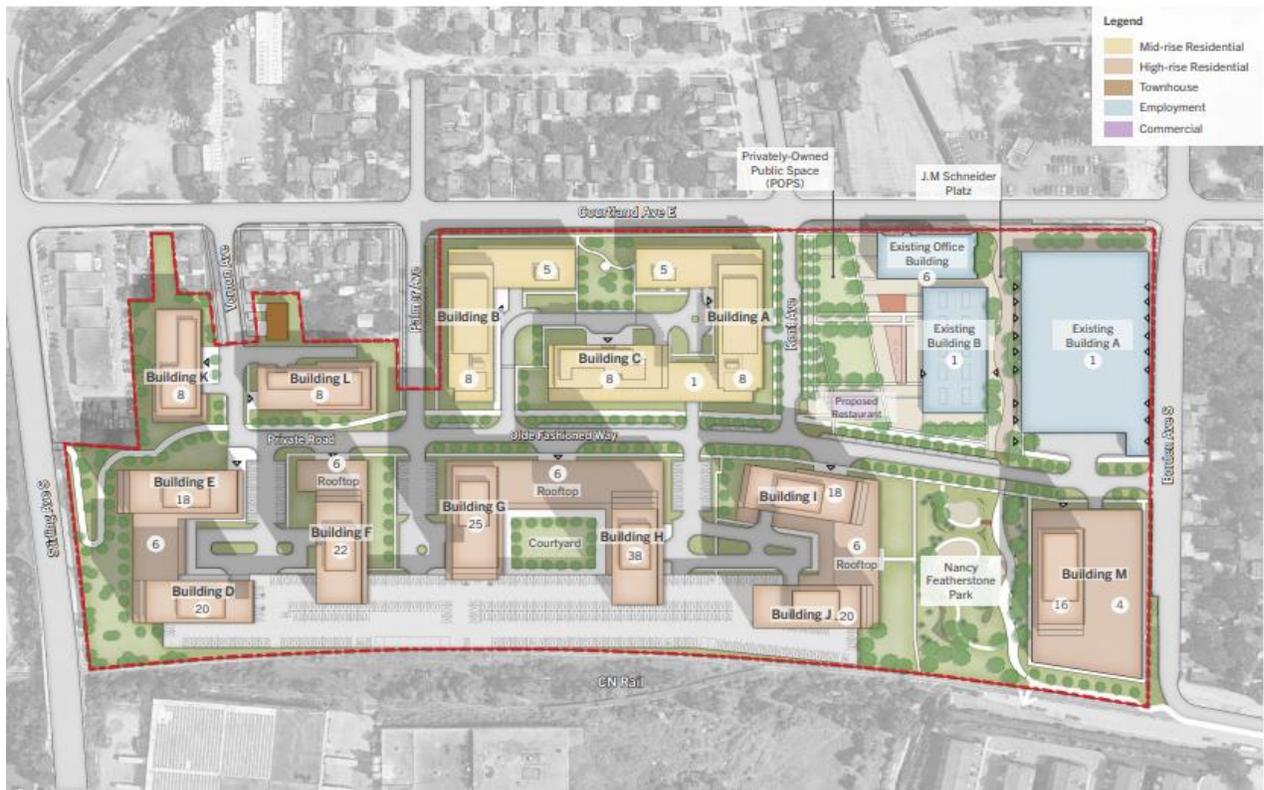


Figure 6 – Revised Development Concept Master Site Plan



Figure 7 – Original Development Rendering



Figure 8 – Proposed Development Rendering

The revised development master plan concept includes changes in direct response to public and staff comments. However, the overall organization of the master plan remains relatively unchanged from the original submission with the extension of Palmer Avenue and Kent Avenue into the site and connecting to a new municipal right-of way called Olde Fashioned Way. Olde Fashioned Way has been revised to be a one-way street leading to Borden. Medium rise buildings 5 to 8 storeys in height with building step backs are proposed along Courtland Avenue, Vernon Avenue, and Palmer Avenue. High rise towers 18-38 storeys in height are all located at the rear of the property internal to the site and abut the CN Railway at the rear of the property. A municipal park is located south of Olde Fashioned Way (Nancy Featherstone Park) and a privately-owned public space (J.M. Schneider Platz) will be provided on the lands between Olde Fashioned Way and Courtland Avenue.

The key change to the master plan since the initial submission is a change in the form of housing; with provision of higher intensity residential built forms whereas the initial master concept plan included more low-rise townhouse blocks. Similarly, a block fronting Borden Avenue previously shown as a surface parking lot and 'future development site (12-storeys)' is now planned to be developed with a sixteen (16) storey mixed-use building with a 28 metre (92 feet) setback to Borden Avenue Street line for any portion of the building over 18.0 metres - providing a sufficient setback to the low rise residential dwellings on the opposite side of Borden Avenue. Overall, the number of residential dwelling units in the master plan increased from 2,821 units in the initial submission to 3,345 units in the final master plan. Of the total 3,345 dwelling units 143 (4%) are 3-bedroom units. The amount of non-residential floor space decreased from an estimated 22,531 square metres in the initial submission to 19,500 square metres in the final master plan. The total supply of parking in the final master plan increased from 3,080 to 3,876 spaces, with 775 electric vehicle parking spaces being provided. 1672 Class A indoor bicycle stalls and 48 Class B outdoor parking stalls are provided and required by the proposed zoning. 20% of the required parking will be dedicated to Electric Vehicle (EV) ready parking spaces. Nancy Featherstone Park (proposed City-owned park) has also significantly increased in size as the original submission proposed a 0.47 hectare park which has increase in size to 0.71 hectares with the revised plan of subdivision.



Figure 9 - Streetview from the corner of Borden Avenue and Courtland Avenue East

The revised proposed development includes a redesign and reorientation of the high rise towers that now comply with the City of Kitchener Design for Tall Building Guidelines, which are Council

approved guidelines in the Urban Design Manual that guide and inform development applications for proposed buildings 9 storeys and greater. The original development application did not fully meet the meet on-site and off-site separation and did not fully comply with overlook requirements between towers. The revised development concept has addressed these aspects of the guidelines and complies with the Design for Tall Building Guidelines in the City's Urban Design Manual. In addition to meeting the Design for Tall Building Guidelines, well defined podiums are provided which will further enhance the streetscape along Olde Fashion Way and Borden Avenue. Massing has been broken up on the towers with building step backs which helps address shadow impacts and enhances the public realm.



Figure 10 - Streetview from the corner of Olde Fashioned Way and Kent Avenue

Furthermore, the proposed development integrates several features that will benefit the community including public amenity areas, affordable housing, and improved access and connection to the Mill ION stop.

To facilitate the redevelopment of the subject lands with the proposed mixed use Plan of Subdivision, an Official Plan Amendment and a Zoning By-law Amendment are proposed to change the land use designation and zoning of the subject lands. The lands are currently designated 'General Industrial with Special Policy Area 9' in the City of Kitchener Mill Courtland Woodside Park Neighbourhood Secondary Plan and zoned 'General Industrial Zone (M-2) with Special Regulation Provision 1R and Special Use Provisions 155U and 159U' in Zoning By-law 85-1.

The owner is proposing to change the land use designation to Mixed Use Corridor with Special Policy Area 9a (AREA 1), High Density Multiple Residential with Special Policy Area 9b (AREA 2,3 & 4), Low Density Multiple Residential (Area 5), Neighbourhood Park (Area 6) and Road (Area 7) in the City of Kitchener Mill Courtland Woodside Park Neighbourhood Secondary Plan. Special Policy Area 9a will regulate building heights near existing low rise residential buildings and regulate the location of residential and non residential commercial/employment uses while 9b will allow for a Floor Space Ratio (FSR) of 7.8 and regulate building heights within 100 metres of Courtland Avenue.

To implement the proposed Official Plan Amendment, the owner is proposing to change the zoning of the subject lands in Zoning By-law 85-1 as follows:

Area 1: High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provisions 1R, 793R, 794R, 797R and Special Use Provision 484U.

Area 2: High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provision 793R, 795R, 797R and Holding Provision 105H.

Area 3: High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provisions 1R, 793R, 796R, 797R and Holding Provision 105H.

Area 4: Public Park Zone (P1) with Special Regulation Provision 1R.

