

# Staff Report



Development Services Department

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**REPORT TO:** Planning and Strategic Initiatives Committee

**DATE OF MEETING:** February 26, 2024

**SUBMITTED BY:** Garett Stevenson, Director of Development and Housing Approvals, 519-741-2200 ext. 7070

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

**WARD(S) INVOLVED:** Ward 5

**DATE OF REPORT:** January 29, 2024

**REPORT NO.:** DSD-2024-060

**SUBJECT:** Official Plan Amendment Application OPA22/012/H/CD  
Zoning By-law Amendment Application ZBA22/019/H/CD  
Address: 490 Huron Road  
Owner: 2517293 Ontario Inc.

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## RECOMMENDATION:

That Official Plan Amendment Application OPA/22/012/H/CD for 2517293 Ontario Inc. requesting to amend the text of Site-Specific Policy 15.D.12.40 to increase the maximum permitted height to 24 storeys on the lands specified and illustrated on Schedule 'A', be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2024-060 as Attachment 'A', and accordingly forwarded to the Region of Waterloo for approval; and

That Zoning By-law Amendment Application ZBA22/019/H/CD for 2517293 Ontario Inc. be approved in the form shown in the 'Proposed By-law', and 'Map No. 1', attached to Report DSD-2023-299 as Attachment 'B'.

## REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding the Official Plan Amendment and Zoning By-law Amendment Applications for the property located at 490 Huron Road. It is Planning staff's recommendation that the Official Plan and Zoning By-law Amendment Applications be approved.
- Community engagement included:
  - circulation of a preliminary notice letter to property owners and residents within 240 metres of the subject site;
  - installation of two large billboards notice sign on the property (one facing each street);
  - follow up one-on-one correspondence with members of the public;
  - Neighbourhood Meeting held on December 6, 2023;

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

- postcard advising of the statutory public meeting was circulated to all residents and property owners within 240 metres of the subject site and those who responded to the preliminary circulation;
- notice of the public meeting was published in The Record on February 2, 2024.
- This report supports the delivery of core services
- These applications were deemed complete on August 15, 2022. The Applicant can appeal these applications for non-decision at any time.

### **EXECUTIVE SUMMARY:**

Planning staff is recommending approval of the requested Official Plan Amendment Application to amend Site-Specific Policy 15.D.12.40 to increase the maximum permitted height to 24 storeys for the lands designated 'Mixed Use' at the southwesterly corner of Huron Road and Strasburg Road. Planning Staff is recommending approval of the requested Zoning By-law Amendment Application to amend Site Specific Provision (120) to allow for an increased maximum building height of 24 storeys and 80 metres; to regulate the location of parking; and to require no minimum Ground Floor Street Line Façade for a building abutting a Street Line; and to apply a Holding Provision (82H) to require an updated Noise Study prior to final site plan approval. Staff recommends that the applications be approved.

### **BACKGROUND:**

The Owner, 2517293 Ontario Inc., has made applications to the City of Kitchener for an Official Plan Amendment and a Zoning By-law Amendment proposing to amend a site-specific policy and zoning regulations on the subject lands at 490 Huron Road to permit the lands to be developed with a mixed use development consisting of four (4) multiple dwelling buildings ranging in height from 12-24 storeys and future commercial buildings. A separate amenity building along with future commercial uses will be located along the Huron Road frontage. Significant landscaping is proposed along Huron and Strasburg frontages and the proposed development will include a combination of surface, underground and structured parking.

