

Staff Report



Development Services Department

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REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: February 7, 2022

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

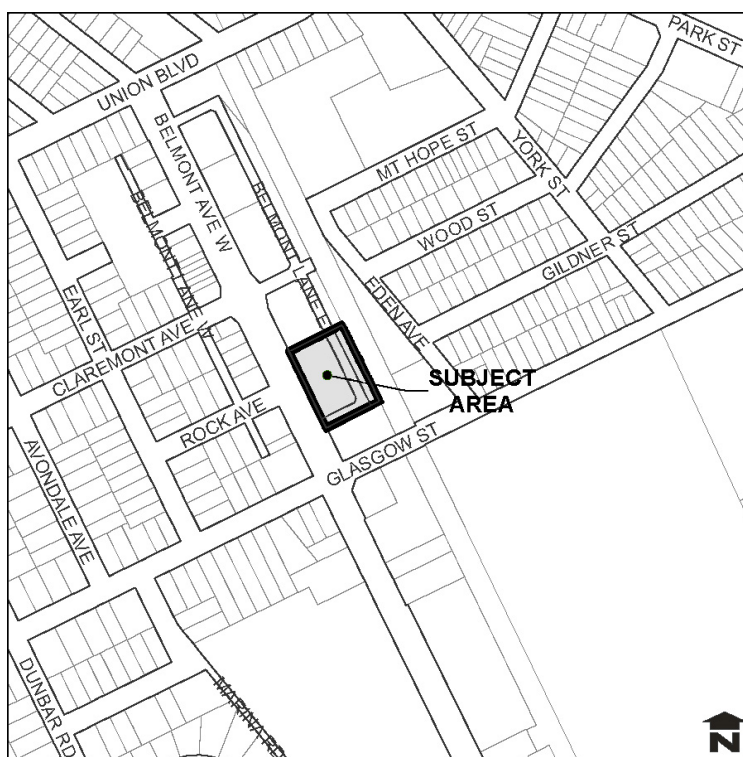
PREPARED BY: Garrett Stevenson, Manager of Development Review, 519-741-2200 ext. 7070

WARD(S) INVOLVED: Ward 8

DATE OF REPORT: January 14, 2022

REPORT NO.: DSD-2022-041

SUBJECT: Official Plan Amendment OPA20/005/W/JVW
Zoning By-law Amendment ZBA20/013/W/JVW
660 BELMONT AVE W & PT OF BELMONT LANE E



Location Map: Subject Lands – 660 Belmont Avenue West, a portion of Belmont Lane East (legally described as BELMONT LANE E PL 343 KITCHENER LYING S OF CLAREMONT AV) & lands legally described as PT LT 13 PL 343 KITCHENER AS IN 934710

RECOMMENDATION:

- A. That Official Plan Amendment Application OPA20/005/W/JVW for 660 Belmont LP Inc., 660 Belmont GP Inc., & City of Kitchener requesting a Specific Policy Area, be refused; and**
- B. That Zoning By-law Amendment Application ZBA20/013/W/JVW for 660 Belmont LP Inc., 660 Belmont GP Inc., & City of Kitchener be approved in the form shown in the “Proposed By-law”, and “Map No. 1”, attached to Report DSD-2022-041 as Appendix “A”; and**
- C. That in accordance with Planning Act Section 45 (1.3 & 1.4) that applications for minor variances shall be permitted for lands subject to Zoning By-law Amendment Application ZBA20/013/W/JVW; and**
- D. That the portion of Belmont Lane East between Belmont Avenue West and Claremont Avenue be declared as surplus to City needs, and**
- E. That a by-law to close the portion of Belmont Lane East between Belmont Avenue West and Claremont Avenue be approved and that the by-law would not take effect until registered on title to the lane and any costs associated with said by-law would be borne by the purchaser, and, further**
- F. That Realty Services, in consultation with the City Solicitor, be authorized to negotiate the terms of two conditional Agreements of Purchase and Sale with the owners of 660 Belmont Avenue West and 678-692 Belmont Avenue West for the sale of the respective portions of Belmont Lane East, with fair market value to be determined immediately prior to final site plan approval of 660 Belmont Avenue West or 678-692 Belmont Avenue West, whichever comes first, where such sale is conditional on:
 - i. Approval of the Agreement, including sale price, by Kitchener City Council,**
 - ii. The final decision has been made on Official Plan Amendment OPA20/005/W/JVW and Zoning By-law Amendment Application ZBA20/013/W/JVW for 660 Belmont Avenue West,**
 - iii. That the portions of the lane to be sold are consolidated with lands that have frontage on a public street,**
 - iv. Site Plan approval in principle is issued for 660 Belmont Avenue West or 678-692 Belmont Avenue West, whichever comes first, and**
 - v. That the purchaser grant access easements over the lane lands for both 660 Belmont Avenue West and 678-692 Belmont Avenue West in favour of each property, and further,**
 - vi. That the purchaser grant, at no cost to the City, all required easements for City infrastructure and utilities.****

REPORT HIGHLIGHTS:

The purpose of this report is to provide a planning recommendation to approve Zoning By-law Amendment application ZBA20/013/W/JVW for 660 Belmont Avenue West, a portion of Belmont Lane East (legally described as BELMONT LANE E PL 343 KITCHENER LYING S OF

CLAREMONT AV), as well as the lands legally described as PT LT 13 PL 343 KITCHENER AS IN 934710.