Area 5: Residential Nine Zone (R-9) with Special Regulation Provisions 1R, 793R, 798R, 799R and Holding Provision 105H.

Area 6: Residential Nine Zone (R-9) with Special Regulation Provisions 1R, 793R, 798R, 800R and Holding Provision 105H.

Area 7: Residential Nine Zone (R-9) with Special Regulation Provisions 1R, 793R, 798R and Holding Provision 105H.

Area 8: Residential Nine Zone (R-9) with Special Regulation Provisions 1R, 793R, 798R and Holding Provision 105H.

Area 9: Residential Eight Zone (R-8) with Special Regulation Provisions 1R, 801R and Holding Provision 106H

Area 10: Residential Five Zone (R-5) with Special Regulation 1R and Holding Provision 106H.

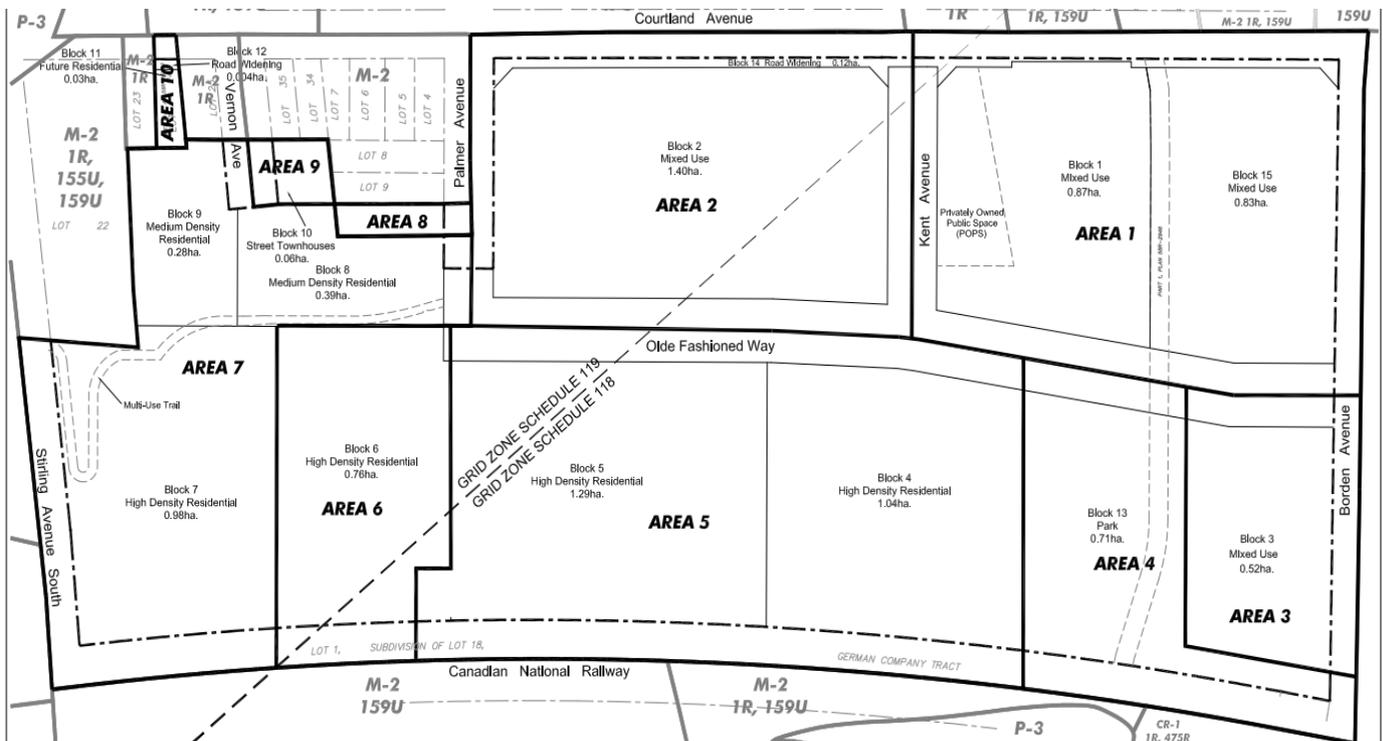


Figure 11 – Proposed Zoning Area Boundaries

Proposed Draft Plan of Subdivision

The applicant has proposed a 15 Block Plan of Subdivision on a 10.36 ha parcel of land bordered by Courtland Avenue to the north, Borden Avenue to the East, Stirling Avenue to the West and the Canadian National Railway to the south as follows:

- Block 1: proposed 0.87 ha Mixed Use parcel of land (commercial/employment uses);
- Block 2: proposed 1.40 ha Mixed use parcel of land (528 dwelling units);
- Block 3: proposed 0.52 ha Mixed Use parcel of land (159 dwelling units, 800 square metres of commercial/employment uses);
- Block 4: proposed 1.04 ha High Density Residential parcel of land (553 dwelling units);
- Block 5: proposed 1.29 ha High Density Residential parcel of land (981 dwelling units);
- Block 6: proposed 0.76 ha High Density Residential parcel of land (332 dwelling units);
- Block 7: proposed 0.98 ha High Density Residential parcel of land (574 dwelling units);
- Block 8: proposed 0.39 ha Medium Density Residential parcel of land (107 dwelling units);
- Block 9: proposed 0.28 ha Medium Density Residential parcel of land (108 dwelling units);
- Block 10: proposed 0.06 ha parcel of land with proposed Street Townhouses (3 residential units);
- Block 11: proposed 0.03 ha low rise residential parcel of land (future residential);
- Block 12 and 14: proposed 0.12 ha parcel of land for a road widening;
- Block 13: proposed 0.71 ha parcel of land for a public park;
- Block 15: proposed 0.83 ha Mixed Use parcel of land (commercial/employment uses).

These blocks are accessed via Courtland Avenue and an extension from Palmer Avenue, Kent Avenue (running north/south) and a new road called Olde Fashioned Way (running East/West). Olde Fashioned Way connects to Borden Avenue (one way out). The applicant has proposed approximately 3,345 residential units within nine (9) blocks along with 19,528.4m² of non-residential commercial/employment uses.