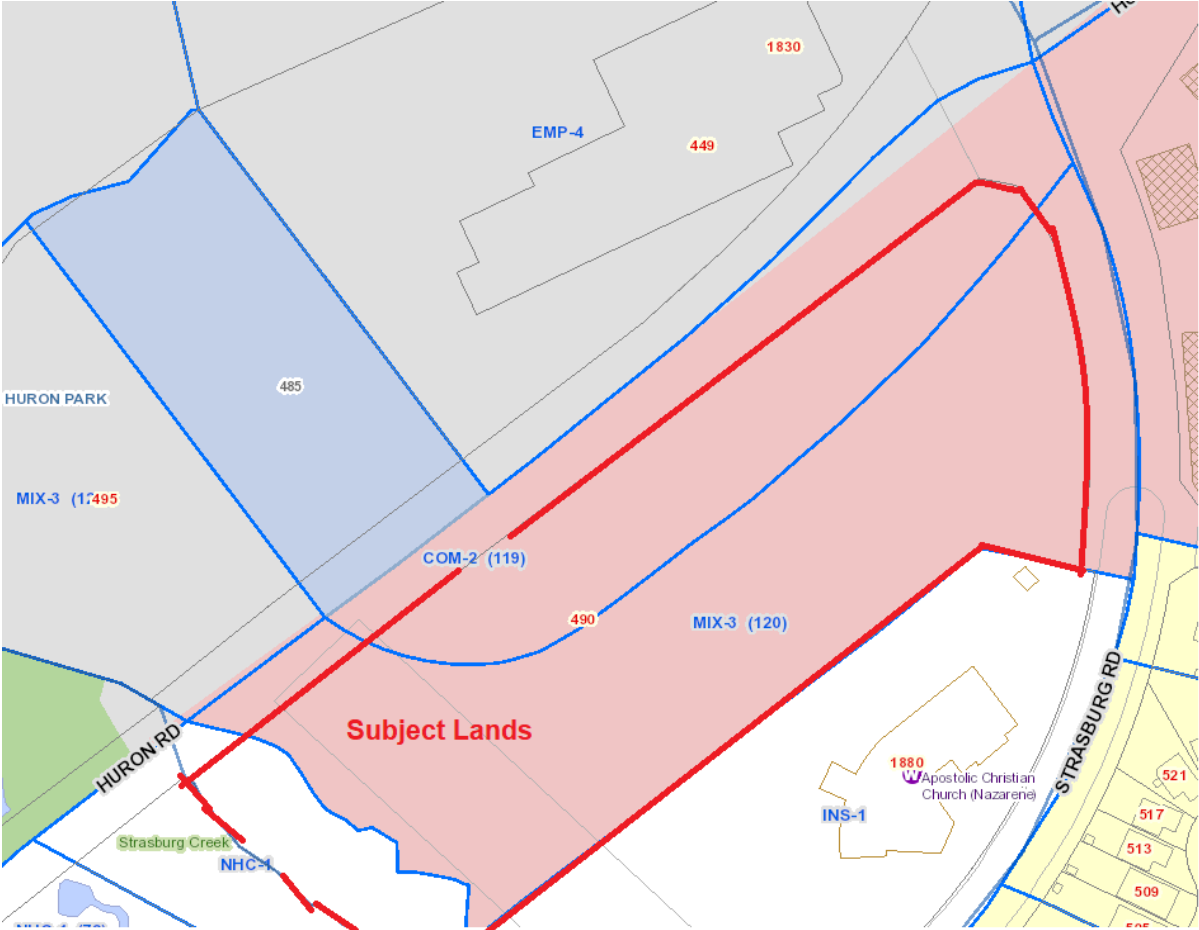
The lands are located within a 'Community Node' (Map 2 - City of Kitchener Official Plan) and the subject lands have multiple land use designations. 490 Huron Road is designated 'Commercial' along Huron Road, 'Natural Heritage Conversation' to southwest and designated 'Mixed Use' (Map 3 - City of Kitchener Official Plan) along the rear of the property as well as the portion of the property that has frontage along Strasburg Road. No amendments are proposed to the 'Commercial' or 'Natural Heritage Conservation' designated lands.

The subject lands are within Zoning By-law 2019-051 and split zoned 'General Commercial Zone (COM-2) with Site Specific Provision (119)', 'Mixed Use Three Zone (MIX-3) with Site Specific Provision (120)' and 'Natural Conservation Zone (NHC-1)'.

The lands zoned 'COM-2 with Site Specific Provision (119)' allows for a wide range of commercial uses and Site Specific Provision prohibits residential uses on the COM-2 portion of the lands and allows off-street parking, vehicular access, pedestrian access, amenity space and other uses associated with or accessory to permitted uses located on adjacent lands zoned 'MIX-3' to be located on the 'COM-2' portion of that lands at 490 Huron Road.

The proposed development of four (4) high rise residential towers are located fully within the portion of the subject lands zoned 'MIX-3 (120)'. The 'MIX-3' zone together with Site Specific Provision (120) allows for a range of commercial uses along with residential uses. Site Specific Provision (120) does not require any commercial uses within the MIX-3 zone portion of the lands and permits multiple residential developments in a free-standing building with a Floor Space Ratio of 2.0 and maximum building height of 32 metres and 10 storeys. A 4.5 metre ground floor height for any buildings within 25 metres of the Strasburg Road Street Line is also required by Site Specific Provision (120).

No amendments are proposed to the 'COM-2' and 'NHC-1' portions of the site and no development is proposed within the 'NHC-1' portion of the property. The existing and proposed zoning will allow for the entirety of the lands at 490 Huron Road to be developed as a future mixed use development with residential uses situated away from employment/industrial uses located across the road on Huron Road and appropriately buffered with parking, amenity areas, and commercial spaces.