The portion of Belmont Lane East (legally described as BELMONT LANE E PL 343 KITCHENER LYING S OF CLAREMONT AV) between Claremont Avenue and Belmont Avenue West is owned by the City of Kitchener. This report also provides a recommendation to declare as surplus to City needs, the portion of Belmont Lane East between Belmont Avenue West and Claremont Avenue, and subject to Council approval, this report also authorizes Realty Services, in consultation with the City Solicitor, to negotiate the terms of two conditional Agreements of Purchase and Sale with the owners of 660 Belmont Avenue West and 678-692 Belmont Avenue West for the sale of the respective portions of Belmont Lane East.

- Community engagement included:
 - Circulation of a preliminary circulations letter to property owners within 120m of the subject lands;
 - Installation of two large billboard notice signs on the property facing Belmont Avenue West as well as the Iron Horse Trail;
 - Two digital Neighbourhood Information Meetings;
 - Ten small group information sessions;
 - A guided site walk with the *Friends of Belmont Village* neighbourhood group; and
 - Notice of the Statutory Public Meeting was published in the Waterloo Region Record on January 14, 2022 and directly mailed to all property owners within 120 metres of the subject lands and all community members that participated in the application process. A copy of the notice was also emailed to all community members that provided an email address through the application process, as well as the Westmount and Cherry Park Neighbourhood Associations.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

Planning staff is recommending refusal of the requested Official Plan Amendment and approval of a revised Zoning By-law Amendment application to add Site Specific Provision (188) in Zoning By-law 2019-051 to permit a mixed-use building with a maximum building height of 39.1 metres and 11 storeys, a two storey base in a building, and a street line stepback for a building of 2.7 metres.

Site Specific Provision (188) will implement Official Plan Policy 15.D.4.23, among others, which permits the City to 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. The proposed development will provide a mixed-use building containing residential units and ground floor commercial space. The building will feature a pedestrian-scaled base, appropriate massing along the streetscape, and compatibility with adjacent lands.

This report also provides a recommendation to declare as surplus to City needs, the portion of Belmont Lane East between Belmont Avenue West and Claremont Avenue, and to authorize Realty Services, in consultation with the City Solicitor, to negotiate the terms of two conditional Agreements of Purchase and Sale with the owners of 660 Belmont Avenue West and 678-692 Belmont Avenue West for the sale of the respective portions of Belmont Lane East.

BACKGROUND:

The City of Kitchener has received a revised development concept for an 11 storey (39.1 metre) tall mixed-use building with 910.7 square metres of ground floor commercial space and 132 residential units (including 92 one bedroom and 40 two-bedroom units). The original development concept was for a 13 storey (49 metres) tall mixed-use building with 1090 square metres of ground floor commercial space, and 163 residential units (including 115 one-bedroom units and 48 two-bedroom units).

With the revisions to the development concept, the Official Plan amendment is no longer required. The original Official Plan Amendment application requested to increase the maximum height to 13 storeys and 49 metres in height.

The revised Zoning By-law Amendment application is now requesting site specific zoning regulations for an increased building height of 11 storey and 39.1 metres (whereas 8 storeys and 25 metres is permitted), a reduced tower setback from the podium of 2.7 metres (whereas 3.0 metres is required), and a reduced podium height of two storeys (whereas a minimum of three storeys is required). A site-specific parking reduction is no longer being requested as 170 on-site parking spaces are now shown (144 underground parking spaces and 26 surface parking spaces) whereas the required parking is a minimum of 145 spaces and a maximum of 210 spaces. The original Zoning By-law Amendment application requested to increase the maximum height to 13 storeys and 49 metres and to reduce the residential parking requirement from 147 spaces (0.9 spaces per dwelling unit) to 130 spaces (0.8 spaces per dwelling unit).

The owner of 660 Belmont Avenue West and 678-692 Belmont Avenue West is also requesting to purchase the portion of Belmont Lane East between Belmont Avenue West and Claremont Avenue, and to consolidate the lane lands with their adjacent lands on either side of the lane.

REPORT:

The subject lands are made up of three parcels, being the property municipally addressed as 660 Belmont Avenue West (owned by the applicant), the portion of Belmont Lane East adjacent to 660 Belmont Avenue West (owned by the City of Kitchener), as well as the lands between Belmont Lane East and the Iron Horse Trail (owned by the applicant) which are legally described as PT LT 13 PL 343 KITCHENER AS IN 934710.