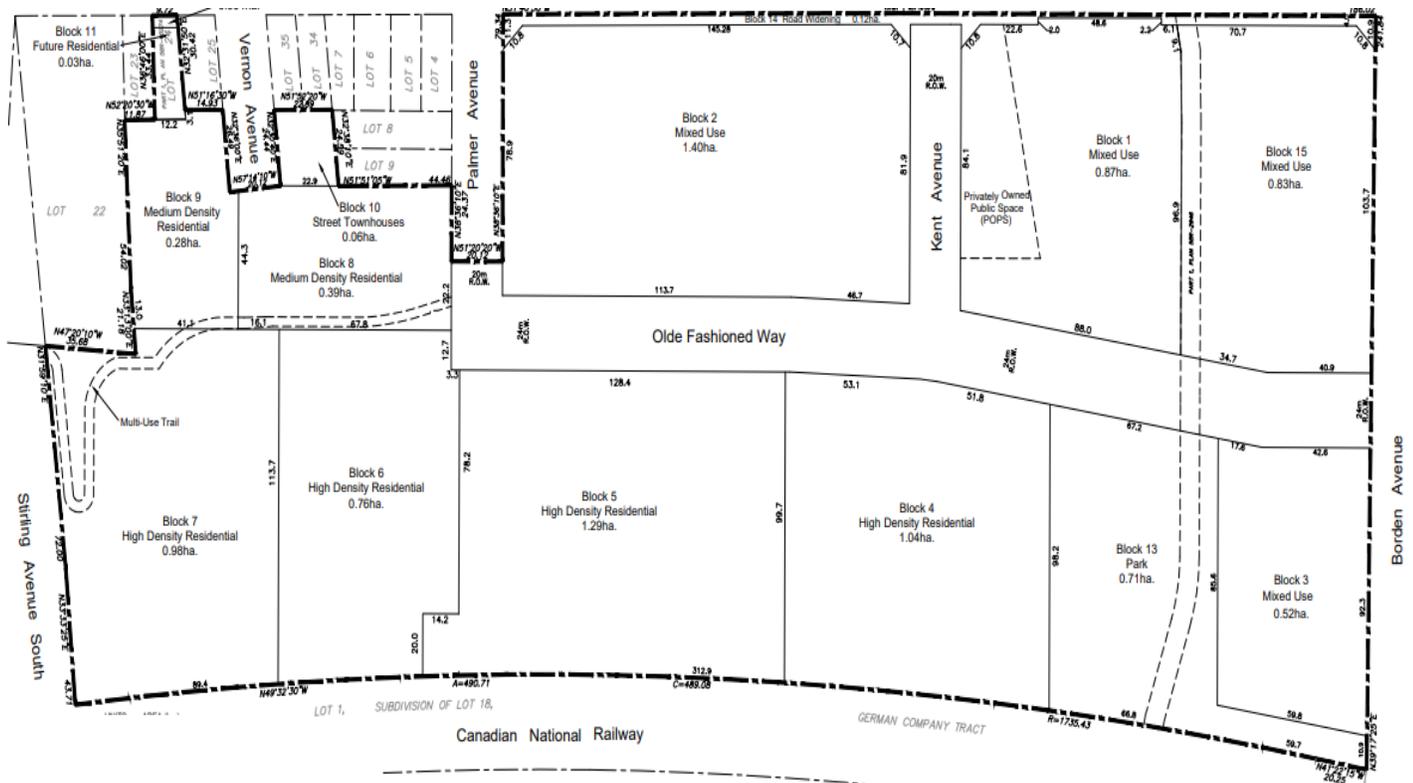


Figure 12 – Proposed Draft Plan of Subdivision 30T-19201

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, 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, and to ensure Provincial policy is adhered to.

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 1.4.3(b) of the PPS promotes all types of residential intensification, and sets out a policy framework for sustainable, healthy, liveable and safe communities. The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of affordable and market-based residential dwelling types with other 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 proposed designation and zoning facilitate a compact form of development which efficiently uses the lands, is in close proximity to transit options including bus, rapid transit, 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 housing. The proposed mixed use development represents an attainable and affordable form of market-based housing.

The proposed draft plan of subdivision, Official Plan Amendment, and Zoning By-law Amendment applications represent a planned development that has been designed as a transit oriented community that is walkable and meets Regional and Provincial objectives by accommodating a mix of housing types and densities and introducing new commercial and employment uses. The proposal makes efficient use of the land through a comprehensively planned development that helps to meet minimum density requirements for a Major Transit Station Area (MTSA). The plan provides for a range of residential housing types, non-residential uses and densities that are in close proximity to

two (2) ION Stops (Borden and Mill ION stops). The proposed plan of subdivision establishes an efficient development pattern that brings new residential, commercial, and employment uses to an established neighbourhood.

With respect to provincial policies regarding public health and safety, the Grand River Conservation Authority (GRCA) has reviewed the proposed development application and supports the proposed Plan of Subdivision with conditions to be satisfied by the GRCA prior to registration. Planning staff is of the opinion that the applications are consistent with the PPS for health and safety matters.

Planning staff is of the opinion that the proposed application will facilitate the intensification of the subject property with a high intensity mixed-use development that is compatible with the surrounding community, helps manage growth, will contribute towards a complete community, and is transit supportive. 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.

Policy 2.2.6.1(a) states that municipalities will support housing choice through the achievement of the minimum intensification and density targets in this plan by identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents.

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;
- 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 Growth Plan supports planning for a range and mix of housing options and higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities.

Policy 2.2.4 requires that planning be prioritized for MTSAs on priority transit corridors, including zoning in a manner that implements the policies of the Growth Plan. MTSAs on priority transit corridors will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit. The Region of Waterloo's ION is a form of light rail transit and the ION stops are within Major Transit Station Areas (MTSAs) that are required to achieve the minimum density target of 160 residents and jobs combined per hectare.

The subject lands are located within the City's delineated built up area, and within a Major Transit Station Area. The lands are identified as a MTSA in the 2014 Kitchener Official Plan. In the City's Official Plan on Map 2 – Urban Structure the lands appear within the MTSA boundary for the Mill stop. The Region of Waterloo commenced the Regional Official Plan Review project and as part of that work, revised MTSA boundaries were approved by the Region in August 2022 (and in April 2023 by the Minister) and these lands are within the Mill Station MTSA as the Mill ION stop is in close proximity (400 metres) of the subject lands. The proposed development represents intensification and will help the City achieve density targets in the MTSA. The proposed designation and zoning will support a higher density housing option that will help make efficient use of existing infrastructure, parks, roads, trails and transit. Planning staff is of the opinion that the applications conform to the Growth Plan.

Regional Official Plan (ROP):

The subject lands are designated "Urban Area" and "Built-Up Area" on Schedule 3a of the 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 proposed development conforms to Policy 2.F of the ROP as the proposed development will support the achievement of the minimum intensification targets within the delineated Built-Up Area. 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. Furthermore, intensification within the Built-Up Area assists the gradual transition of existing neighbourhoods within the Region into 15-minute neighbourhoods that are compact, well connected places that allow all people of all ages and abilities to access the needs for daily living within 15 minutes by walking, cycling or rolling.

The subject lands are within the Major Transit Station Area (MTSA) boundary that was endorsed by Regional Council in April 2021 (and approved in August 2022). The Region of Waterloo has also identified that the subject lands are located within potential intensification corridor as part of the Regional Official Plan review and are an appropriate location for intensification. The Region of Waterloo have indicated they have no objections to the proposed application or to higher density within the MTSA area. (Appendix 'E'). Planning staff are of the opinion that the applications conform to the Regional Official Plan.

Region of Waterloo Airport Restrictions

The subject lands are located within the federally regulated Airport Zoning Regulation (AZR). The existing AZR height limit is 460.50m ASL with a maximum height restriction of 136.5m. The Tallest building (38 storeys) proposed for the subject lands is less than the maximum federally regulated Airport Zoning Regulation height limit is 460.50m ASL. Sufficient space for the operation of a future crane without reaching the maximum elevation of 460.50m ASL can be provided for and complies with the federally regulated Airport Zoning Regulations.

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.

The subject lands are currently designated 'General Industrial with Special Policy Area 9' in the City of Kitchener Mill Courtland Woodside Park Neighbourhood Secondary Plan. Lands designated as General Industrial in the Mill Courtland Woodside Park Neighbourhood Secondary Plan provide for a broad range of industrial uses such as warehousing, manufacturing, wholesaling, transportation depot, truck and transport terminal and other similar industrial uses. Special Policy Area 9 allows for food processing including packaging, warehousing, distributing, slaughtering, eviscerating, rendering or cleaning of meat, poultry and fish or by products; and the milling or packaging of animal feed and fertilizer; and beverage distillation; and allows for office use for the previous use of the lands (Schneiders Meat Plant)

The applicant is proposing to change the land use designation to 'Mixed Use Corridor with Special Policy Area 9a (AREA 1), High Density Multiple Residential with Special Policy Area 9b (AREA 2,3 & 4), Low Density Multiple Residential (Area 5), Neighbourhood Park (Area 6) and Road (Area 7) in the City of Kitchener Mill Courtland Woodside Park Neighbourhood Secondary Plan. Special Policy Area 9a will regulate density, building heights, and the location of residential uses while 9b will allow for a Floor Space Ratio (FSR) of 7.8 and regulate building heights within 100 metres of Courtland Avenue.

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 implement this Plan to ensure that certain conditions, studies or requirements related to a proposed Zoning By-law Amendment are met.

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 residential and mixed-use buildings, ranging in height from 3 to 38 storeys with 3,345 residential units, 19,500 square metres of commercial space a new City-owned park and multi-use trail. Considerable thought for the orientation and placement of the buildings, podium heights, building step backs, park block and pedestrian connections been incorporated into the design for this high intensity mixed use plan of subdivision.

The owner is proposing a total of 135 affordable residential rental dwelling units within the proposed plan of subdivision. The units will be available for rent and managed by the Owner in partnership with a community partner. Dwellings will range in size and location within the proposed development, in each tower and on different floors.

In addition to providing 135 affordable residential dwelling units the owner is proposing to provide a \$835,000.00 cash contribution to an affordable housing group with a shovel ready development.

The owner is also proposing a commitment of \$60,000 for the construction of off-site trail enhancements along Borden Avenue/Grenville Avenue to the Mill Ion Station stop which will directly benefit the residents within the community.

