

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: October 30, 2023

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

PREPARED BY: Eric Schneider, Senior Planner, 519-741-2200 ext. 7843

WARD(S) INVOLVED: Ward 2

DATE OF REPORT: October 2, 2023

REPORT NO.: DSD-2023-428

SUBJECT: Official Plan Amendment Application OPA23/005/K/ES –
Zoning By-law Amendment Application ZBA23/009/K/ES –
2934 King Street East – 2748244 Ontario Inc.

RECOMMENDATION:

That Official Plan Amendment Application OPA/23/005/K/ES for 2748244 Ontario Inc. requesting to add Specific Policy Area 68 to Map 5 – Specific Policy Areas of the Official Plan and to add Policy 15.D.12.68 to facilitate a mixed use development having 77 residential units and 1217 square metres of commercial space with a Floor Space Ratio (FSR) of 2.6, be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2023-428 as Attachment 'A', and accordingly forwarded to the Regional Municipality of Waterloo for approval, and

That Zoning By-law Amendment Application ZBA23/009/K/ES for 2748244 Ontario Inc. be approved in the form shown in the 'Proposed By-law', and 'Map No. 1', attached to Report DSD-2023-428 as Attachment 'B'.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding Official Plan Amendment and Zoning By-law Amendment Applications for the lands located at 2934 King Street East. It is Planning staff's recommendation that the Official Plan Amendment and Zoning By-law Amendment Applications be approved.
- Community engagement included:
 - circulation of a preliminary notice to property owners and residents within 240 metres of the subject site;
 - installation of 2 large billboard notice signs on the property;
 - Neighbourhood Meeting held on August 24, 2023;

- notice advising of the statutory public meeting was circulated to all property owners and residents within 240 metres of the subject site, those who responded to the preliminary circulation; and those who attended the Neighbourhood Meeting;
- notice of the public meeting was published in The Record on October 6, 2023.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

Planning staff is recommending approval of the requested Official Plan Amendment to add Specific Policy Area 68 to Map 5 and Policy 15.D.12.68 to the text in the Official Plan to allow for an increased Floor Space Ratio (FSR) of 2.6. Planning Staff is recommending approval of the requested Zoning By-law Amendment Application to add Site Specific Provision (382) and a new Holding Provision 55H to the existing General Commercial (COM-2) zone in Zoning By-law 2019-051 to permit an eleven (11) storey mixed-use development, having 1217 square metres of commercial floor area, with an increased Floor Space Ratio (FSR) and building height, reduced yard setbacks, an increase in the number of required parking spaces, prohibition on geothermal wells, and a Holding Provision to require a Record of Site Condition, and to implement a Detailed Stationary Noise Study. Staff are recommending that the applications be approved. The proposed redevelopment would replace and provide more than twice the existing commercial floor space (585 square metres existing, 1217 square metres proposed) as well as adding 77 dwelling units above the commercial floors.

BACKGROUND:

The City of Kitchener has received applications for Official Plan Amendment and Zoning By-law Amendment from 2748244 Ontario Inc. for a development concept of an 11-storey mixed-use building containing 77 dwelling units and 3 commercial units containing 1217 square metres of commercial floor space.

The lands are within an 'Urban Corridor' in the Urban Structure and designated 'Commercial' in the City of Kitchener Official Plan.

Site Context

The subject lands are addressed as 2934 King Street East. The subject lands are an irregular shaped lot with frontage onto 3 streets: King Street East (Regional Road), Morgan Avenue, and Centreville Street. The subject lands have a lot area of 0.34 hectares with a frontage of approximately 49 metres on King Street East, 70 metres on Morgan Avenue, and 78 Metres on Centreville Street. The subject lands are currently developed with a one-storey commercial building consisting of convenience retail, restaurant, pharmacy, and other commercial uses, containing 585 square metres of commercial floor area. There are no existing residential units on this property. A gas station was formerly on the subject lands. The surrounding neighbourhood contains a variety of uses including commercial uses primarily along King Street, including a 12-storey hotel, and a mix of residential uses to the north of Centreville Street including townhomes, apartments, semi-detached and single detached dwellings.

