

AMENDMENT NO. TO THE OFFICIAL PLAN

OF THE CITY OF KITCHENER

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130-140 Highland Road East

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**AMENDMENT NO. TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER**

SECTION 1 – TITLE AND COMPONENTS

This amendment shall be referred to as Amendment No. XX to the Official Plan of the City of Kitchener. This amendment is comprised of Sections 1 to 4 inclusive and Schedule 'A'.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of this amendment is to redesignate the lands on Mill Courtland Woodside Park Neighbourhood Secondary Plan from Low Density Commercial Residential to High Density Commercial Residential with Special Policy 16 to permit an increased Floor Space Ratio and building height to facilitate the development of a 17-storey multiple residential building having 211 dwelling units, comprised of 1 and 2 bedroom units, as well as 1 and 2 bedroom with optional dens, 4 live/work units and 98 square metres of commercial floor space.

SECTION 3 – BASIS OF THE AMENDMENT

The subject lands are located at 130 and 140 Highland Road East. The subject lands are designated 'Low Density Commercial Residential' in the Mill Courtland Woodside Park Secondary Plan, which forms part of the 1994 Official Plan. The Low Density Commercial Residential designation in the Mill Courtland Woodside Park Secondary Plan recognizes existing small scale commercial and residential development and allows low density redevelopment with commercial, residential and institutional uses to a maximum Floor Space Ratio (FSR) of 1.0 and a maximum density of 100 units per hectare per lot, provided the maximum FSR is not exceeded. The subject lands are also situated within a Neighbourhood Node on the Urban Structure Map 2 of the Official Plan.

The City of Kitchener is currently undergoing a review of its central neighbourhoods and these lands are proposed to be removed from the Secondary Plan area as part of this review.

Since the adoption of the 1994 Plan and the associated Secondary Plans the City has adopted a new Official Plan in 2014 and is currently in the process of reviewing the Secondary Plan Areas as part of a Neighbourhood Planning Review (NPR) which is ongoing. The preliminary indicators of the NPR propose a reorganization and delineation of the Secondary Planning Areas including these lands, which will be excluded from the future Mill Courtland and Rockway Secondary Plan. Instead, it is proposed to have a designation of Mixed Use Low Rise. The Mixed Use Low Rise designation contemplated through the Neighbourhood Planning review proposes a maximum Floor Space Ratio of 2.0 and 4 storey or 14 metres height for buildings.

It is important to note that this policy direction is not yet in effect, but it demonstrates a commitment to slightly higher FSR and a mid-rise built form for development, which is consistent with the existing mid-rise 6 storey multiple residential building located on the adjacent lands at 270 Spadina Road east. This would also provide transition in the built form massing, scale and density from the stable neighbourhood to the east of Woodside Park.

The subject lands are comprised of 130-140 Highland Road East. The westerly portion of the subject lands (130 Highland) currently contain a single storey office building, while the easterly portion (140 Highland Road East) has been vacant for 11 years and previously contained a gas station. Together, these lands will be redeveloped with a 17 storey purpose built rental apartment that has 98m² of ground floor commercial uses as well as 4 live-work units at grade to activate the streetscape along Highland Road East and Spadina Avenue with commercial space and live/work units. The proposed tower is well removed from surrounding low rise residential development, backs onto Woodside Park, and is opposite a neighbourhood commercial plaza and a gas station.

The proposed height and density have been oriented to the middle of the property in order to maintain appropriate distances from low rise residential areas to the north and east. The Special Policy limits the maximum FSR to 5.17 and limits the height on the lands to 17 storeys. Adjacent lands to the east currently contain an L-shaped building on site (Phase I and II) which is a six storey building that provides a gradual transition in height from the subject lands to the low rise neighbourhoods to the east.

The subject lands are located within walking distance from the Urban Growth Centre and are within 372 metres of the Iron Horse Trail and several parks. The proposed development includes a multiple residential development at a density to support both transit usage and active transportation. The site will include a variety of transportation demand management measures in order to encourage the use of alternative modes of transportation including active transportation and public transit.

The proposed development will implement the vision as set out in the Official Plan as being a compact, dense and transit supportive site. The site will provide purpose built rental housing, as an alternative to home ownership. The redevelopment of these underutilized and vacant lands (eastern portion) are located along a major collector road (Highland Road East) which connects to Queen Street and is just minutes from the downtown core and the light rail transit route. Its prominent location makes it ideal for the density proposed. Both commercial and live/work units are proposed along the Highland Road East/Spadina Avenue frontages which will activate the streetscape and will support the planned function of a Neighbourhood Node. A Neighbourhood Node supports intensification providing it is compatible with surrounding lands.

The maximum floor space ratio, building height, density, front and side yard setbacks for the building, provision of a private at grade amenity space for one unit, as well as on-site parking will be regulated in the site-specific amending zoning by-law to ensure urban design elements are implemented and onsite constraints are addressed.

The proposal is consistent with the Provincial Policy Statement, conforms to the Growth Plan and complies with the Regional Official Plan and ROP 6, as it promotes walkability, is transit-supportive, maximizes the use of existing and new infrastructure, and assists in development of this area as a compact and complete community through a range of uses. The proposed development is therefore considered good planning.

SECTION 4 – THE AMENDMENT

1. The 1994 City of Kitchener Official Plan is hereby amended as follows:
 - a) Part 3, Section 13.4.4 Special Policies is amended by adding new Policy 13.4.4.16 thereto as follows:

“13.4.4.16. Notwithstanding the High Density Commercial Residential land use designation and policies for lands municipally addressed as 130-140 Highland Road East, the maximum *Floor space Ratio* shall be 5.17 and the maximum building height shall be 17 storeys.
 - b) Map 12 – Mill Courtland Woodside Park Neighbourhood Plan for Land Use is amended by redesignating from ‘Low Density Commercial Residential’ to ‘High Density Commercial Residential’ with Special Policy Area No. 16’ on the lands municipally known as 130 and 140 Highland Road East, as shown on the attached Schedule “A”.