

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

CITY OF KITCHENER

2934 King Street East

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AMENDMENT NO. XX 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.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of the Official Plan Amendment is to amend the Official Plan by adding Site Specific Policy Area 68 to Map 5 (Specific Policy Areas) and by adding associated Policy 15.2.12.68 to the text of the Official Plan.

SECTION 3 – BASIS OF THE AMENDMENT

The subject lands are currently designated as Commercial within Map 3 - Land Use in the Official Plan. The lands are identified as within an Urban Corridor on Map 2 - Urban Structure of the Official Plan.

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.

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.

SECTION 4 – THE AMENDMENT

The City of Kitchener Official Plan is hereby amended as follows:

- a) Part D, Section 15.D.12. is amended by adding Policy 15.D.12.68 as follows:

- “15.D.12.68. **2934 King Street East**

- Notwithstanding the Commercial land use designation on lands municipally known as 2934 King Street East, a *Floor Space Ratio* (FSR) of 2.6 will be permitted.

- b) Amend Map No. 5 – Specific Policy Areas by adding Specific Policy Area No. “68. 2934 King Street East” to the ‘Area of Amendment’, as shown on the attached Schedule ‘B’.

APPENDIX 1

NOTICE OF PUBLIC MEETING

for a development in your neighbourhood
2934 King Street East



Concept Drawing

Have Your Voice Heard!

Planning & Strategic Initiatives Committee

Date: **October 30, 2023**
Location: **Council Chambers,
Kitchener City Hall
200 King Street West
or Virtual Zoom Meeting**

Go to **kitchener.ca/meetings**
and select:

- Current agendas and reports
(posted 10 days before meeting)
- Appear as a delegation
- Watch a meeting

To learn more about this project, including
information on your appeal rights, visit:

**[www.kitchener.ca/
PlanningApplications](http://www.kitchener.ca/PlanningApplications)**

or contact:

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Mixed
Use



11 Storeys,
77 Dwelling
Units



Floor Space
Ratio of 2.6

The City of Kitchener will consider applications for an Official Plan Amendment and a Zoning By-law Amendment to facilitate the redevelopment of the site with the removal of the existing one-storey commercial plaza and replacing it with an 11-storey mixed use building having a Floor Space Ratio of 2.6, with ground floor commercial and 77 dwelling units on the floors above and having 157 parking spaces.

APPENDIX 2

Minutes of the Meeting of Planning and Strategic Initiatives
Committee – October 30, 2023

APPENDIX 3

Minutes of the Meeting of City Council – November 6, 2023