A letter describing the initial applications was circulated to property owners within 120 metres of the subject lands on August 7, 2020.

A virtual Neighbourhood Information Meeting (NIM) was held on December 17, 2020. A second virtual NIM was held on Thursday, February 25, 2021. The Zoom registration reports recorded 97 different log-ons for the first meeting and 154 for the second meeting.

Planning Staff held ten one-hour small group sessions the week of March 15, 2021. These meetings provided an opportunity for community members to share their perspectives, have a chance to speak directly to Planning staff, and ask questions. In total, 88 people registered and over 90 people attended one of the small group meetings.

Planning staff also attended a site walk on March 23, 2021. The site walk was led and organized by community members known as the *Friends of Belmont Village*, and Planning staff attended.

The site walk was an opportunity for community members to identify their concerns, discuss their comments in the field, and to ask questions of Planning staff.

A Comprehensive Engagement Report, which includes a question-and-answer summary table from the two Neighbourhood Information Meetings and a summary of the Small Group comments and discussion was prepared by Planning Staff on April 12, 2021 and posted to the City's website. A copy is attached to this report as Appendix "B".

In response to community, internal and agency comments, Planning staff asked the applicant to revise the development concept;

- Providing ground floor setbacks along Belmont Avenue West for outdoor spaces to support active uses required on the ground floor,
- Ensuring that the interior ground floor ceiling heights will allow for a variety of commercial uses,
- Design a pedestrian scaled base (podium of the building) that aligns with the existing built form found in this section of Belmont Village,
- Design the building base with materials that are compatible with other buildings in Belmont Village that are compatible with the tower materials,
- A tower design that has modern elements and is visually interesting,
- Utilize stepbacks on upper floors, as well as varying floor plates in the tower, to provide visual breaks in the building elevations,
- Increase the tower setback from Belmont Avenue West,
- Bring the roof top amenity spaces to lower portions of the building,
- Reduce the total height in terms of the number of storeys,
- Reduce the total height in terms of metres,
- Provide affordable housing units as part of this development,
- Provide larger, multi-bedroom units within the building,
- Providing a publicly accessible, barrier-free connection through the site from Belmont Avenue West to the Iron Horse Trail,
- Implement energy conservation measures in the building design,
- Provide on-site parking for the proposed commercial and residential uses without relying on adjacent public streets,
- Ensure that all parking spaces are accessible to intended building occupants (requested further explanation on the garage within the garage concept),
- Provide turning templates for all vehicles for all accesses, and
- Maintain the location and function of Belmont Lane East for access to the rear of the site through the site design, regardless of ownership of the lane.

Planning Staff have received a revised development concept in response to public input, working meetings, and discussions with internal staff. The revised development differs from the original proposal as summarized below.

	<u>Original Proposal</u>	<u>Revised Proposal</u>
Height – Storeys	13 storeys	11 storeys
Height – Metres	49.0 metres (including the 13 th storey which included a mechanical penthouse and occupied floor area (amenity area).	39.1 metres (mechanical penthouse is not included in definition of building height as there is no occupied space). The total height to the top of the mechanical penthouse height is 43.10 metres.

Commercial Floor Area	1090 square metres	910.7 square metres
Number of Residential Units	163 (115 one-bedroom and 48 two-bedroom)	132 (92 one-bedroom and 40 two-bedroom)
Residential Parking Rate	0.8 spaces per dwelling unit	0.9 (min) to 1.3 (max) spaces per dwelling unit
Base (Podium) Height	3 storeys, 12.20 metres	2 storeys, 8.85 metres
Street Line Stepback from Base (Podium)	3.0 metres	2.7 metres

The design of the building has also changed, with the revised proposal featuring varying floor plates for several floors, a publicly accessible walkway from Belmont Avenue West to the Iron Horse Trail (referred to as the mews), and a revised parking layout. The site plan is conceptual at this point in the review process and will be finalized once the final outcome is known on the current Official Plan and Zoning By-law Amendment applications. Site Plan approval is required for this development and has not yet been initiated.

Planning Analysis:

Provincial, Regional, and City planning policy provide guidance that must be considered when evaluating changes in land use permissions as discussed below.

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.

Provincial Policy Statement (PPS)

The PPS provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land.

Section 3(5) of the Planning Act requires that a decision of the council of a municipality shall be consistent with the policy statement that are in effect on the date of decision and shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.

The PPS focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel.

The subject lands are shown as a Major Transit Station Area (MTSA) in the 2014 Official Plan. These lands are also shown as an Urban Corridor in the proposed Urban Structure developed through the current MTSA planning process underway which includes updates to the City's Secondary Plans for Central Neighbourhoods (Neighbourhood Planning Reviews project). Official Plan policies and zoning regulations are used to ensure that land and resources are efficiently used, and that intensification areas utilize existing infrastructure and support public service facilities which are planned or available, such as public transportation and active transportation infrastructure.