**Figure 1: Existing Zoning Framework**

**Site Context**

The subject lands are addressed as 490 Huron Road and are situated within a 'Community Node'. The subject lands include 3.41 hectares (8.43 acres) of vacant land and have frontage on Huron Road and Strasburg Road. Employment uses are located directly to the north of the subject lands (on the north side of Huron Road and the west

side of Strasburg Road). A vacant parcel proposed to be developed for mixed-use is also located on the north side of Huron Road. An existing secondary school (Huron Heights Secondary School) is located at the northeast corner of Huron and Strasburg Road. To the east of the subject lands along the east side of Strasburg Road is a vacant parcel that is planned to accommodate commercial and/or mixed use development. An existing residential subdivision is also located east of the subject lands. Directly to the south of the subject lands is an existing religious institution. Environmental features, including a large woodlot, are also located to the south (primarily east of Strasburg Road). Existing residential development is also located south and southwest of the subject lands. Natural heritage features, including valley lands associated with Strasburg Creek are located immediately to the west of the site. The site is well buffered from existing low rise residential uses and does not currently contain any buildings.



**Figure 2 – Location Map: 490 Huron Road**

**REPORT:**

The applicant is proposing to develop the subject lands with a mixed-use development consisting of four (4) multiple dwelling buildings ranging in height from 12-24 storeys. A separate amenity building along with future commercial uses will be located along the Huron Road frontage. Significant landscaping is proposed along Huron and Strasburg Road frontages and the proposed mixed-use development will include a combination of surface, underground and structured parking.

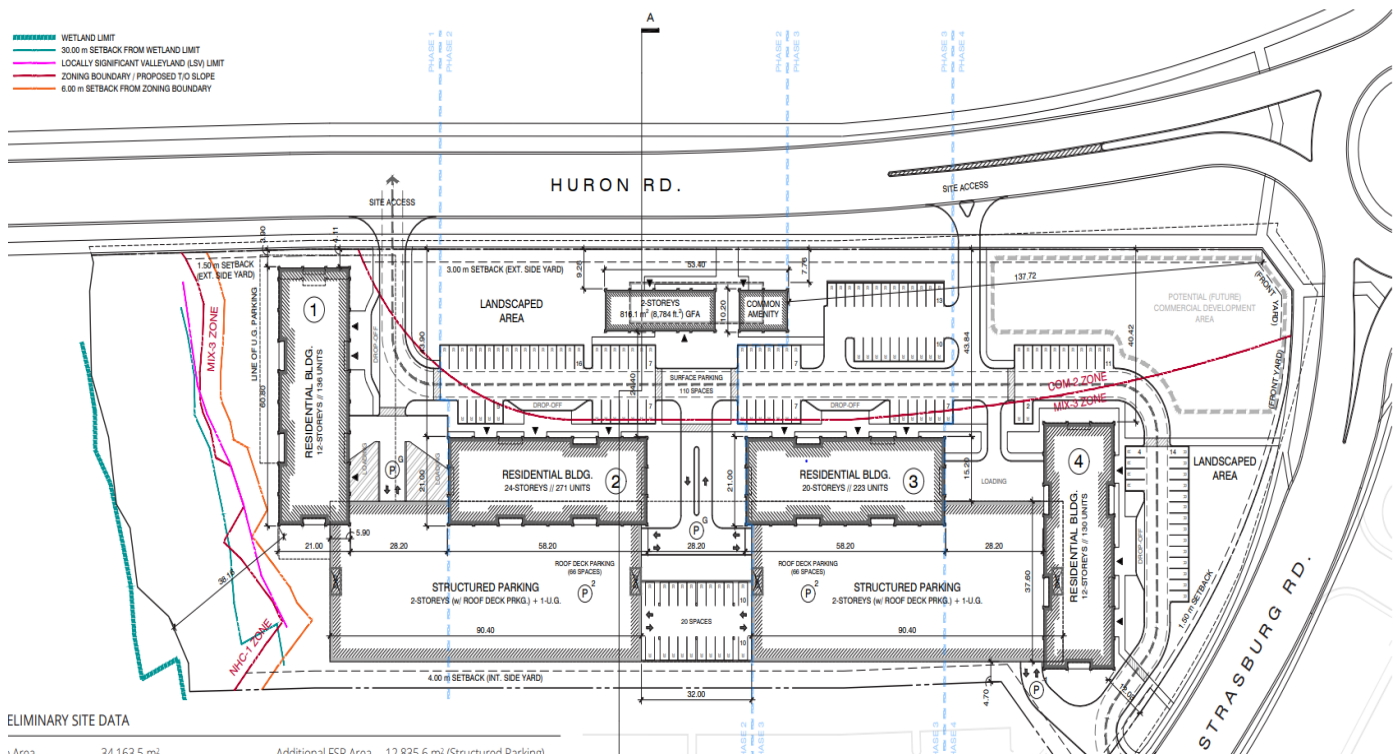
Building 1 (shown in Figure 3) is 12 storeys in height and is located along the western portion of the site (closest to Huron Road). Building 1 is connected to Building 2 (shown on Figure 3) by a 2 storey parking structure. Buildings 2 and 3 (shown on Figure 3) are 24 storeys and 20 storeys in height and are located in the central portion of the site while Building 4 (shown on Figure 3) is 12 storeys in height and is located along the eastern portion of the site (closest to Strasburg Road). Buildings 3 and 4 are connected by a 2 storey parking structure. A 2-storey Amenity Building is proposed along the northern portion of the site, along with future commercial buildings/uses fronting Huron Road. Vehicular access to the site is proposed via a private driveway connecting from Huron Road and Strasburg Road and running through the centre of the site. An Outdoor Amenity Area is proposed to the immediate west of the 2-storey Amenity Building, and a landscaped area is proposed for the northeastern corner of the site. Various surface parking areas are also proposed throughout the centre of the site.