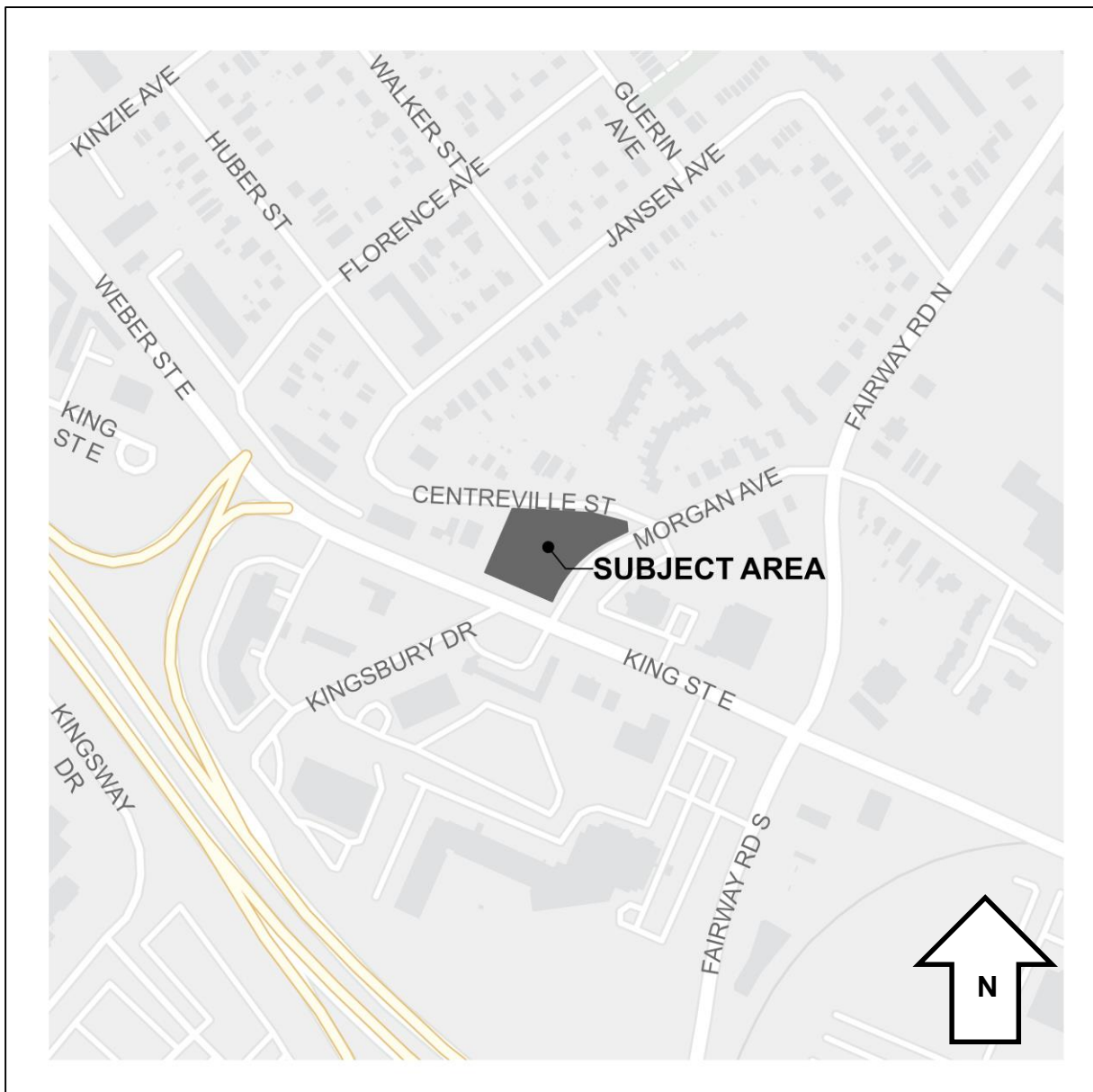


Figure 1 - Location Map: 2934 King Street East

REPORT:

The applicant is proposing to redevelop the subject lands with a 11-storey mixed use building containing 77 dwelling units, 1217 square metres of commercial space on the first and second floors, two levels of underground parking, and a green roof on the 11th floor. The proposed building is classified as a “Compact Point Tower” in the City’s Tall Building Guidelines. Vehicular access is proposed on Morgan Avenue, with the existing driveways on King Street East and Centreville proposed to be closed. Seventeen (17) surface parking spaces are proposed at the rear of the building and 140 spaces within the two underground levels, for a total of 157 parking spaces.



**Figure 2 – View of Subject Lands
(Intersection of King Street East and Morgan Avenue)**



**Figure 3 – Rendering of Proposed Building
(Intersection of King Street East and Morgan Avenue)**

The proposed development includes 41 one-bedroom, 18 two-bedroom, and 18 three-bedroom units. Indoor amenity areas are proposed on the 2nd and 11th floors. The “tip” of the subject lands at the corner of Morgan and Centreville Street is proposed as a garden pavilion outdoor amenity area and landscaped space. Two outdoor amenity areas are also proposed on the rooftop of the second floor.

Planning Analysis:

Planning Act, R.S.O. 1990, c. P.13 25.

Section 2 of the Planning Act establishes matters of provincial interest and states that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) The minimization of waste;
- h) The orderly development of safe and healthy communities;
- j) The adequate provision of a full range of housing, including affordable housing;
- k) The adequate provision of employment opportunities;
- p) The appropriate location of growth and development;
- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- r) The promotion of built form that,
 - (i) Is well-designed,
 - (ii) Encourages a sense of place, and

- (iii) Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

These matters of provincial interest are addressed and are implemented through the Provincial Policy Statement, 2020, as it directs how and where development is to occur. The City's Official Plan is the most important vehicle for the implementation of the Provincial Policy Statement, 2020 and to ensure Provincial policy is adhered to.

The Ministry of Municipal Affairs and Housing is proposing an integrated province-wide land use planning policy document, potentially replacing the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, with a singular Provincial Planning Statement (PPS) which is in draft form and not in effect at the time this report was prepared.