Policy 1.1.1 of the PPS states that, "Healthy, liveable and safe communities are sustained by

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- e) promoting 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;
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate."

Policy 1.1.2 requires that sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines.

The PPS notes that settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets, and policy 1.1.3.1 states that settlement areas shall be the focus of

growth and development. Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which;

- a) efficiently use land and resources; and
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion.

Further, policy 1.1.3.2 states that land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated. Policy 1.1.3.3 requires that Planning authorities (such as the City of Kitchener) shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The City of Kitchener has identified intensification areas in a hierarchical manner in the City's Official Plan. The hierarchy is intended to establish priority areas for intensification and to direct future growth. These intensification areas serve different city, community and neighbourhood scaled planned functions and may be different in terms of character, scale, function, and potential to accommodate growth.

These intensification areas are planned for efficient development patterns to optimize the use of land, resources and public investment in infrastructure and public service facilities. These areas are planned for a mix of uses and housing options, in a built form that is transit supportive.

The City's Urban Structure is composed of Intensification Areas which include the Urban Growth Centre (Downtown), Major Transit Station Areas (MTSA), City Nodes, Community Nodes, Neighbourhood Nodes, Urban Corridors and Arterial Corridors. They are connected by transit corridors and the integrated transportation system which are key elements in shaping growth and built form in the city. As Intensification Areas, these areas are generally intended to provide for a broad range and mix of uses in an area of higher density and activity than surrounding areas. The Urban Structure also identifies Community Areas, Industrial Employment Areas and Green Areas as areas that are not intended to experience major changes.

Policy 1.4.1 states that to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

Belmont Village is a planned intensification area, which is planned to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents. The City's intensification areas are identified locations in the Official Plan to accommodate future growth and they are required to accommodate population projections set by the Province. Directing growth and change to these intensification areas is key to maintaining stable community areas throughout the City while upholding the Countryside Line.

Planning staff is of the opinion that the recommended zoning by-law amendment and Site Specific Provision (188) is consistent with the PPS.

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

Part of the Vision of the Greater Golden Horseshoe (GGH) is to ensure municipalities have sufficient housing supply that reflects market demand and what is needed in local communities. Two of the guiding principles of the Growth Plan are to prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability and to support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.

To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. Policy 2.2.2.1.a) requires that a minimum of 50 per cent of all residential development occurring annually within the Region of Waterloo be within the delineated Built-Up Area. Municipalities must support housing choice through the achievement of the minimum intensification and density targets established in the Growth Plan by identifying a diverse range and mix of housing options and densities to meet the projected needs of current and future residents.

The Growth Plan's strong emphasis on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of existing infrastructure and public service facilities, and less on continuously expanding the urban area.

The Growth Plan directs Planning authorities in the Region of Waterloo to plan for a population of 923,000 people and 470,000 jobs by 2051. This would mean a population increase of approximately 299,070 in comparison to the Region's 2020 population of 623,930. The forecasted growth to the 2051 horizon is allocated to each municipality in the Region based on the following considerations: the vast majority of growth will be directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of complete communities. As one of three cities in the Region, it can be expected that Kitchener will be allocated a significant amount of the additional population allocation.

The development of the subject lands with a more intense residential use within the City's delineated Built-Up Area, represents intensification and will help the City to meet density targets. MTSA and Urban Corridors are planned to accommodate additional housing opportunities that will make use of existing infrastructure and support the viability of existing transit. Housing policies of the Growth Plan support the development of a range and mix of housing options that serves the needs of a variety of household sizes, incomes and ages.

The Growth Plan notes that complete communities should be designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes. Complete communities support quality of life and human health by encouraging the use of active transportation and providing high quality public open space, adequate parkland, opportunities for recreation, and access to local and healthy food. Complete communities support climate change mitigation by increasing the modal share for transit and active transportation and by minimizing land consumption through building compact, mixed-use communities.

The redevelopment of 660 Belmont Avenue West is an opportunity to support Belmont Village as a complete community and provide additional housing for more people within this community. Belmont Village is a developing complete community in its current form, and by adding additional dwellings

to this intensification area will provide new housing for additional people to live within a complete community. Adding housing units within a mixed-use community also helps to support the non-residential uses.

Building compact and complete communities, and protecting agricultural lands, water resources and natural areas will help reduce greenhouse gas emissions and ensure communities are more resilient to the impacts of a changing climate. The Province of Ontario has committed to reduce greenhouse gas emissions by 30 per cent below 2005 levels by 2030. Kitchener has committed to a 50% reduction of greenhouse gas emissions by 2030.

To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including the Urban Growth Centre (UGC) and MTSAs, as well as brownfield sites and greyfields. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options.