Table 1 below highlights the development concept statistics while Figures 3 and 4 show the proposed development concept site plan and building elevations of the development proposal.

**Table 1. Proposed Development Concept Statistics**

	<b>Development Concept</b>
<b>Number of Units</b>	760 residential dwelling units, future commercial uses located along Huron Road
<b>Parking Spaces</b>	850 parking spaces
<b>Building Heights</b>	12- 24 storeys
<b>Class A (indoor secured) Bicycle Parking</b>	0.5 per unit (380)
<b>Class B (outdoor visitor) Bicycle Parking</b>	6
<b>Electric Vehicle Ready Parking Stalls</b>	152
<b>Floor Space Ratio</b>	4





**Figure 3 – Development Concept Site Plan**

To facilitate the development of the subject lands with the proposed development concept, an Official Plan Amendment and a Zoning By-law Amendment are required to amend the land use policies and zoning regulations of the subject lands as the existing Official Plan policies permit a maximum building height of 15 storeys and the zoning permits a maximum building height of 10 storeys or 32 metres with a maximum floor space ratio of 4.0.

The lands are located within a ‘Community Node’ (Map 2 - City of Kitchener Official Plan) and the subject lands have multiple land use designations. 490 Huron Road is designated ‘Commercial’ along Huron Road, ‘Natural Heritage Conversation’ to Southwest and designated ‘Mixed Use’ (Map 3 - City of Kitchener Official Plan) along the rear of the property as well as the portion of the property that has frontage along Strasburg Road. The entire property is also located within Site-Specific Policy Area No. 40 (Map 5 - City of Kitchener Official Plan).

The subject lands are within Zoning By-law 2019-051 and split zoned ‘General Commercial Zone (COM-2) with Site Specific Provision (119)’, ‘Mixed Use Three Zone (MIX-3) with Site Specific Provision (120)’ and ‘Natural Conservation Zone (NHC-1)’.

The owner is proposing to amend Site-Specific Policy 15.D.12.40 in the City of Kitchener’s Official Plan to increase the maximum permitted height to 24 storeys or 80 metres for the lands designated ‘Mixed Use’ at the southwesterly corner of Huron Road and Strasburg Road and requesting a Zoning By-law Amendment Application to amend Site Specific Provision (120) to allow for an increased maximum building height of 24 storeys and 80 metres; to regulate the location of parking; and to require no minimum Ground Floor Street Line Façade for a building abutting a Street Line.

Holding Provision (82H) is also proposed to be added to the property to prevent the development of the site with sensitive uses, including residential uses, until the Region is in receipt of a revised Noise Study, completed to the satisfaction of the Region of Waterloo.



**Figures 4 and 5 – Proposed Building Renderings**

**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.

### **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 form of market-based housing.

Planning staff is of the opinion that the proposed application will facilitate the intensification of the subject property with a mixed-use multiple dwelling development that is compatible with the planned function of the area and 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. The subject lands are in close proximity to transit, trails, and parks.

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.