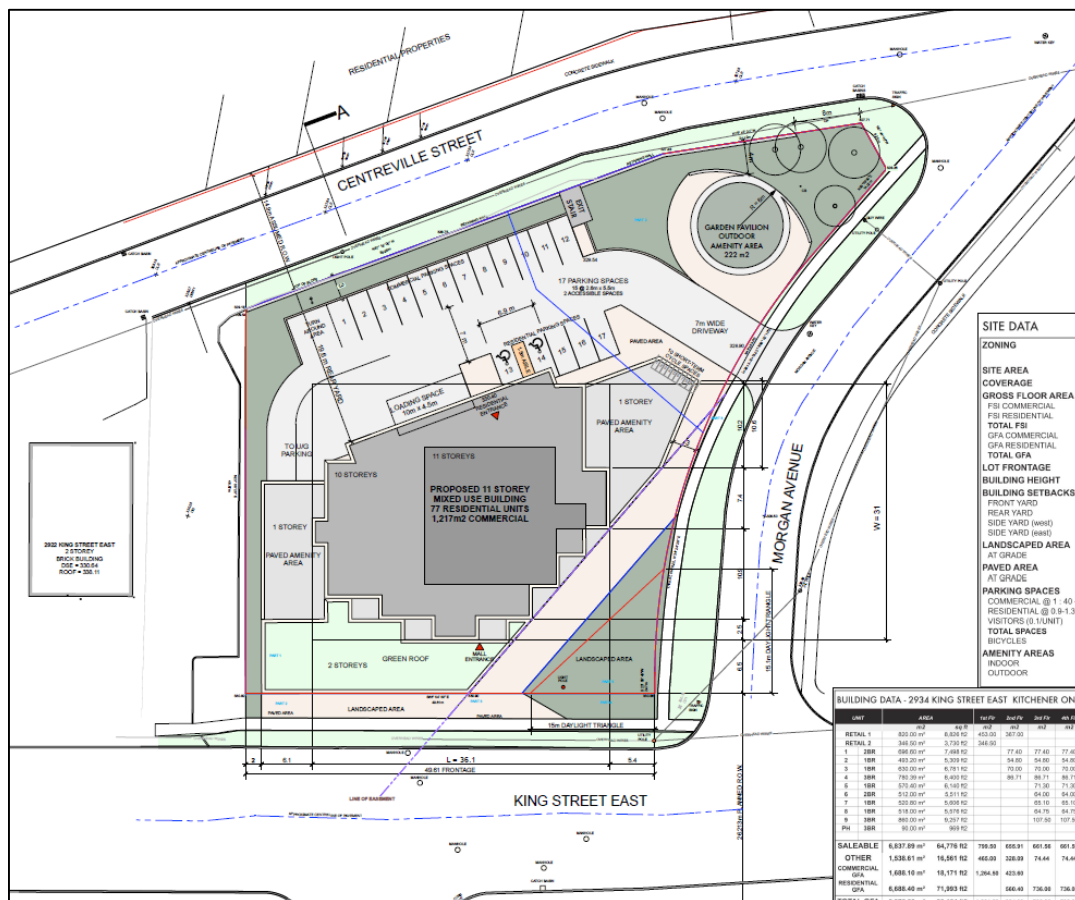


Figure 4: Concept Plan

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 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 includes one, two and three-bedroom units.

Planning staff is of the opinion that the proposed application will facilitate the intensification of the subject property with a mixed-use development that is compatible with the surrounding community, helps manage growth, is transit supportive and will make use of the existing infrastructure. No new public roads would be required for the proposed development and Engineering staff have confirmed there is capacity in the sanitary sewer to permit intensification on the subject lands.

Based on the foregoing, staff is of the opinion that this proposal is in conformity with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan):

The Growth Plan supports the development of complete and compact communities that are designed to support healthy and active living, make efficient use of land and infrastructure, provide for a range, and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation. Policies of the Growth Plan promote growth within strategic growth areas including major transit station areas, in order to provide a focus for investments in transit and other types of infrastructure.

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, in particular, higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities.

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

Regional Official Plan (ROP):

Urban Area policies of the ROP identify that the focus of the Region's future growth will be within the Urban Area. The subject lands are designated Built-Up Area in the ROP. The proposed development conforms to Section 2.F of the ROP as the proposed development supports the achievement of the minimum annual 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 Region of Waterloo have indicated they have no objections to the proposed application (Attachment 'D'). Planning staff are of the opinion that the applications conform to the Regional Official Plan.

City of Kitchener Official Plan (OP)

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

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, Nodes and Corridors, in this hierarchy, according to Section 3.C.2.3 of the Official Plan. The subject lands are located within an Urban Corridor. The planned function of Urban Corridors is to provide for a range of retail and commercial uses and intensification opportunities that should be transit-supportive.

Land Use

The subject lands are designated 'Commercial' (Map 3) in the City of Kitchener Official Plan. The Commercial designation permits a variety of commercial uses, as well as dwelling units up to a maximum FSR (Floor Space Ratio) of 2.0.

The applicant is proposing to add a Special Policy Area to permit an increase in the FSR to 2.6.

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

A Holding Provision to ensure a Record of Site Condition is obtained and an Environmental Noise Study is implemented is being proposed.

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 an Urban Corridor but also contributes to the vision for a more sustainable city. The compact building form and efficient use of land contribute to a sustainable method of redevelopment for the lands. Green roof and light colored rooftop are proposed to reduce solar heat absorption.

Urban Design Policies:

The City's urban design policies are outlined in Section 11 of the City's OP. In the opinion of staff, the proposed development satisfies these policies including: Streetscape; Safety; Universal Design; Site Design; Building Design, and Massing and Scale Design. To address these policies, an Urban Design Brief was submitted and has been reviewed by City staff. The Urban Design Brief is acceptable and outlines the vision and principles guiding the site design and informs the proposed zoning regulations.