Public Amenity Areas

The proposed development integrates a number of features that will benefit the community and foster a sense of community, including a new trail corridor, public amenity areas (private and public owned lands), affordable housing and a community place making. The proposed Plan of Subdivision includes a combination of privately-owned publicly accessible open spaces (POPS) and a 0.71 hectare City-owned park (Nancy Featherstone Park) to meet the needs of residents and the surrounding community. Conceptual early design plans for Nancy Featherstone park include a series of different play areas catering to different age groups; an open lawn space for more casual, flexible use; and a public art installation that is reflective of the site's history and past use along with seating opportunities around the above activity spaces. Parkland dedication in a combination of land and cash-in-lieu will be taken through the site plan application process



Figure 13: Conceptual Park Design for Nancy Featherstone Park

In addition to the City-owned public park, public amenity areas in the form of Privately Owned Public Spaces (POPS) are proposed. Approximately 1,800 square metres of programmed public space are proposed on Block 1 of the Plan of Subdivision (J.M. Schneider Platz) adjacent to the commercial/employment uses and the proposed restaurant. Preliminary concepts have contemplated features such as enhanced landscaping and seating opportunities.

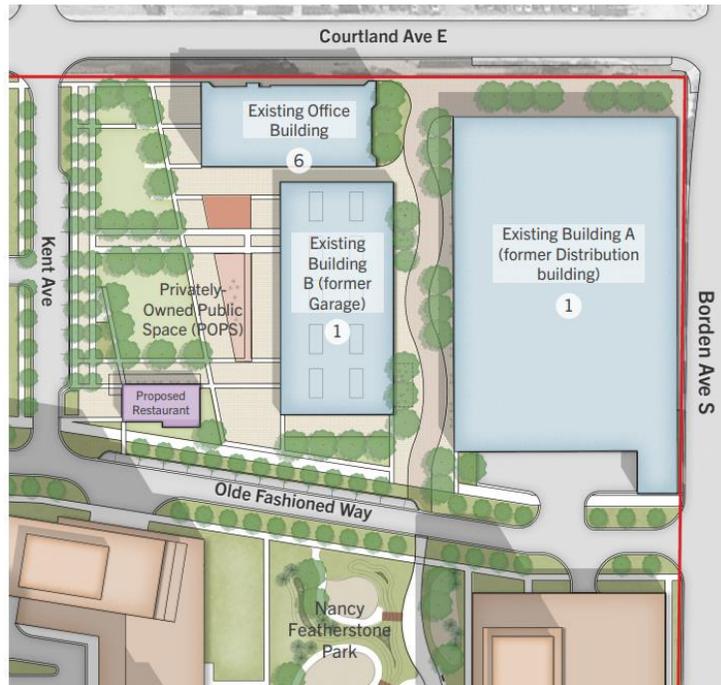


Figure 14: Privately Owned Public Space location map

In addition to the publicly accessible spaces, a new trail corridor is proposed that will connect Borden Avenue and Stirling Avenue and Courtland Avenue. The new trail corridor along with the publicly accessible space and park block will significantly improved pedestrian access for the existing community and enhance connection to the Mill Ion Stop.



Figure 15: Pedestrian Circulation Plan

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. Intensification Areas are targeted throughout the Built-up Area as key locations to accommodate and receive the majority of development or redevelopment for a variety of land uses. Primary Intensification Areas include the Urban Growth Centre, Major Transit Station Areas (MTSAs), Nodes and Corridors, in this hierarchy, according to Section 3.C.2.3 of the Official Plan. The subject lands are located within a MTSA. The planned

function of the MTSA is to provide densities that will support transit, and achieve a mix of residential, office, institutional and commercial uses. They are also intended to have streetscapes and a built form that is pedestrian-friendly and transit-oriented.

Policies also require that development applications in MTSA's give consideration to the Transit-Oriented Development policies contained in Section 13.C.3.12 of the Official Plan. Generally, the Transit-Oriented Development policies support a compact urban form, that supports walking, cycling and the use of transit, by providing a mix of land uses in close proximity to transit stops, to support higher frequency transit service and optimize transit rider convenience. These policies also support developments which foster walkability by creating safe and comfortable pedestrian environments and a high-quality public realm. Staff is of the opinion that the proposed development will help to increase density in an area well served by nearby transit and future rapid transit while being context sensitive to surrounding lands and provides excellent access to off-road pedestrian and cycling facilities.

The proposed development is located in a prime location for high intensity mixed use development. The subject lands are located in close proximity to the Mill ION stop (400 metres) and the Borden ION stop (600 metres). The proposed development introduces a new form of housing to the surrounding area with a mix of unit types. Housing diversity is needed to provide a greater housing choice and meet the needs of increasingly diverse residents and household types such as young families, professionals, retirees, people with disabilities, all with a various range of income. Diverse housing types for this area of the City of Kitchener will be planned through future MTSA planning work. This application is in advance of that work and can be considered based on urban structure and future planned function of the community. As such, staff is of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment will support a development that not only complies with the City's policies for a MTSA but also contributes to the vision for a sustainable and more environmentally-friendly city.

PARTS Rockway Plan

The subject lands are located within the PARTS Rockway Plan which is a guiding document that made recommendations for land uses within and around rapid transit station stops. The PARTS Rockway Plan made recommendation for amendments to the Secondary Plans within the MTSA, which have not yet been implemented. Some of the primary recommendations are to encourage the development of underutilized sites with higher density live-work environments and to increase housing supply with multi-unit residential while protecting existing stable neighbourhoods. The proposed development provides for a range of housing options and commercial space and the proposed amendment is in keeping with the PARTS Rockway vision for development within and around the ION stops.

Neighbourhood Planning Review

The subject lands are within the draft Rockway Secondary Plan, updated as part of the Neighbourhood Planning Reviews (NPR) project. A statutory public meeting was held December 9, 2019 regarding draft amendments to the plan. Under the proposed changes, the proposed land use for the subject lands is Mixed Use, High Rise Residential, and Innovation Employment which allows for high intensity, residential commercial and employment uses developments.

Growing Together

The Growing Together project is the continuation of the City's ongoing planning review process that began with PARTS and advanced through the Neighbourhood Planning Review (NPR) project, while also responding to new direction from the province, implementing the updated Regional Official Plan, and addressing new and emerging city priorities.

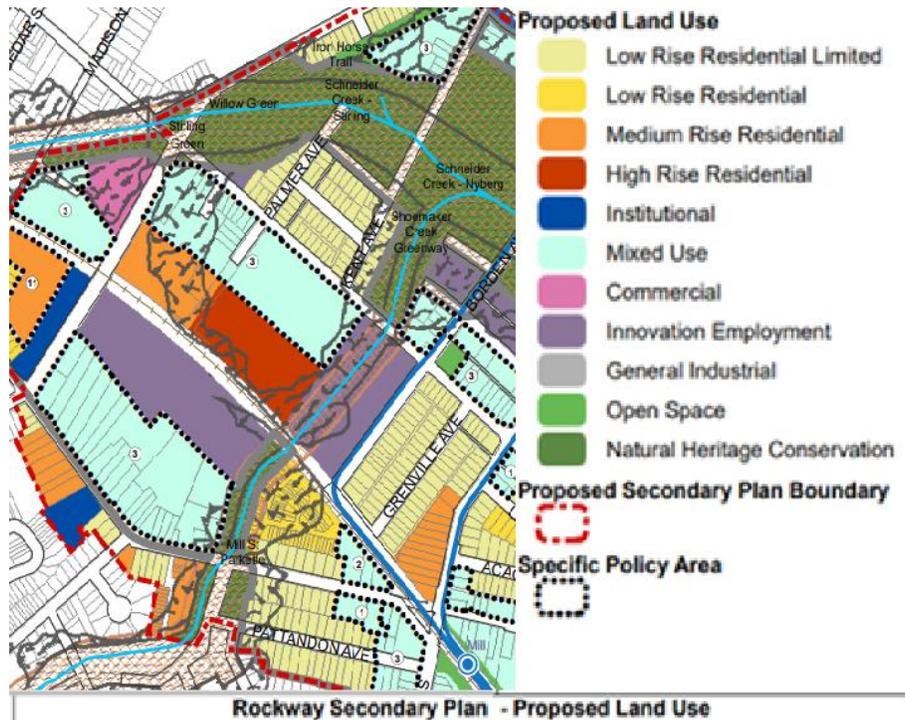


Figure 16: NPR Rockway Secondary Plan - Proposed Land Use Plan

Urban Design Policies:

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; Building Design, and Massing and Scale Design. To address these policies, an Urban Design Report, attached as Appendix ‘D’, were submitted and have been reviewed by City staff. The Urban Design Report outlines the vision and principles guiding the site design and informs the proposed zoning by-law regulations.