The subject lands are located within the City's delineated Greenfield area, and within a Community Node in the 2014 Kitchener Official Plan. Community Nodes provide for commercial uses with a mix of residential and institutional uses necessary to support and complete surrounding residential communities. 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. The proposed development is also proposing to include several unit types, increasing the variety of housing options for future residents. 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 Designated Greenfield Areas. The subject lands are designated Urban Designated Greenfield Areas in the ROP. This neighbourhood provides for the physical infrastructure and community infrastructure to support the proposed residential development, including transportation networks, municipal drinking-water supply and wastewater systems, and a broad range of social and public health services. Regional policies require Area Municipalities to plan for a range of housing in terms of form, tenure, density and affordability to satisfy the various physical, social, economic and personal support needs of current and future residents. Regional staff have indicated that they have no objections to the proposed applications (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.

#### 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 to a complete community with 760 residential units and future commercial uses on the subject lands. Considerable thought for the orientation and placement of the buildings, podium height, building step backs, and vehicular and

pedestrian connections to Huron and Strasburg Road have been incorporated into the design for this high intensity mixed use development.

### Urban Structure

The subject lands are located within a 'Community Node' on Map 2 in the Official Plan.

The planned function of 'Community Nodes' is to provide for commercial uses with a mix of residential and institutional uses necessary to support and complete surrounding residential communities. Community Nodes primarily serve an inter-neighbourhood market and are intended to intensify, be transit-supportive and cycling and pedestrian-friendly. (3.C.2.31.)

Within an area identified as a 'Community Node' on Map 2 the applicable land use designations may include Commercial, Mixed Use, Institutional, Open Space, Medium Rise Residential and High Rise Residential as shown on Map 3 and detailed in Sections 15.D.3, 15.D.4, 15.D.5, 15.D.7 and 15.D.10 depending on the context and the range of uses deemed appropriate for achieving the planned function of that Community Node. Where the Community Node is located at the intersection of existing or planned transit corridors as identified on Map 2, the predominant land use designation on lands abutting the intersection of the transit corridors will be Mixed Use. (3.C.2.32.)

The proposed development is located in a prime location for high intensity mixed use development. The subject lands are located in close proximity to existing transit corridors. There are no adjacent low rise residential uses, and as such, existing residential uses will not be directly impacted by this development and those low rise neighbourhoods will not be areas of significant intensification. The proposed development introduces a new form of housing to the surrounding area with a mix of unit types. The existing surrounding area is primarily owner-occupied low rise ground oriented dwellings in the form of single detached, semi detached and townhouse units. 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.

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 Community Node but also contributes to the vision for a sustainable and more environmentally friendly city.

### Land Use

The subject lands have multiple land use designations. 490 Huron Road is designated 'Commercial' along Huron Road, 'Natural Heritage Conversation' to southwest and designated 'Mixed Use' on Map 3 along the rear of the property as well as the portion of the property that has frontage along Strasburg Road. No Amendments are proposed to the 'Commercial' or 'Natural Heritage Conversation' designated lands.

The Mixed Use land use designation is intended to be flexible and responsive to land use pattern changes and demands and permit a broad range of uses at different scales and

intensities depending on the lands' geographic location and identification at the urban structure level. As such, an appropriate and compatible mix and range of commercial, retail, institutional and residential uses, at different scales and intensities will be encouraged and supported within lands designated Mixed Use depending on their location within the City's Urban Structure. The implementing zoning will be applied to allow for and promote a compatible mix of uses within the same building or on the same site. A mix of uses within the same building is preferred. The implementing zoning will also recognize and facilitate those lands which are intended and expected to evolve over time to achieve an optimum built form and mix of uses.

A minimum Floor Space Ratio of 1.0 and a maximum Floor Space Ratio of up to 4.0 will apply to individual properties where higher density development or redevelopment is desirable and appropriate. The following criteria will be considered as the basis for the implementing zoning:

- a) the property abuts or has direct access to an arterial or collector road;
- b) the property is adequately buffered from lands designated Low Rise Residential; and,
- c) there is adequate existing or planned infrastructure. (15.D.4.19.)

The City may consider increases to the permitted building height of up to 50 percent of the permitted building height where a development or redevelopment provides a mixed use building containing residential units. It must be demonstrated that a pedestrian scale base, appropriate massing along the streetscape and compatibility with adjacent lands is achieved and that all the applicable policies within this Plan are satisfied. (15.D.4.23)

The City may impose minimum façade and building height regulations in the Zoning By-law. (15.D.4.23)

#### **Site-Specific Policy Area 40.**

The subject lands are located within Specific Policy Area No. 40 (Map 5 - City of Kitchener Official Plan).