Streetscape – The proposed building has been oriented with pedestrian access toward King Street East, the highest order frontage for the site. Vehicular access is provided from Morgan Avenue. The ground floor is proposed as commercial and lobby space, activating the ground floor.

Safety – As with all developments that go through site plan approval, staff will ensure Crime Prevention through Environmental Design (CPTED) principles are achieved and that the site meets emergency services policies. Safe vehicular movements for commercial vehicles and waste pick-up vehicles will also be evaluated.

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

Site Design, Building Design, Massing and Scale – The subject site is designed to have a building that will be developed at a scale that is compatible with the existing and planned

surroundings. The proposed tower form is a Compact Point Tower, which typically will produce less adverse impacts (privacy, shadowing etc.) than a tower with a larger floor plate or a slab shape. An angular plane analysis demonstrates that the proposed scale and building height is compatible with the surrounding neighborhood. The vision for the scale and density for the site was taken from existing local cues, in particular the 12-storey hotel building located across Morgan Avenue.

Tower Design

The proposed building tower is classified as a “Compact Point Tower” as the proposed tower floor plate is 736 square metres in area. The tower is situated to maximize separation from existing low-rise residential areas on Centreville Street. The tower portion of the building steps back from the podium. The relative height is similar to the existing 12-storey hotel building across Morgan Avenue. Furthermore, balconies for the residential units are included and 4.5-metre-tall ground floor commercial units are proposed which will enhance the streetscape with an active use.

Shadow Impact Study

The owner has completed a Shadow Impact Study in addition to the Urban Design Report. Staff have reviewed the study and are satisfied the shadow study meets the requirements outlined in the City of Kitchener Urban Design Manual.

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 are generally suitable. Wind control features will be required through the site plan application.

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.

The proposed development concept has been reviewed with these objectives in mind. City staff has confirmed that the proposed tower meets the City’s Design for Tall Building Guidelines and exceeds the off-site separation targets on the North and West sides.

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 in close proximity to several bus stops, including iExpress Route 206. 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.

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.

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. The wide range of units, in this location, will appeal to a variety of household needs and directly responds to the need for more housing during the current housing crisis.

Official Plan Conclusions

The Official Plan Amendment Application requests to retain the existing 'Commercial' land use designation as shown on Map 3 – City of Kitchener Official Plan and amend Map 5 to add 'Specific Policy Area 68'. Based on the above-noted policies 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 Attachment "A".

Proposed Zoning By-law Amendment:

The subject lands are currently zoned General Commercial (COM-2) in Zoning By-law 2019-051.

Dwelling units, and a wide range of commercial uses are permitted on the subject lands. The applicant has requested an amendment to add Site Specific Provision (382) to the subject lands.

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.

Staff offer the following comments with respect to the requested Site Specific Provision:

- a) That the maximum Floor Space Ratio (FSR) for all uses shall be 2.6

The purpose of this regulation is to cap the Floor Space Ratio (FSR) and ensure development does not exceed the density presented in the concept plans. The requested increase is deemed appropriate as the site is well buffered from low rise residential areas, the proposed tower is similar in size to existing buildings nearby on the King Street corridor, and the proposed design achieves many principles of good urban design such as adequate tower separation, provision of balconies and outdoor amenity space, and activation of the street line.

- b) That the maximum building height be 45 metres, and 11 storeys.

The maximum building height for a mixed-use building in the COM-2 zone is 25 metres, approximately 8 storeys. The applicant is requesting additional building height and has demonstrated that the site has adequate separation from the low rise residential lands, with no adjacent property lines abutting low rise areas. Staff are supportive of the requested building height.

- c) That the maximum parking rate for dwelling units is 1.65 parking spaces per dwelling unit.