Streetscape – All Street frontages are activated by at-grade residential units or commercial units. All buildings’ principal entrances and lobbies are located at grade with direct access to public sidewalks, trails, and Nancy Featherstone Park. The 8 towers all include podiums that have defined bases which along with the proposed medium rise building include high quality urban design that create a defined street and enhance the streetscape.

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.

Skyline – The proposed buildings will provide a new feature on the City’s skyline. The proposed buildings will create visual interest from several different vantage points.

Site Design, Building Design, Massing and Scale – The subject site is designed to have a development that will be developed at a scale that is compatible with the existing and planned built form for the surrounding neighbourhood. The 8 towers have well defined podiums and building step

backs which helps enhance the public realm. The medium rise buildings include building steps from setbacks along the street to provide a transition to nearby low rise residential dwellings.



Figure 17: Aerial Rendering showing the mid rise building step backs from 5 storeys to 8 storeys along Courtland Avenue East.

Tower Design – Building D (20 storeys) Building E (18 storeys) Building F (22 storeys) Building G (25 storeys) Building H (38 storeys) Building I (18 Storeys) Building J (20 Storeys) and Building M (16 storeys) are classified as a “Large Slab” tower as the proposed tower floor plate is more than 850 square metres in area.

All eight (8) of the proposed towers have well defined podiums. Building M (16 storeys) includes a 4-storey podium situated along Borden Avenue with a 28 metre building step back which provides transition to the lower density areas. Buildings E, F, G H and I are located along Olde Fashioned Way and a private street that connects to Olde Fashioned Way. All of these buildings include well defined 6 storey podiums with various building step backs. The massing of all the buildings is broken up vertically by variation and the articulation of building materials and, balconies for the residential units are included on the street-facing elevations.

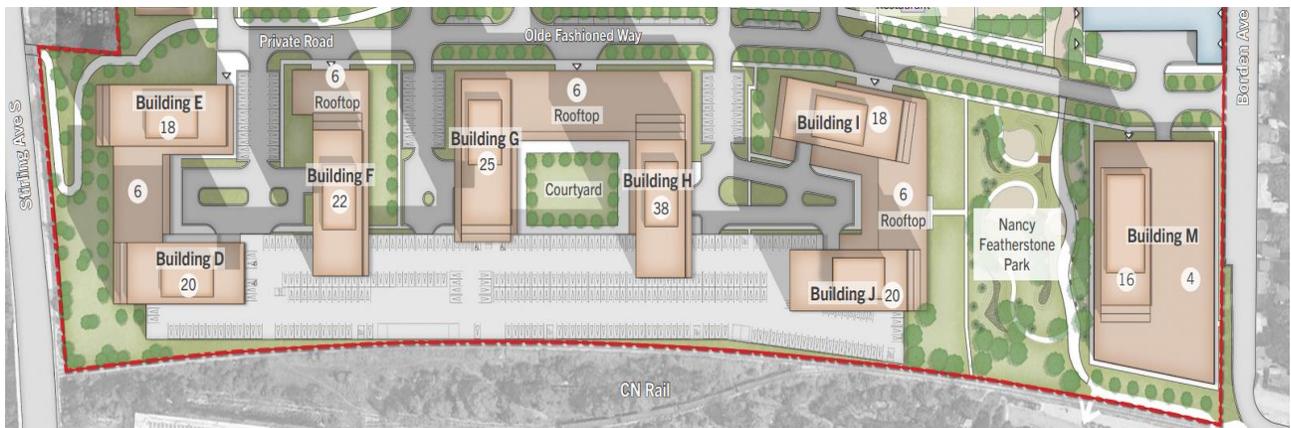


Figure 18: Tall Buildings location map

Wind Study

A wind study was prepared for the consideration of this development proposal and reviewed by staff. The wind conditions surrounding the proposed development will require wind mitigation design features. A full Wind Assessment will be required and reviewed through the site plan application process for each block.

Shadow Impact Study

The applicant has completed a Shadow Impact Study as part of the Urban Design Report. Staff have reviewed the study and are satisfied the shadow study meets the City's requirements, with respect to shadow impacts, as noted in the City of Kitchener Urban Design Manual.

Design for Tall Building Guidelines

The proposed development has also been reviewed for compliance with the City's Design for Tall Buildings Guidelines. The objective of this document is to:

- achieve a positive relationship between high-rise buildings and their existing and planned context;
- create a built environment that respects and enhances the city's open space system, pedestrian and cyclist amenities and streetscapes;
- create human-scaled pedestrian-friendly streets, and attractive public spaces that contribute to livable, safe and healthy communities;
- promote tall buildings that contribute to the view of the skyline and enhance orientation, wayfinding and the image of the city;
- promote development that responds to the physical environment, microclimate and the natural environment including four season design and sustainability; and,
- promote tall building design excellence to help create visually and functionally pleasing buildings of architectural significance.

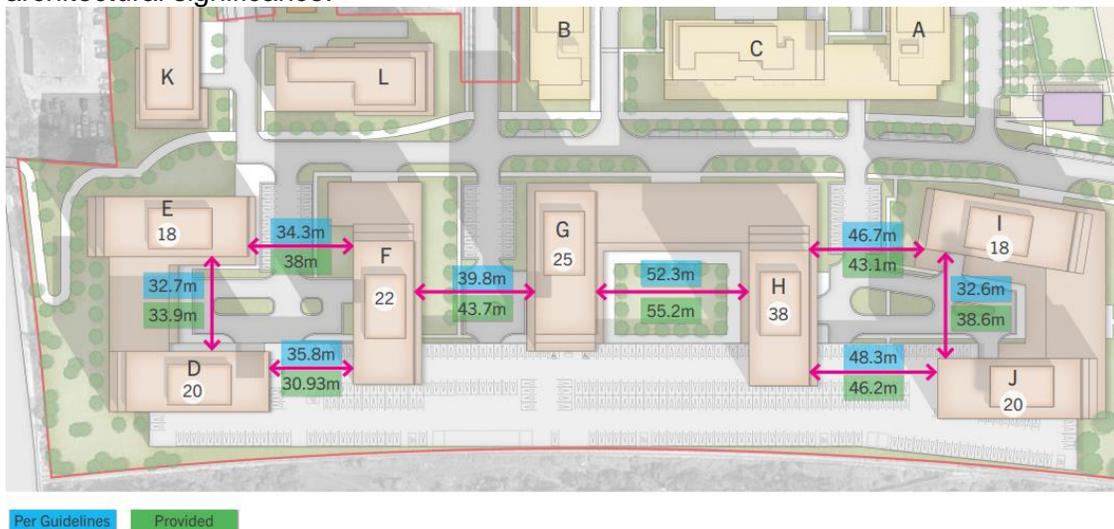


Figure 19 – Tall Building Guideline Compliance Plan

The proposed development master plan concept has been reviewed with these objectives in mind. City staff has confirmed that the proposed towers are generally consistent with and meet the overall intent of the City's Design for Tall Building Guidelines. More specifically, the proposed development (as revised) now meets the on-site and off-site separation distance requirements of the Design for Tall Building Guidelines. Staff recommends that the proposed Urban Design Report attached as

Appendix 'D', be adopted and that staff be directed to apply the Urban Design Report through future Site Plan Approval processes for each block.

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 subject lands are located directly adjacent to the Mill ION stop. The buildings have excellent access to cycling networks, including existing on and off-street cycling facilities and is located in close proximity to the Iron Horse Trail. The location of the subject lands, in the context of the City's integrated transportation system, supports the proposal for transit-oriented development on the subject lands.