15.D.12.40 Southeasterly and southwesterly corners of Huron Road and Strasburg Road - Notwithstanding the Commercial and Mixed-Use land use designations and policies on the lands located at the southeasterly and southwesterly corners of Huron Road and Strasburg Road:

- a) dwelling units will not be permitted on the lands designated Commercial at the southwesterly corner of Huron Road and Strasburg Road, notwithstanding these lands may be used for parking and access to uses permitted on the Mixed Use designated portion of the site;
- b) dwelling units will be permitted on the lands designated Commercial at the southeasterly corner of the Huron Road and Strasburg Road provided that they are located in the same building as compatible commercial uses and are not located on the ground floor to a maximum Floor Space Ratio of 2.0;

- c) for the lands designated Commercial, at the southeasterly and southwesterly corners of Huron Road and Strasburg Road, the full range of retail and commercial uses listed in Policy 15.D.5.16 and Policy 15.D.5.17 a), save and except retail commercial centres and major office, will be permitted; and
- d) for the lands designated Mixed Use, the full range of uses listed in Policy 15.D.4.2 and Policy 15.D.4.3, will be permitted. Non-residential uses will be encouraged on the ground floor of any building within 25 metres of the Strasburg Road lot frontage, with provisions in the Zoning By-law to require the ground floor of any building, within such area, to have a minimum height of 4.5 metres.

Policy 17.E.13.1. of the City of Kitchener Official Plan requires 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. A Holding Provision shall be applied to residential uses, day care uses and other sensitive uses and will not be removed through a by-law amendment until such time as a Noise Study has been reviewed and approved by the Region of Waterloo.

### Urban Design

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 Scorecard was submitted and has been reviewed by City staff. The Urban Design Scorecard outlines the vision and principles guiding the site design and informs the proposed zoning by-law regulations. An urban design report will be required and secured through a Holding Provision. Extra attention to high quality urban design that contributes positively to the public realm and streetscapes is expected for the subject lands with adequate onsite amenity for future residents. Detailed design will be reviewed through the site plan design and approvals process.

**Streetscape** – Enhanced landscaping and amenity spaces are proposed along Strasburg frontage. Building 1 (Figure 3) podium is oriented towards Strasburg Road and includes a 4.8 metre tall ground floor for units, building amenity areas, and a lobby area which will enhance the streetscape. Through the Site Plan approval process staff will work with the applicant to further enhance the podium design and further activate the streetscapes where possible with landscape or future commercial uses.

**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 towers have well defined podiums and building step backs along the public right of way which helps enhance the public realm.

### Tower Design

The proposed building tower is classified as “Slab” towers as the proposed tower floor plates are more than 850 square metres in area. All four (4) of the towers have massing that is broken up vertically by variation and the articulation of building materials. Building 1 (Figure 3) includes a step back which further defines the podium along Huron Road. Furthermore, balconies for the residential units are included and 4.8 metre tall ground floor units, building amenity areas, and lobby are proposed which will enhance the streetscape and internal street network/pedestrian realm.

### 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 City’s requirements, with respect to shadow impacts, as noted 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. A full Wind Assessment be required and reviewed at the site plan application stage and wind control features will be required through the site plan application is necessary to mitigate wind.

### 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 towers are generally consistent with and meet the overall intent of the City's Design for Tall Building Guidelines. More specifically, the proposed development generally meets the offsite separation distance requirements of the Design for Tall Building Guidelines and will be further reviewed through the site plan approval process prior to removal of the Holding Provision.

#### 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 along Strasburg Road and Huron Road both which have bus routes (GRT Routes 16 and 33) and stops located within walking distance. The building has excellent access to trails, and cycling networks, including existing on and off-street cycling facilities. 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 compact mixed-use development in a Community Node. 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 amount of multiple dwelling units available in the city. The development is contemplated to include a range of unit types including, one, one plus den and two-bedroom units. These new units will meet and 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 implemented at the site planning approval process through the detailed design review of the building.

### **Proposed Official Plan Amendment Conclusions**

The Official Plan Amendment application request to amend Site-Specific Policy 15.D.12.40 to increase the maximum permitted height to 24 storeys or 80 metres for the lands designated 'Mixed Use' at the southwesterly corner of Huron Road and Strasburg Road. 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 (Zoning By-law 2019-051)**

490 Huron Road is currently zoned 'General Commercial Zone (COM-2) with Site-Specific Provision (119)', 'Mixed Use Three Zone (MIX-3) with Site Specific Provision (120)' and 'Natural Conservation Zone (NHC-1)' in Zoning By-law 2019-051. The existing zoning permits a high intensity mixed use development s with a maximum permitted Floor Space Ratio (FSR) of 2.0 and maximum building height of 10 storeys and 32 metres. The applicant has requested an amendment to Zoning By-law 2019-051 to modify Site Specific Provision (120) and add Holding Provision (82H) in Zoning By-law 2019-051.

