

Staff Report

Development Services Department



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REPORT TO: Committee of the Whole

DATE OF MEETING: November 6, 2023

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

PREPARED BY: John Zunic, Senior Planner, 519-741-2200 ext. 7685

WARD(S) INVOLVED: Ward 4

DATE OF REPORT: November 1, 2023

REPORT NO.: DSD-2023-493

SUBJECT: Supplemental Report to DSD-2023-434 Lower Doon Land Use Study Implementation

RECOMMENDATION:

For Information.

REPORT HIGHLIGHTS:

- The purpose of this report is to provide additional information as requested by Planning and Strategic Initiatives Committee at the October 30, 2023, meeting
- On November 1, 2023, planning staff met with individuals from Zelinka Priamo Ltd., planning consultants for Southside Construction Management Limited, in regard to the property addressed 2400-2440 Homer Watson Boulevard to further understand their written submission dated October 30, 2023, and oral submission at the Statutory Public Meeting on October 30, 2023
- On November 1, 2023, planning staff met with individuals from Conestoga Students Inc. to further understand their oral submission at the Statutory Public Meeting on October 30, 2023
- Planning staff continues to recommend the land use and zoning proposed through report DSD-2023-434 for the City Node.

BACKGROUND:

On October 30, 2023, the Planning and Strategic Initiatives Committee (PSIC) considered Report DSD-2023-434 (Lower Doon Land Use Study Implementation) which sought approval of land use and zoning changes for the Lower Doon community to implement key directions from the Lower Doon Land Use Study. Supplemental information was requested by members of PSIC regarding the proposed zoning in the City Node in response to delegations at the Statutory Public Meeting on October 30, 2023. Following the PSIC meeting on October 30, 2023, planning staff met with individuals from Zelinka Priamo Ltd. and Conestoga Students Inc. to better understand their respective written and oral submissions.

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

REPORT:

A statutory public meeting was held at the October 30, 2023, Planning and Strategic Initiatives Committee (PSIC) meeting regarding the Lower Doon Land Use Study Implementation Project. As part of the Committee's discussion on the item, staff were requested to provide additional information regarding the differences between the staff recommended COM-2 (General Commercial) and RES-7 (High Rise Residential Seven) zones in the City Node at Homer Watson Boulevard and Conestoga College Boulevard, and the requested MIX-3 (Mixed Use Three zone) raised through delegations.

City Node Zoning Comparison

The following table outlines the permitted use categories, denoted by a check mark, in each of the COM-2, MIX-3, and RES-7 zones. The permitted uses identified in the table below may be accompanied by regulations for that particular use, including size and location requirements (see Zoning By-law 2019-051 for a full description of these zones).

| Use | COM-2 | MIX-3 | RES-7 |
|---|-------|-------------------|-------|
| Permitted Uses | | | |
| Automotive-Oriented Uses | ✓ | | |
| Health Uses | ✓ | ✓ | ✓ |
| Dwelling Units | ✓ | ✓ | ✓ |
| Offices | ✓ | ✓ | ✓ |
| Places of Worship | ✓ | ✓ | |
| Restaurants | ✓ | ✓ | |
| Retail | ✓ | ✓ | ✓ |
| Regulations | | | |
| Minimum building height | N/A | 11m | 14m |
| Maximum building height | 25m | 32m/10 storeys | * |
| Minimum floor space ratio | N/A | 0.6 | 2.0 |
| Maximum floor space ratio | 2.0 | 2.0 | 4.0* |
| Minimum non-residential gross floor area | N/A | 20% | N/A |
| Minimum residential gross floor area | N/A | 20% | N/A |
| Residential use must be located in a mixed-use building | YES | YES | NO |

*The staff recommendation for RES-7 lands within this City Node is to have no height maximum or FSR maximum. Rather, a holding provision is recommended requiring an urban design brief as part of any future re-development as a means of regulating the form and density of proposed buildings.

Many of the existing uses in the City Node in Lower Doon are auto-oriented uses and permitted only in COM zones. The COM-2 zone would allow these uses to continue legally providing for continued viability and a continued commercial function of the City Node. Additionally, as noted in the table above, residential uses are also permitted within the COM-2 zone, subject to the regulations outlined in the table above, providing opportunities for increased housing supply on these lands in addition to maintaining an important commercial function.

The MIX-3 zone permits a range of non-residential uses and dwelling units in a mixed use building subject to the regulations outlined in the table above. However, it does not allow for auto-oriented uses, such as gas stations and drive through facilities. Should a MIX-3 zone apply to lands currently occupied, most existing uses would become legal non-conforming.