The redevelopment of 660 Belmont Avenue West will provide for the redevelopment of a former automotive service centre with a new mixed-use building. The Applicant has received a Record of Site Condition from the Ministry of the Environment, Conservation, and Parks. The existing single-storey commercial building that was constructed in 1961 is proposed to be demolished. The Site building has been utilized for automotive repair and maintenance operations since the Site was developed for commercial purposes in 1961. A mixed-use building with ground floor commercial uses aligns with the planned function of Belmont Village Urban Corridor. The redevelopment of the site will bring new people, jobs, and commercial businesses to the site.

The intensification areas identified in the City's Official Plan are planned to accommodate additional housing supply in the city. MTA and Urban Corridors are planned as complete communities, offering a variety of unit types and non-residential uses that support surrounding the community. All the intensification areas throughout the City are planned for increased density and are all within the delineated Built-Up Area.

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
- g) integrate green infrastructure and appropriate low impact development.

Policy 2.2.4 requires that planning be prioritized for MTSA's on priority transit corridors, including zoning in a manner that implements the policies of this Plan. MTSA's on priority transit corridors will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit. The Region of Waterloo's ION is a form of light rail transit and the ION stations are Major Transit Station Areas (MTSA's) that are required to achieve the minimum density target of 160 residents and jobs combined per hectare. Although the subject site is located outside of the proposed MTSA boundary, it is within 635 metres of an ION station (approximately 800 metre walk via Gildner Green and Mt. Hope Street). While the subject lands are shown as an MTSA in the 2014 Official Plan, these lands are also shown as an Urban Corridor in the proposed Urban Structure developed through the current MTSA planning process underway which includes updates to the City's Secondary Plans for Central Neighbourhoods (Neighbourhood Planning Reviews project).

Growth is planned and focused for Belmont Village because it is a planned intensification area and was identified as an MTSA in the 2014 Official Plan and shown as an Urban Corridor in the proposed Urban Structure developed through current MTSA planning process underway.

Policy 2.2.6.2 states that municipalities will support the achievement of complete communities by planning to accommodate forecasted growth to the horizon of the Growth Plan, planning to achieve the minimum intensification and density targets in the Growth Plan, consider the range and mix of housing options and densities of the existing housing stock, and planning to diversify the overall housing stock across the municipality.

Intensification areas like Belmont Village are planned to accommodate the growth forecasts prescribed by the Province and are planned to support active transportation (Iron Horse Trail, on-street bicycle lanes, sidewalks, etc.) and public transportation (high frequency bus routes and the ION). Compact communities with increased densities reduce the need for urban expansions of the City on agricultural lands and will overall reduce greenhouse gas emissions by making better use of land and infrastructure by reducing the needs for private automobile use.

Although the proposed development features one and two bedroom dwelling units, these type of units are a different housing choice and form when compared to existing ground-oriented low-rise housing stock in the surrounding community and can provide new units for members of the community to age in place.

Planning staff are of the opinion that the recommended zoning by-law amendment conforms to the Growth Plan.

Regional Official Plan (ROP)

The subject lands are designated "Urban Area" and "Built-Up Area" on Schedule 3a of the Regional Official Plan (ROP). The Urban Area designation of the ROP has the physical infrastructure and community infrastructure to support major growth and social and public health services (ROP Section 2.D).

Section 2.B states that virtually all the Region's future growth will occur within the Urban Area and Township Urban Area, with a substantial portion of this growth directed to the existing Built-Up Area of the region through reurbanization. Focal points for reurbanization include UGCs, Township UGCs, MTSA's, Reurbanization Corridors and Major Local Nodes.

Section 2.C establishes the policies associated with the Reurbanization Target, which are policies established in conformity with the 2006 version of the Growth Plan. It is intended that new residential

development occurring within the built boundary will be counted towards the achievement of the reurbanization target set out in the Region of Waterloo Official Plan.

Section 2.C.2 states that area municipalities will establish policies in their official plans and other supporting documents to ensure that by 2015 and each year thereafter a minimum of 45 per cent of all new residential development occurring annually within the region as a whole will be constructed within the Built-Up Area.

The ROP supports a Planned Community Structure based on a system of Nodes, Corridors and other areas that are linked via an integrated transportation system (ROP objective 2.1 and 2.2). Components of the planned Community Structure include the Urban Area, nodes, corridors and other development areas including UGCs and MTSAs.

This Planned Community Structure reflects the intent of the Regional Growth Management Strategy and provides a framework for decision-making on a wide range of issues, including land use and transportation planning among others.

Section 2.D.1 states that in preparing or reviewing planning studies, or in reviewing development applications or site plans, the Region and/or Area Municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that:

- a) Supports the Planned Community Structure described in this Plan;
- b) Is serviced by a municipal drinking-water supply system and a municipal waste-water system;
- c) Contributes to the creation of complete communities with development patterns, densities and an appropriate mix of land uses that supports walking, cycling and the use of transit;
- d) Protects the natural environment, and surface water and groundwater resources;
- e) Conserves cultural heritage resources and supports the adaptive reuse of historic buildings;
- f) Respects the scale, physical character and context of established neighbourhoods in areas where reurbanization is planned to occur;
- g) Facilitates residents' access to locally grown and other healthy foods in neighbourhoods; and
- h) Promotes building designs and orientations that incorporate energy conservation features and the use of alternative and/or renewable energy systems.