Official Plan policies indicate that where site-specific 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 applicant is seeking to amend Zoning By-law 2019-051 to amend Site Specific Provision (120). The proposed new regulations are to permit an increased maximum building height and Floor Space Ratio (FSR), regulate the location of parking spaces, and to require no minimum Ground Floor Street Line Façade for a building Abutting Street Line.

Staff offer the following comments with respect to amended Site Specific Provision (120):

a) The ground floor of any building located within 25 metres of the Strasburg Road street line shall have a minimum height of 4.5 metres;

Existing regulation – continues to apply.

b) No minimum or maximum percent of non-residential gross floor area is required;

Existing regulation – continues to apply.

c) Regulation 8.2 (1) shall not apply.

Existing regulation – continues to apply.

d) The maximum building height shall be 24 storeys and 80 metres and the maximum Floor Space Ratio shall be 4.0.

The purpose of this new regulation is to cap the building height and FSR and ensure development does not generally exceed the density presented in the concept plans. The existing planning framework allows for the subject lands to be developed with 15 storey buildings with a Floor Space Ratio of 4.0. Increasing the building height to a maximum of 24 storeys with a Floor Space of 4.0 will allow for a range of tower heights (four towers) ,12 -24 storeys in height (rather than 5-6 towers, all 15 storey's in height) that meet the tall building guidelines.

e) No minimum Ground Floor Street Line Façade Width as a Percentage of the Width of the Abutting Street Line shall apply.

The purpose of this new regulation is to not require a minimum ground floor street line façade as the property is irregular in shape, has multiple frontages, and irregular zoning lines that restrict the ability to provide the minimum 50% base zone regulation.

f) On-site parking shall be permitted between a building and street line.

The purpose of this new regulation is to allow for on-site parking to be located between a building and street line (Strasburg Road). Due to the irregular shape, frontage and orientation of the proposed buildings, the proposed visitor parking is located within a building and street line. Landscaping is required to screen the parking to minimize any visual impacts from the street. Enhanced landscaping details and screening will be reviewed through the site plan approval process.

g) Geothermal Energy Systems shall be prohibited.

The Region of Waterloo has indicated Geothermal Energy Systems shall be prohibited to mitigate the risks associated with contaminants that will remain beneath the site when the property is redeveloped. This is a new regulation.

Staff offer the following comments with respect to Holding Provision (82H):

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 'MIX-3' zone and site specific provisions. 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 (82H)

Planning staff are recommending the following holding provision as part of the Zoning By-law Amendment:

- i. No residential use shall be permitted until a detailed Transportation (road) and Stationary Noise Study has been completed and implementation measures recommended to the satisfaction of the Regional Municipality of Waterloo.

A noise study was prepared in support of the proposed Zoning By-law and reviewed by the Region of Waterloo. Additional building noise mitigation measures will be reviewed through the site plan design and approvals process and an addendum to the Noise Study will be required prior to removal of the Holding Provision.

#### **Proposed Zoning By-law Amendment Conclusions**

Staff is of the opinion that the proposed Zoning By-law Amendment to amend Site Specific Provision (120) and add new Holding Provision (82H)' 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 and skyline and will appropriately accommodate on-site parking needs. Multiple dwellings are already permitted on the subject lands, the proposed amendment will allow for an increase in height and FSR only and will allow for with a more modern planning framework. Staff are supportive of the proposed development and recommend that the proposed Zoning By-law Amendment Application 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 in August 2022 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: MHBC Planning, August 2022, (Addendum October 2023)



- Wind Study  
Prepared by: Theakston Environmental Consulting Engineers, July 2022, (Addendum September 2023)
- Urban Design Report  
Prepared by: MHBC Planning, August 2022, (Addendum October 2023)
- Shadow Study  
Prepared by: Martin Simmons Sweets, March 2022, (Addendum October 2023)
- Transportation Impact Study  
Prepared by: Paradigm Transportation Solutions, July 2022 (Addendum September 2023)
- Functional Servicing and Stormwater Management Report  
Prepared by: WalterFedy, June 2022 (Addendum September 2023)
- Sustainability Statement  
Prepared by: MHBC Planning, August 2022, (Addendum October 2023)
- Environmental Impact Assessment  
Prepared by: WSP, July 2022 (Addendum October 2023)
- Noise Feasibility Study  
Prepared by: Acoustic Engineering Ltd, August 2021 (Addendum September 2023)
- Hydrogeological Report  
Prepared by: Chung & Vander Doelen Engineering Ltd. June 2022,