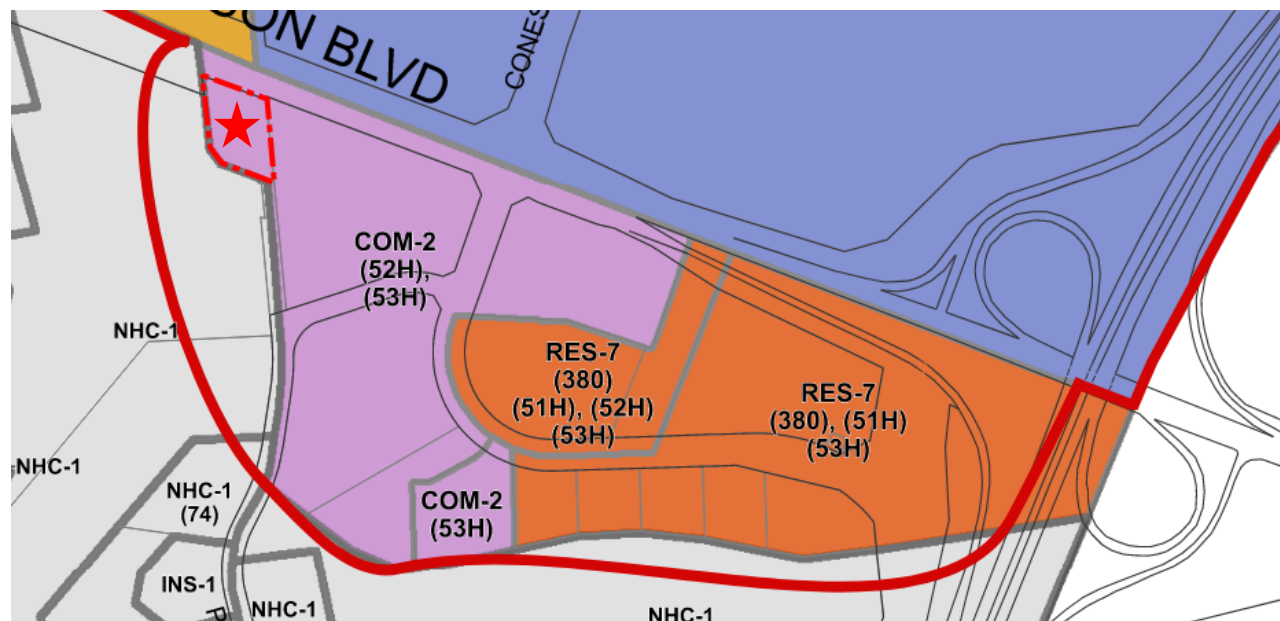
Finally, the RES-7 zone permits residential and limited non-residential uses, with accompanying regulations. Within the Lower Doon City Node, staff are recommending no height or floor space ratio maximum but instead, through the use of a holding provision, requiring an urban design brief to be submitted as part of any future re-development.

Despite the different regulations and conditions that apply to each of the zones identified in this report, all three zones effectively function as mixed use zones and permit residential and non-residential uses in mixed use buildings. The COM-2 zoning permits dwelling units while also permitting a broad range of commercial uses. However, unlike the MIX-3 zone, the COM-2 zone does not apply minimum residential and non-residential gross floor area requirements. The RES-7 zone allows for high-rise residential uses while permitting limited non-residential use.

Statutory Public Meeting Submissions – Lower Doon City Node

2400-2440 Homer Watson Boulevard and adjacent vacant lands (Zelinka Priamo Ltd.)

As part of the Statutory Public Meeting submissions Zelinka Priamo Ltd., planning consultants for the property addressed 2400-2440 Homer Watson Boulevard and vacant lands adjacent to these properties, requested that these properties be designated and zoned mixed use. Staff discussed the matter further with Zelinka Priamo Ltd. on November 1, 2023, to provide additional information on the similarities and differences between the staff recommended COM-2 zone and requested MIX-3 zone. As a result of this discussion, it is staff's understanding that the owners of the above-mentioned properties continue to seek a mixed use land use designation and MIX-3 zoning for the vacant lands.



Conestoga Students Inc.

Staff also discussed the oral submission provided by Conestoga Students Inc.(CSI) during the Statutory Public Meeting on October 30, 2023, with individuals from CSI on November 1, 2023. Following this discussion, written correspondence was provided indicating that CSI does not intend to make further delegations on this matter (Attachment A).

Staff continues to recommend the land use and zoning for the City Node as outlined in report DSD-2023-434.

Additional Submissions

Staff met with the consultants and owners of 86 Pinnacle Drive at their request on November 1, 2023, following the Statutory Public Meeting. Following that conversation, staff have received written confirmation that they would like to proceed with their in progress development application (Attachment B). As such, 86 Pinnacle Drive has been removed from the proposed Lower Doon Land Use Study Implementation Zoning By-law Amendment.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

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

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

COMMUNITY ENGAGEMENT:

Community engagement for the Lower Doon Land Use Study implementation was outlined in report DSD-2023-434.

PREVIOUS REPORTS/AUTHORITIES:

- [DSD-2023-434 Lower Doon Land Use Study Implementation](#)

REVIEWED BY: Natalie Goss, Manager, Policy & Research

APPROVED BY: Justin Readman, General Manager, Development Services

ATTACHMENTS:

Attachment A – Correspondence from Conestoga Students Inc. dated November 1, 2023

Attachment B – Correspondence from A & F Greenfield Homes dated November 2, 2023