The applicant is requesting to exceed the maximum parking rate for dwelling units in the Zoning By-law. The intent of the regulation for maximum parking is to discourage large surface parking areas. The majority of parking (140 of 157 spaces) are located underground for the proposed development. Staff acknowledges that the streetscape and efficient use of the lands will not be compromised with the proposed parking rate as parking is proposed to be located underground.

Another factor that contributes to a greater need for parking is the ratio of two-bedroom and three-bedroom units. The proposed development contains 18 two-bedroom and 18 three-bedroom units, representing 46% of the total units as 'family sized'. These family sized units typically required a higher parking demand.

- d) The minimum front yard setback (King Street East) shall be 0 metres for a portion of the building that is less than 12 metres in building height.

The purpose of this regulation is to regulate the building setback to address the street and provide an appropriate streetscape relationship with the proposed building. The proposed 0 metre setback is proposed for a 2-storey podium portion of the building, whereas the tower portion of the main building will be set back approximately 6.5 metres from the front lot line. The Region of Waterloo right-of-way on King Street East is approximately 27

metres wide, and there currently exists over 7 metres of right-of-way between the street line and the travelled portion of the road.

e) The minimum rear yard setback (Centreville Street) shall be 3.5 metres for a portion of the building that is less than 12 metres in building height.

The purpose of this regulation is to regulate the building setback to adjacent properties and provide for an adequate building setback for landscaping and amenity areas. The proposed 3.5 metre setback is represented by a 1-storey garden pavilion building, whereas the tower portion of the main building will be set back approximately 19 metres from the rear lot line. Adequate landscaped area and amenity space is provided at grade at the “tip” of the site at the intersection of Centreville Street and Morgan Avenue.

f) The minimum exterior yard setback (Morgan Avenue) shall be 2.5 metres for a portion of the building that is less than 12 metres in building height.

The purpose of this regulation is to regulate the building setback to a street line. The proposed 2.5 metre setback is for the podium portion of the building, whereas the tower portion of the main building will be set back approximately 7 metres from the street line at Morgan Avenue.

g) The minimum interior yard setback shall be 1.8 metres for a portion of the building that is less than 12 metres in building height.

The purpose of this regulation is to regulate the building setback to adjacent properties and provide for an adequate building setback. The proposed 1.8 metre setback is for the 1-2 storey podium portion of the building, whereas the tower portion of the main building will be set back approximately 8 metres from the interior side lot line. The podium portion of the building is not expected to generate adverse impacts to the neighbouring commercial lands.

h) That geothermal energy systems are prohibited on site.

The purpose of this regulation is to protect sensitive groundwater areas. Due to potential for contamination on the subject lands, the Region of Waterloo requires a prohibition on geothermal energy on the subject lands.

Staff offer the following comments with respect to Holding Provision 55H:

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

Holding Provision 55H

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

- A) 'No residential use shall be permitted until such time as a Record of Site Condition is submitted and approved to the satisfaction of the Ministry of the Environment, Conservation and Parks (MECP). This Holding Provision shall not be removed until the Region of Waterloo is in receipt of a letter from the Ministry of the Environment, Conservation and Parks (MECP) advising that a Record of Site Condition has been completed to their satisfaction.'

There are high environmental threats located on and adjacent to the subject lands in accordance with the Region's Threats Inventory Database (TID) due to past and current land uses. A Record of Site Condition (RSC) and Ministry Acknowledgement Letter shall be required in accordance with the Region's Implementation Guidelines. Until such time that the RSC and Ministry Acknowledgement letter have been received by the Region, residential redevelopment of the site is not permitted.

- B) 'That a Holding Provision shall apply to the entirety of the subject lands until a satisfactory detailed transportation (road) and stationary noise study has 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.'

A noise study was submitted and reviewed as part of the subject application. Regional Staff have provided peer reviewed comments that will need to be addressed before the Holding Provision can be lifted.

Proposed Zoning By-law Amendment Conclusions

Staff is of the opinion that the proposed Zoning By-law Amendment Application to add Site Specific Provision (382) and Holding Provision 55H represents good planning as it will facilitate the redevelopment of the lands with a mixed-use development that is compatible with the existing neighbourhood, which will 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 Attachment 'B'.