Policy 3.C.2.22 states that until such time as Station Area Plans are completed and this Plan is amended accordingly, in the interim, any development application submitted within a Major Transit Station Area will be reviewed generally in accordance with the Transit-Oriented Development Policies included in Section 13.C.3.12

The Plan of Subdivision will create a new public road known as Olde Fashioned Way which will be a new east-west street running from an extension of Palmer Street extension to Borden Avenue and will be limited to one way with no in-bound traffic permitted at the intersection of Olde Fashioned Way and Borden Avenue. Olde Fashioned Way is designed with a 24-metre wide street right-of-way that will accommodate a central planted median, one travel lane in each direction, curb-side planted boulevards, a sidewalk on the south side, and a multi-use pathway and on-street parking on the north side. The north-side multi-use pathway runs between Stirling Avenue and Borden Avenue and intersects with a second, north-south multi-use pathway running through Nancy Featherstone Park and the Privately Owned Public Accessible Space (J.M. Schneider Platz). The pathway will run through the park corridor connecting to Borden Avenue/Grenville Avenue and onto the Mill ION Stop to the east.

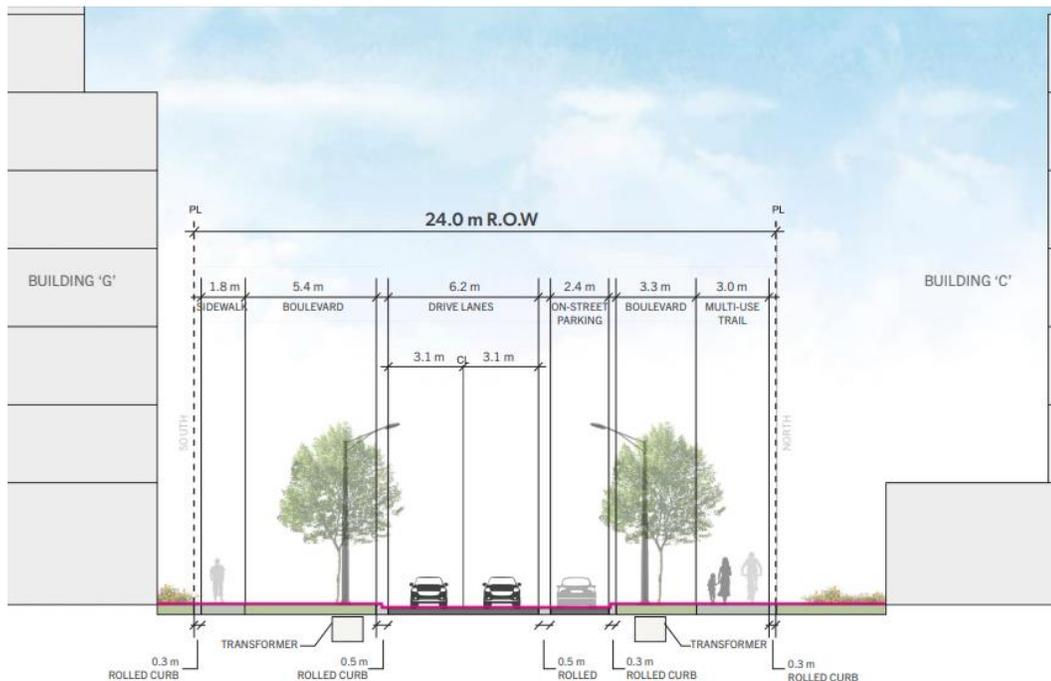


Figure 20 – Olde Fashioned Way Street Section

The proposed Official Plan Amendment and Zoning By-law Amendment applications support a more-dense residential development. The location of the proposed buildings, secured through the proposed site-specific provisions, will result in a compatible built form that fosters walkability within a pedestrian-friendly environment that allows walking to be safe, comfortable, barrier-free and a convenient form of urban travel. Furthermore, the proposed development will enhance access and pedestrian connections to the Mill ION stop.

At future site plan approval processes, the design of the buildings will have to feature a high quality public realm to enhance the identity of the area and create gathering points for social interaction, community events and other activities. Additionally, secured and visitor bicycle parking is required as part of the Zoning By-law.

Housing Policies:

Section 4.1.1 of the City's Official Plan contains policies with the primary objective to provide for an appropriate range, variety and mix of housing types and styles, densities, tenure and affordability to satisfy the varying housing needs of our community through all stages of life. The proposed development increases the range of dwelling units available in the city. The development is contemplated to include a range of unit types including, one, two and three-bedroom units along with 135 affordable dwelling units that will be made available for rent by the owner. The wide range of units, in this location, will appeal to a variety of household needs.

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.

Servicing and Utilities

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

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

Natural Environment

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

Deferral No. 8 from Map 6 - Natural Heritage System 2014 City of Kitchener Official Plan

The Regional decision to approve the City's Official Plan on November 19, 2014, included a Deferral of the Ecological Restoration Area on Map 6 as it applies to the property municipally known as 321-325 Courtland Avenue East. Deferral 8 reads as follows:

“On Map 6, no decision is being made with respect to Ecological Restoration Area overlay as it applies to the property municipally known as 321 – 325 Courtland Avenue East. A decision will be made after the Rockway Stations Study Area Plan is completed along with any supporting studies, and an implementing official plan amendment has been adopted by City of Kitchener Council and forwarded to the Region of Waterloo for consideration for approval.”

With the completion of the Rockway Stations Study Area and the submission of site specific Planning Applications and supporting studies by the Applicant Deferral 8 can now be resolved. Staff are recommending that Deferral No. 8 from Map 6 - Natural Heritage System in the 2014 OP be lifted.

Proposed High Density Multiple Residential Land Use Policies

The High Density Multiple Residential designation is meant to accommodate high density multiple dwellings in taller building forms. This area is meant to achieve a high residential intensity situated away from existing low-rise neighbourhoods and using the opportunity for taller building forms to establish a “buffer” for the internal area of the subject land from the abutting rail line. The predominant land use within the High Density Multiple Residential designation will be multiple residential uses. Complementary non-residential land uses may be permitted within such multiple residential buildings. Such uses are meant to primarily serve the subject land and surrounding neighbourhood, and may include uses such as convenience commercial, day care facilities, health offices and health clinics, personal services, small offices, small scale community facilities, and social service establishments. These uses are generally limited to locations on the ground floor of multiple residential buildings, although certain non-retail uses may be appropriate on above floors.

Proposed Special Area Policies

Special Policy Area 9a – Mixed Use Corridor

The Mixed-Use Corridor designation at the corner of Courtland Avenue and Borden Avenue is meant to provide for mixed use development comprised of free-standing non-residential uses, free-standing multiple residential development and mixed-use buildings. A minimum Floor Space Ratio of 1.0 and maximum Floor Space Ratio of 4.0 will apply to development within the land subject to the Mixed Use Corridor designation.

Block 2 – Bounded by Courtland Avenue, Kent Avenue, Palmer Avenue and Olde Fashioned Way

This area is largely intended to provide a street-oriented, mid-rise residential building form (up to a maximum height of eight storeys) that provides a transition between the lower-rise neighbourhood north of Courtland Avenue and the taller forms anticipated south of Olde Fashioned Way. A range

of medium density housing and commercial uses will be permitted. Permitted medium density housing generally includes cluster townhouse dwellings, multiple dwellings, and special needs housing, although mixing and integrating of innovative and different forms of housing is supported to achieve and maintain a medium-rise built form. Permitted non-residential uses are meant to be smaller scale in nature and may include such uses as retail, commercial entertainment, restaurants, financial establishments, personal services, offices, health offices and health clinics, daycare facilities, social service establishment, and studio and artisan uses. Development of this area is meant to reinforce the existing and new bounding public streets and provide a transition in height from the low-rise neighbourhood on the north side of Courtland. New buildings should be massed to the public street edge or edges and have active frontages facing these public streets, considering primary entrances, windows, walking connections and internal activity area facing these streets. Further to its role as a transition between the neighbourhood to the north and taller forms intended to the south, a transition in height with the mid-rise form is expected moving from Courtland Avenue through upper storey massing.