Planning staff is of the opinion that the applications conform to the Region of Waterloo Official Plan. Regional staff have indicated that they are supportive of higher density within the MTSA area and Urban Corridors of the Region as the type of mixed use, high density development proposed on site supports the Planned Community Function of the Regional Official Plan.

Regional Planning staff have no objections to the proposed applications and provided comments (Appendix "D") that will be taken under advisement for future development applications.

City of Kitchener Official Plan

The vision of the City's Official Plan states *"Together we will build an innovative, vibrant, attractive, safe, complete and healthy community contributing to an exceptional quality of life."* A complete community creates and provides access to a mix of land uses including a full range and mix of housing types. 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. 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.

Official Plan policy 17.E.12.6 of the Official Plan notes that the City will consider all applications to amend the Zoning By-law and will provide notice of such application in accordance with the provisions and regulations of the Planning Act.

Urban Structure

As referenced earlier in this report, the City's Urban Structure is composed of Intensification Areas which include the Urban Growth Centre (Downtown), Major Transit Station Areas (MTSA), City Nodes, Community Nodes, Neighbourhood Nodes, Urban Corridors and Arterial Corridors. They are connected by transit corridors and the integrated transportation system which are key elements in shaping growth and built form in the city.

Policy 3.C.2.1 states that lands within Urban Structure Components will be designated an appropriate land use to achieve their planned function. The policies pertaining to each Urban Structure component stipulate what the applicable land use designations may include.

The lands are identified as an MTSA in the 2014 Official Plan. In the Official Plan on Map 2 – Urban Structure the lands appear within the MTSA circle for the Grand River Hospital Station. Section 3.C.2.16 of the Official Plan indicates that MTSA's are designated in the Regional Official Plan and are identified in the City's Official Plan as a conceptual representation of the area of a ten minute walking radius centred around the location of the Rapid Transit Stops. In Section 3.C.2.18 it states that the City, in collaboration with the Region and in accordance with Regional Official Plan, will prepare Station Area Plans for each MTSA area located outside the UGC.

The Official Plan provides direction for detailed station area planning exercises, which have been completed for Central, Midtown and Rockway stations areas. The subject lands are located within the PARTS Midtown Plan. During the development of the Midtown Secondary Plan, the boundaries of the MTSA were further refined. The subject lands were removed from the MTSA area and were identified as an Urban Corridor. In December 2019, at a statutory public meeting for the Neighbourhood Planning Reviews project, City Staff presented a report with the revised boundaries which identified the subject lands as Urban Corridor.

Since then, the Region of Waterloo commenced the Regional Official Plan Review project and as part of that work, the Region proposed MTSA boundaries which were endorsed by Regional Council. The westerly boundary of the draft Midtown Secondary Plan and Region Council-endorsed MTSA boundary is the Iron Horse Trail.

The conceptual MTSA boundary in the City's Official Plan is proposed to be amended to align with the westerly boundary of the Midtown Secondary Plan following the approval of the Region's Official Plan and revised MTSA boundaries. As such, the subject lands are planned as an Urban Corridor intensification area.

Belmont Village is an intensification area in the city that is planned to redevelop to accommodate growth. The subject lands are identified as an MTSA in the 2014 Official Plan. During the development of the Midtown Secondary Plan, the boundaries of the MTSA were further refined. The subject lands were removed from the MTSA area and were identified as part of the Urban Corridor.

Both MTSA's and Urban Corridors are intensification areas in the City. While identified conceptually as an MTSA in the 2014 Official Plan, the subject lands have since been identified as an Urban Corridor. An Urban Corridor is lower on the hierarchy of intensification areas in the City's Urban Structure, and the related policies permit a smaller scale of development when compared to MTSA's.

Urban Corridor Intensification Area

The Urban Structure implements the Provincial Policy Statement in the City's Official Plan by identifying priority areas for intensification. The planned function of the Urban Corridor is to provide for a range of retail and commercial uses and intensification opportunities that should be transit supportive. Urban Corridors function as the spine of a community as well as a destination for surrounding neighbourhoods. Strengthening linkages and establishing compatible interfaces between the Urban Corridors and surrounding Community Areas is a priority for development in these areas. Land use designations may include Mixed Use and/or Commercial depending on the context and the range of uses deemed appropriate for achieving the planned function of that Urban Corridor. Urban Corridors are generally linear in form and are located along existing or planned transit corridors. They are intended to have strong pedestrian linkages and be integrated with neighbouring residential, and employment uses.