Department and Agency Comments:

Circulation of the Official Plan Amendment and Zoning By-law Amendment Applications was undertaken 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 Attachment 'D' 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: Evans Planning, April 2023

Urban Design Brief
Prepared by: John G. Williams Architect, February 9, 2023

Architectural Package
Prepared by: Keith Loffler McAlpine Architects, April 15, 2023

Tree Preservation Plan & Arborist Report
Prepared by: Canopy Consulting, April 1, 2023

Traffic Impact Study:
Prepared by: Trans-Plan Transportation Engineering, November 2022

Environmental Noise Assessment
Prepared by: SLR Consulting, October 26, 2022

Geotechnical Report:
Prepared by: Sola Engineering, November 22, 2022

Hydrogeology Assessment
Prepared by: Harden Environmental Services Limited, November 29, 2022

Grading and Servicing Plan
Prepared by: Aplin & Martin Consultants Ltd, April, 2022

Functional Servicing and Stormwater Management Report
Prepared by: Aplin & Martin Consultants Ltd, January 27, 2023

Landscape Plan
Prepared by: Landscape Planning Landscape Architects, January, 2023

Phase I & II Environmental Site Assessment
Prepared by: Rubicon Environmental, November 3, 2022

Pedestrian Wind Assessment
Prepared by: SLR Consulting, October 27, 2022

Community Input & Staff Responses

Staff received written responses from 3 residents with respect to the proposed development. These are included in Attachment 'D'. A Neighbourhood Meeting was held on August 24, 2023. Staff followed up with residents to answer questions related to whether the units would be affordable, if existing commercial tenants would be able to rent space in the new building, and to respond to concerns regarding too much residential development in the area. In response, the applicant is not proposing to include affordable housing units and the units would be market rate. The applicant stated that they would agree to work with existing commercial tenants to rent space in the proposed building.

WHAT WE HEARD



3 people provided comments



A City-led Neighbourhood Meetings held on August 24 and 3 different users logged on



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

Planning Conclusions

In considering the foregoing, staff are supportive of the proposed Official Plan Amendment and Zoning By-law Amendment Applications to permit 2934 King Street East to be developed with a mixed-use building. Staff is of the opinion that the subject applications are consistent with policies of the Provincial Policy Statement, 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.

STRATEGIC PLAN ALIGNMENT:

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

FINANCIAL IMPLICATIONS:

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

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

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting. Two large notice signs were posted on the property and information regarding the application was posted to the City's website in May 2023.

Following the initial circulation referenced below, an additional postcard advising of the statutory public meeting was circulated to all residents and property owners within 240 metres of the subject lands, those responding to the preliminary circulation and who attended the Neighbourhood Meeting. Notice of the Statutory Public Meeting was also posted in The Record on October 6, 2023 (a copy of the Notice may be found in Attachment 'C').

CONSULT – The proposed Official Plan Amendment and Zoning By-law Amendment were circulated to residents and property owners within 240 metres of the subject lands on May 15, 2023. In response to this circulation, staff received written responses from 3 members of the public. Planning staff responded to emails and answered questions.

PREVIOUS REPORTS/AUTHORITIES:

- Planning Act, R.S.O. 1990, c. P.13
- Growth Plan, 2020
- Provincial Policy Statement, 2020
- Region of Waterloo Official Plan
- City of Kitchener Official Plan, 2014
- City of Kitchener Zoning By-law 2019-051

REVIEWED BY: Stevenson, Garrett – Manager of Development Review, Planning Division
Malone-Wright, Tina – Supervisor, Development Applications, Planning Division

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

ATTACHMENTS:

- Attachment A – Proposed Official Plan Amendment
- Attachment B – Proposed Zoning By-law Amendment
- Attachment C – Newspaper Notice
- Attachment D – Department and Agency Comments
- Attachment E – Public Comments
- Attachment F – Concept Plan