Blocks 1 and 15 Bounded by Borden Avenue, Courtland Avenue, Kent Avenue and Olde Fashioned Way

Capitalizing on the location of existing buildings that present the best opportunities for adaptive reuse on the site, the block bounded by Borden Avenue, Courtland Avenue, Kent Avenue and Olde Fashioned Way is largely meant to accommodate an “innovation employment” function for technology-based and creative industries that are drawn to such adapted spaces together with supporting other commercial activities. Within this block, a broad range of non-residential uses will be permitted, but not residential uses. Principal non-residential uses include those uses reasonably expected as part of such a mixed commercial employment cluster, such as a broad range of office uses and related smaller scale manufacturing activities. Additionally, complementary small-scale non-residential uses will also be permitted, including such uses as retail up to a maximum GFA of 4,000 sq m, entertainment, restaurants, brewing/distilling establishments, financial establishments, personal services, offices, health offices and health clinics, daycare facilities, social service establishment, studio and artisan related uses, and urban parks and plazas. Non-residential uses may either be in mixed or stand alone buildings. Development of this area is meant to provide for a compatible, lower rise form that reinforces the existing and new bounding public streets. Retained buildings should be additionally “opened” to the abutting street edges through ground level activities and building treatment. New buildings that fill in the fabric of this existing area should be massed to the public street edge. The block will be designed to incorporate a privately owned public space.

Block 3 on the southwest corner of Borden Avenue and Olde Fashioned Way This block is meant to provide opportunities for a mixed use building containing residential and non residential uses. The designation intends to complement the function of the “innovation employment” block to the north while providing additional opportunities for higher intensity residential. The form and siting of new development is meant to provide a transition from the High Density Residential designations to the west and the existing low-rise neighbourhood to the east of Borden Avenue. Mixed use buildings containing multiple dwellings and office space with or without compatible non residential uses may be permitted up to a maximum height of 16 storeys. Further to its role as a transition between the neighbourhood to the east and taller forms intended to the west, a transition in height is expected moving from Borden Avenue through upper storey massing.

Special Policy Area 9b - High Density Multiple Residential

A maximum Floor Space Ratio of 7.8 will apply to development within the land subject to the High Density Multiple Residential designation. A maximum building height of 8 storeys will apply to buildings located within 100 metres of Courtland Avenue; for buildings located further than 100 metres from Courtland Avenue there is no maximum building height.

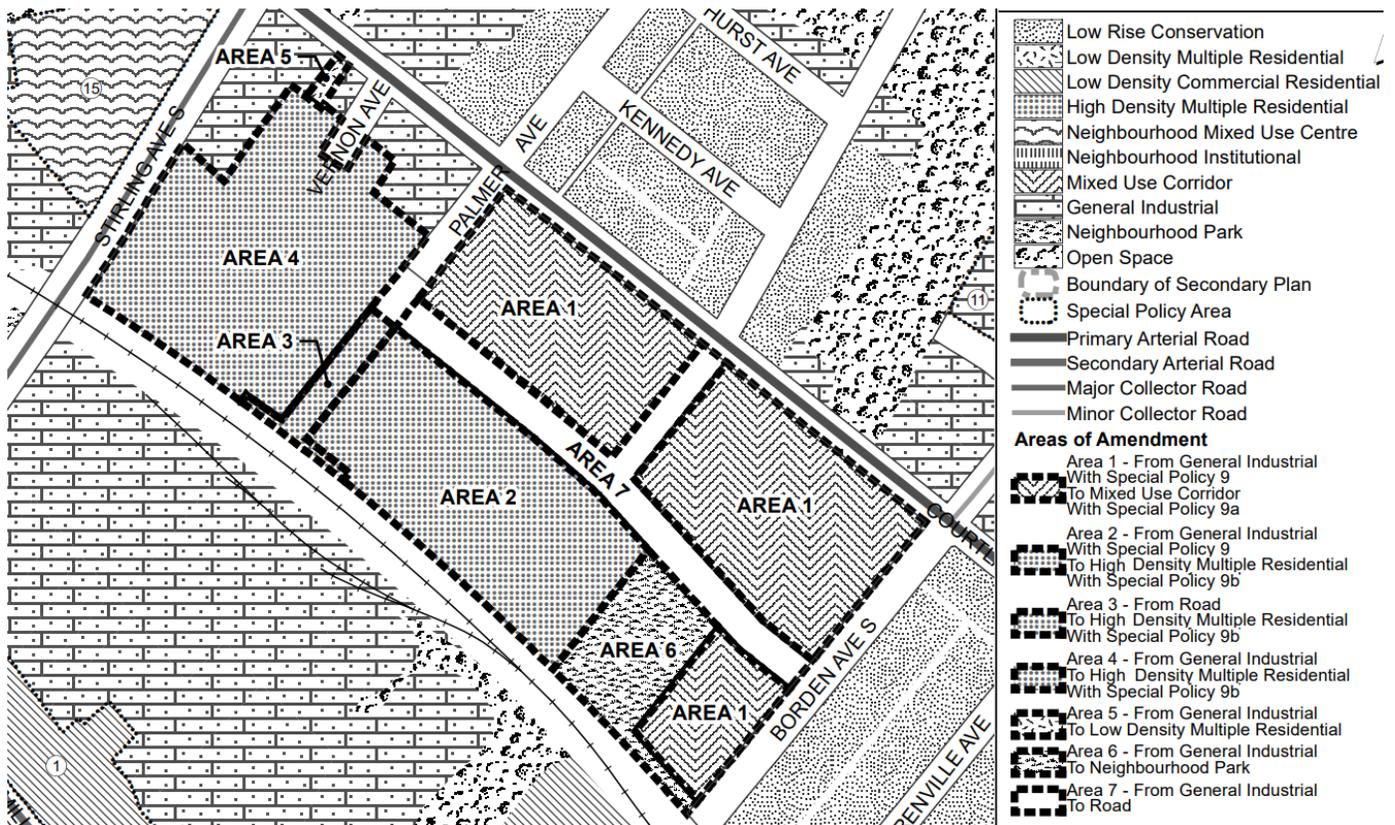


Figure 21 – Proposed Official Plan Land Use Designations

Proposed Official Plan Amendment Conclusions

The Official Plan Amendment application requests that the land use designation as shown on Map 12 – Mill Courtland Woodside Park Neighbourhood Secondary Plan be changed from ‘General Industrial with Special Policy Area 9’ to ‘Mixed Use Corridor with Special Policy Area 9a (AREA 1), High Density Multiple Residential with Special Policy Area 9b (AREA 2,3 & 4), Low Density Multiple Residential (Area 5), Neighbourhood Park (Area 6) and Road (Area 7). Based on the above policy and planning analysis, 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 “B”.

Proposed Zoning By-law Amendment:

The Zoning By-law Amendment proposes to implement the proposed revised land use designations noted above with corresponding zoning. The subject lands are currently zoned ‘General Industrial Zone (M-2) with Special Regulation Provision 1R and Special Use Provisions 155U and 159U’ in Zoning By-law 85-1. The existing zoning permissions permit a wide range of industrial uses such as slaughtering, eviscerating, rendering or cleaning of meat, warehousing, beverage distillation, repair of motor vehicles and major recreational equipment manufacturing, wholesaling, transportation depot, truck and transport terminal and other similar industrial uses and require GRCA permits for development on the lands.

The applicant has requested an amendment to remove the lands, currently zoned ‘General Industrial Zone (M-2) with Special Regulation Provision 1R and Special Use Provisions 155U and 159U’, from Zoning By-law 85-1 and zone the lands accordingly to implement the proposed revised land uses to allow for the development of the proposed high intensity mixed use plan of subdivision.

Official Plan policies indicate that where special zoning regulations are requested for residential intensification or a redevelopment of lands, the overall impact of the site-specific zoning regulations will consider compatibility with existing built form; appropriate massing and setbacks that support and maintain streetscape and community character; appropriate buffering to mitigate adverse impacts, particularly with respect to privacy; avoidance of unacceptable adverse impacts by providing appropriate number of parking spaces and an appropriate landscaped/amenity area.

The proposed zoning would permit low-to-high rise residential uses, commercial and employment and other non-residential uses, and a park block. Residential uses proposed include a townhouse block, medium and high rise multiple dwelling buildings. Non-residential uses proposed include commercial and employment uses. Special Regulations provisions are also requested for building setbacks, building step backs, required parking rate of 0.8 space per dwelling unit and 1 space per 50 square metres of gross floor area for non residential uses, building heights, Floor Space Ratio (FSR), require electric vehicle parking and secure bicycle parking, among others. Holding Provisions are also proposed to apply to the subject lands to require remediation of site contamination. A Special Use Provision is also proposed to allow for additional employment uses and to restrict residential uses on the lands intended for commercial and employment uses.