Housing Policies

Policy 4.1.1 states a housing objective of the City is 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. Policy 4.C.1.12 notes the City favours a land use pattern which mixes and disperses a full range of housing types and styles both across the city as a whole and within neighbourhoods. Policy 4.C.1.1 states that the City will maintain at all times the ability to accommodate residential growth for a minimum of ten years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development.

Intensification areas like Belmont Village are planned to provide for a range of retail and commercial uses and intensification opportunities and are planned to change over time. Concentrating mid-rise and high-rise developments within intensification areas brings a variety and mix of housing types to existing communities. The purpose of the Official Plan is to guide the growth and development of the city to the year 2031, with balanced growth with an increased focus on intensification, particularly in the Urban Growth Centre (Downtown), Major Transit Station Areas, nodes and corridors, which maximizes the use of our existing infrastructure and services.

Policy 4.C.1.8 of the Official Plan provides direction on what to consider when a site-specific zoning regulation is proposed to facilitate residential intensification or a redevelopment of lands. The overall impact of the special zoning regulations will be reviewed by the City to ensure;

- a) That any new buildings and any additions and/or modifications to existing buildings are appropriate in massing and scale and are compatible with the built form and the community character of the established neighbourhood,
- b) Where front yard setback reductions are proposed for new buildings in established neighbourhoods, the requested front yard setback should be similar to adjacent properties and supports and maintain the character of the streetscape and the neighbourhood.
- c) New additions and modifications to existing buildings are to be directed to the rear yard and are to be discouraged in the front yard and side yard abutting a street, except where it can be demonstrated that the addition and/or modification is compatible in scale, massing, design and character of adjacent properties and is in keeping with the character of the streetscape.
- d) New buildings, additions, modifications and conversions are sensitive to the exterior areas of adjacent properties and that the appropriate screening and/or buffering is provided to mitigate any adverse impacts, particularly with respect to privacy.
- e) The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the site.

- f) The impact of each special zoning regulation or variance will be reviewed prior to formulating a recommendation to ensure that a deficiency in the one zoning requirement does not compromise the site in achieving objectives of compatible and appropriate site and neighbourhood design and does not create further zoning deficiencies.

In considering Official Plan policies regarding where a site-specific zoning regulation is proposed to facilitate residential intensification, Planning staff are of the opinion that Site Specific Provision (188) meets the intent of Policies in section 4.C.1.8. The proposed massing is appropriate for the site and the scale is compatible with the built form and the community character of the established neighbourhood and planned function of the intensification area. The setback from Belmont Avenue West is appropriate for a commercial use, a two-storey base is appropriate, and the recommended stepback of the tower is sufficient. The subject lands can function appropriately and will not create unacceptable adverse impacts for adjacent properties. Adequate on-site parking spaces and appropriate landscaped/amenity area will be provided on site.

Sustainable Development

Policy 7.C.4.1 in the City's Official Plan states that the City strives that development and redevelopment strives to be increasingly 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. At the OPA and ZBA phase, policy 7.C.4.6 permits the City to develop bonusing regulations in the Zoning By-law for development satisfying the sustainable development design standards. The bonusing regulations may include provisions permitting building elements with a demonstrated benefit to the community.

As part of the revised development submission, the Applicant has provided a letter outlining sustainable development initiatives that will be further explored at the site planning stage. Due to changes to the Planning Act, Planning Staff are not recommending site-specific zoning that would require a Section 37 Bonusing agreement. Planning staff will work with the applicant at the site planning stage to implement sustainable development measures.

The proposal is a compact and efficient development that redevelops an existing property in an existing community within an identified Intensification Area. The development is transit supportive and the site is located in close proximity to existing transit (bus routes) and within 635 metres of an ION station (approximately 800 metre walk via Gildner Green and Mt. Hope Street).

Mixed Use Land Use Designation

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 Mixed Use land use designation plays an important role in achieving the planned function of the Intensification Areas of the City's Urban Structure. Lands designated Mixed Use have the capacity to accommodate additional density and intensification of uses. The permitted scale and intensity of uses and development is dependent upon the Urban Structure Component the site is within and the context of the site.

Policy 15.D.4.2 notes that permitted residential uses may include medium and high-rise residential uses. Policy 15.D.4.3 permits non-residential uses including compatible commercial uses such as, but not limited to, retail, commercial entertainment, restaurants, financial establishments; personal services, office, health-related uses such as health offices and health clinics and institutional uses such as daycare facilities, religious institutions, and educational establishments, social service establishments and studio and artisan-related uses.

The lands are designated Mixed Use which permit an appropriate and compatible mix and range of commercial, retail, institutional and residential uses. Different scales and intensities of these uses is encouraged within an Urban Corridor. Lands designated as Mixed Use play an important role in achieving the planned function of the Urban Corridor Intensification Area.