### **Community Input & Staff Responses**

## WHAT WE HEARD



**304 addresses (occupants and property owners) were circulated and notified**



**20 people/households/businesses provided comment**



**A City-led Neighbourhood Meeting was held on December 6, 2023, and 9 users logged on**

Staff received written responses from 20 residents with respect to the proposed development. The comments received are included in Attachment 'E'. A Neighbourhood Meeting was held on December 6, 2023. A summary of what we heard, and staff responses are noted below.

What We Heard	Staff Comment
<p>Residents support the development and feel it's the appropriate location for residential and future commercial uses.</p>	<p>Staff received emails and phone calls in support of the proposed development. As noted in the staff report the location is appropriate as the subject lands are located in a Community Node which provide for commercial uses with a mix of residential and institutional uses necessary to support and complete surrounding residential communities.</p>
<p>Tall Buildings should not be allowed in this area of the City.</p>	<p>The existing planning framework of the subject lands allows for buildings up to 15 storeys in height.</p> <p>The subject lands are well buffered from nearby low rise residential developments, are located within a Community Node that is located at the intersection of an existing transit corridor which is an appropriate location for higher intensity Mixed Use developments.</p> <p>Lands directly across the street are also approved and in the early development stages for a 10 storey multiple dwelling building.</p>
<p>Concerns the proposed development will create traffic that existing roads can not handle.</p>	<p>A Traffic Impact Study was submitted and reviewed by City and Regional Transportation staff who did not identify any major traffic concerns as a result of the proposed development.</p>
<p>Concerns residents and visitors from this development will park and nearby streets.</p>	<p>A parking reduction is not proposed for the development. 1.12 parking spaces per dwelling unit are proposed (including 76 visitor parking spaces) which is above and beyond the minimum 1.0 parking spaces per dwelling unit required by the Zoning By-law.</p>
<p>The buildings are too tall and residents have concerns with privacy into their yards located on Templewood Drive, Pine Hollow Court New Castle Drive, and the church and church parking lot.</p>	<p>The taller buildings 20 and 24 storeys have been situated internal to the site furthest away from nearby low rise residential developments whereas the proposed shorter building at 12 storeys in height is located approximately 65 metres to the nearest residential dwelling on Templewood Drive and is separated by a 4 lane road (Strasburg Road).</p> <p>The 20 and 24 storey buildings internal to the site are located approved 140 metres to the nearest residential dwelling on Pine Hollow Court and separated by a 4 lane road (Strasburg Road) and buffered by the existing religious institutional building along Strasburg Road.</p>

	<p>The proposed 12 storey tower along Huron is situated closet to residential dwellings located on New Caste Drive which is approximately 190 metres away and buffered by a natural area with trees and vegetation.</p> <p>The proposed development will have minimal impact on the existing church and church parking lot as the towers are situated internal to the site approximately 37 metres to the shared property line with the church property.</p>
Loss of day light for residents. Concerns Tall buildings will block the sun on their back yards.	A Shadow Study has been submitted. Staff have reviewed the study and are satisfied the shadow study meets the City's requirements, as related to shadow impacts and will have minimal to no impacts on residential properties.
Concerns that there is not enough infrastructure to support this development.	Functional Servicing and Stormwater Management Reports were prepared by the applicant and reviewed by staff who did not raise any concerns with existing infrastructure being able to support this development.

### **Planning Conclusions**

In considering the foregoing, staff are supportive of the proposed Official Plan Amendment and Zoning By-law Amendment Applications to permit the development of a mixed used development at 490 Huron Road. 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. Planning staff are recommending 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. 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 August of 2022. 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, and those responding to the preliminary circulation. Notice of the Statutory Public Meeting was also posted in The Record on February 2, 2024 (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 August 23, 2022. In response to this circulation, staff received written responses from 20 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, 2014
- City of Kitchener Zoning By-law 2019-051

**REVIEWED BY:** Tina Malone-Wright – Manager of Development Approvals,  
Development and Housing Approvals Division

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

**ATTACHMENTS:**

Attachment A – Proposed Official Plan Amendment  
Attachment B – Proposed By-law and Map. No 1  
Attachment C – Newspaper Notice  
Attachment D – Department and Agency Comments  
Attachment E – Public Comments