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

Area 1: High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provisions 1R, 793R, 794R, 797R and Special Use Provision 484U to permit a wide range of commercial and employment uses and prohibit residential uses on these lands with parking provided at a rate of 1 space per 50 square metres of gross floor area for non residential uses.

Area 2: High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provision 793R, 795R, 797R and Holding Provision 105H to permit mixed use buildings with a maximum height of 35 metres (8 storeys) and with a maximum building height of 18.5 metres (5 storeys) within 12.0 metres from the Courtland Avenue street line; with 0.8 parking spaces per dwelling unit.

Area 3: High Intensity Mixed Use Corridor Zone MU-3) with Special Regulation Provisions 1R, 793R, 796R, 797R and Holding Provision 105H to permit a mixed use building with ground floor commercial uses (minimum of 800 square metres of non residential) with a maximum building height of 60 metres with building stepped back 28.0 metres above the 4 storey podium; with 0.8 parking spaces per dwelling unit.

Area 4: Public Park Zone (P1) with Special Regulation Provision 1R to permit a city owned public park.

Area 5: Residential Nine Zone (R-9) with Special Regulation Provisions 1R, 793R, 798R, 799R and Holding Provision 105H to permit high rise residential buildings with a combined floor space ratio of 7.8 applying to all of the lands zoned Residential Nine Zone (R-9); The maximum building height shall be 35.0 metres within 100 metres of the Courtland Avenue street line; 0.8 parking spaces per dwelling unit is required and parking locations are further regulated.

Area 6: Residential Nine Zone (R-9) with Special Regulation Provisions 1R, 793R, 798R, 800R and Holding Provision 105H to permit high rise residential buildings with a combined floor space ratio of 7.8 applying to all of the lands zoned Residential Nine Zone (R-9); The maximum building height shall be 35.0 metres within 100 metres of the Courtland Avenue street line; 0.8 parking spaces per dwelling unit is required; and a reduced lot width of 12.0 metres shall also be permitted.

Areas 7 and 8: Residential Nine Zone (R-9) with Special Regulation Provisions 1R, 793R, 798R and Holding Provision 105H to permit high rise residential buildings with a combined floor space ratio of 7.8 applying to all of the lands zoned Residential Nine Zone (R-9); The maximum building height

shall be 35.0 metres within 100 metres of the Courtland Avenue street line; and 0.8 parking spaces per dwelling unit is required.

Area 9: Residential Eight Zone (R-8) with Special Regulation Provisions 1R, 801R and Holding Provision 106H to permit multiple dwellings (townhouses) with a maximum height of 13.0 metres and reduced building setbacks.

Area 10: Residential Five Zone (R-5) with Special Regulation 1R and Holding Provision 106H to permit future low density residential uses.

Proposed Zoning By-law Amendment Conclusions

Staff is of the opinion that the proposed Zoning By-law Amendment represents good planning as it will facilitate the redevelopment of the lands with a mixed-use Plan of Subdivision that is compatible with the existing neighbourhood and surrounding area, which will create a complete community, with community benefits, add visual interest at the street level, provide enhanced landscaping that will contribute to the streetscape, and which will appropriately accommodate on-site parking needs. Staff are supportive of the proposed development and recommend that the proposed Zoning By-law amendment be approved as shown in Appendix "C".

Department and Agency Comments:

Circulation of the Official Plan Amendment and Zoning By-law Amendment was undertaken in June 2019 and recirculated revised reports and studies March of 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 "E" of this report.

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

Planning Justification Report

Prepared by: GSP Group. April 2019 (Addendum letter May 2023)

Urban Design Report

Prepared by: GSP Group. May 2023

Traffic Impact Study and Parking Justification Report.

Prepared by: Paradigm Transportation Solutions, April 2019 (Addendum Letter May 2019)

Building Elevations and Concept Site Plan

Prepared by: Turner Fleischer Architects Inc, April 2023

Site Servicing and Grading Plan

Prepared by: Stantec, April 2023

Noise And Vibration Feasibility Assessment

Prepared By: Rwdi Air Inc., March 2019

Pedestrian Wind and Snow Review

Prepared By: Rwdi, March 2019

WHAT WE HEARD



695 addresses (occupants and property owners) were circulated and notified



Approximately 10 people/households/businesses provided comment



A City-led Neighbourhood Meeting was held on July 15, 2019 and a follow up Neighbourhood Meeting on August 24, 2022

Staff received written responses from 10 residents with respect to the proposed development. These are included in Appendix 'F'. A Neighbourhood Meeting was held on July 15, 2019 and a follow up Neighbourhood Meeting on August 24, 2022. In addition, staff had follow-up one-on-one correspondence with members of the public. A summary of what we heard, and staff responses are noted below.

What We Heard	Staff Comment
Support for the development	There is support for the redevelopment of the underutilized vacant properties. A lot of residents are eager to see the construction of the proposed development begin.
Concerns the proposed development will create more traffic on local street.	A Traffic Impact Study (TIS) was submitted, and it was reviewed by City Transportation Services staff and the Region of Waterloo. Regional and City staff support the recommendations of the TIS which includes a traffic signal to be installed at Kent Avenue and Courtland Avenue along with left turn lanes and traffic will be limited to One Way only on Borden Avenue with no in-bound traffic permitted. This is a transit-oriented development that includes secured bicycle parking for residents, and visitors and the proposed development is in close proximity to two (2) ION stops and an existing bus route. Olde Fashioned Way will be a one-way out to Borden Avenue, reducing traffic movements. To prevent cut through traffic, placemaking is proposed on the street connecting Borden Avenue and Grenville to promote traffic calming, at the Developer's expense.
The buildings are too tall and will impact the nearby low rise residential homes on Borden Ave. and Courtland Ave.	To limit the impact to nearby low rise residential homes, medium rise buildings 5 to 8 storeys in height with building step backs are proposed along Courtland Avenue, Vernon Avenue, and Palmer Avenue. The high rise towers 18-38 storeys in height are all located at the rear of the property internal to the site and abut the CN Railway at the rear of

	the property. A sixteen storey mixed-use building with a 28 metre (92 feet) setback to Borden Avenue street line for any portion of the building over 18.0 metres is required by the proposed Zoning By-law which will provide a sufficient setback to the low rise residential dwellings opposite Borden Avenue.
Affordable housing should be provided along with mix of unit types.	1, 2 and 3 bedroom units are now proposed along with 135 affordable dwelling units and a \$835,000.00 cash contribution is proposed to be made to an affordable housing group with a shovel ready development.
Construction will be disruptive.	Through the site plan process the City will require a construction phasing and temporary parking plan to ensure that construction is as least disruptive as possible.

Planning Conclusions

In considering the foregoing, staff are supportive of the Draft Plan of Subdivision, the proposed Official Plan Amendment and Zoning By-law Amendment to allow the subject lands at 263, 321- 325 Courtland, 230 and 240 Palmer Avenue, 30 Vernon Avenue to be redeveloped with a mixed use, high intensity subdivision. Staff is of the opinion that the subject applications are consistent with policies of the Provincial Policy Statement (2020), conform to Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan and represent good planning. It is recommended that the applications be approved.

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.

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 June of 2019 (and then on the StoryMap application when launched). 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, those responding to the preliminary circulation and who attended the Neighbourhood Meetings. Notice of the Statutory Public Meeting was also posted in The Record on May 26, 2023 (a copy of the Notice may be found in Appendix ‘G’).

CONSULT – The Draft Plan of Subdivision, proposed Official Plan Amendment and Zoning By-law Amendment were circulated to residents and property owners within 120 metres of the subject lands on June 25, 2019. Notice of the revised application and the follow up Neighbourhood Public Meeting was circulated to residents and property owners within 240 metres of the subject lands on August 1, 2022. In response to this circulation, staff received written responses from 10 members of the public,

which were summarized as part of this staff report. Planning staff also had one-on-one conversations with residents on the telephone and responded to emails.

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, 1994 and 2014
- City of Kitchener Zoning By-law 85-1

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

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

ATTACHMENTS:

- Attachment 'A' – Draft Plan of Subdivision and Conditions of Draft Approval
- Attachment 'B' – Proposed Official Plan Amendment
- Attachment 'C' – Proposed Zoning By-law Amendment
- Attachment 'D' – Urban Design Report
- Attachment 'E' – Department and Agency Comments
- Attachment 'F' – Public Comments
- Attachment 'G' – Newspaper Notice