Policy 15.D.4.6 notes that the zoning of individual sites designated Mixed Use may not allow the full range and scale of uses at every location. Permitted uses and scale of uses will be dependent upon the Urban Structure Component the site is within and its planned function and density, compatibility with surrounding areas, technical considerations and other contextual or site-specific factors. Collectively, all the lands designated Mixed Use will achieve the intended mix of uses and scale deemed appropriate.

Not all individual sites designated Mixed Use allow for the full range and scale of uses permitted by the land use designation policies. In this case, additional height is permitted within Urban Corridors in accordance with Policy 15.D.4.21.

Policy 15.D.4.17.b) regulates the Floor Space Ratio (FSR) for all new residential or mixed-use building development or redevelopment. For lands designated Mixed Use, a minimum FSR of 0.6 and a maximum of 2.0 applies for lands within an Urban Corridor. However, Policy 15.D.4.19 permits a minimum FSR of 1.0 and a maximum Floor Space Ratio of up to 4.0 for individual properties where higher density development or redevelopment is desirable and appropriate, where the property abuts or has direct access to an arterial or collector road, the property is adequately buffered from lands designated Low Rise Residential, and where there is adequate existing or planned infrastructure. The implementing zoning (MIX-2) for the subject lands permits a maximum FSR of 4.0.

The proposed development, with all lands consolidated (based on the total consolidated lot area of all parcels), is within the permitted Floor Space Ratio range of 1.0 to 4.0 in accordance with Policy 15.D.4.19.

Policy 15.D.4.22 speaks to the permitted height of a building and states that generally no building will exceed 8 storeys or 25 metres in height, whichever is greater at the highest-grade elevation, on lands designated Mixed Use as an Urban Corridor. However, Policy 15.D.4.23 allows the City to 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. Site Specific Provision (188) implements Official Plan 15.D.4.23.

With respect to the pedestrian scaled base, Site Specific Provision (188) requires a base (podium) height of two storeys whereas the MIX-2 zone requires a minimum of three storeys. This provision is being recommended to ensure that the ground floor commercial and second residential floor are at a scale that is similar to other existing buildings in the community. The City's Design for Tall Buildings (also known as the tall building guidelines) within the Urban Design Manual note that a tall building's base includes the ground floor and any additional floors with a direct relationship to the streetscape and public realm. This can include traditional multi-storey podiums, portions of a tower which extend to the ground floor and structured parking areas. Building bases should feature a high percentage of transparency and bases should maximize connectivity and permeability at ground level, creating and reinforcing pedestrian & cycling connections. Bases should not exceed 70 metres in overall building length.

The ground floor is proposed to be commercial and is designed to feature a large percentage of glazing. Further, the length of the base is approximately 60 metres, with a cantilevered upper floor section (the mews) at the north end of the building to allow pedestrian access around the side of the building and to the rear of the site and to the Iron Horse Trail. Further, balconies for residential units along Belmont Avenue West are provided along the front elevation, and the street-facing setback has been provided to support outdoor amenity and commercial supportive uses. The guidelines require that the lower 5 metres of the base should be designed with high quality materials, be highly articulated, and be designed with engaging and visually expressive architectural features and human scaled massing. The proposed street facing ground floor elevations feature the residential and multiple commercial entries and a high percentage of glazing. The floor to ceiling height of the ground floor is 5.4 metres which exceeds the guideline minimum of 4.5 metres.

In considering the massing along the streetscape, the base and tower stepback of 2.7 metres reduces the overall massing along the street facing elevation. While Site Specific Provision (188) allows for a slight reduction of the tower stepback from 3.0 metres to 2.7 metres, the stepback is sufficient to provide a differentiation between the tower and the base of the building. The City's tall building guidelines note that a tower of this size is considered a Large Slab and note that the appropriateness of larger or slab-like forms will partially be a function of site size, shape and orientation, and whether a large tower can achieve good separation and compatibility while mitigating unwanted impacts. Actual and perceived massing impacts of large slab towers can be mitigated by breaking up their mass both horizontally and vertically, through the creative incorporation of changes in materials, balcony and floorplate design, architectural features and unit/amenity locations.

The proposed development concept features different floor plates throughout the building. The third and eighth floors are recessed and floors 9-11 have the smallest floor plates with increased setbacks from the north and south ends of the building. Further, not all floors have the same elevation design, and there is a variety of materials used on the design of the building.

With respect to the compatibility of the proposed development on adjacent lands, it is important to reference the Official Plan definition of compatibility. The City's Official Plan defines compatibility as land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area without causing unacceptable adverse effects, adverse environmental impacts or adverse impacts. Compatibility or compatible should not be narrowly interpreted to mean "the same as" or even as "being similar to". Further, adverse impacts may include but will not be limited to: shadows over private amenity areas or on building façades for an unacceptable duration, issues of privacy, overlook conditions, negative microclimatic impacts, light pollution (such as light trespass or glare), odour, vibration, noise pollution urban heat island effects, visual clutter or obstruction of views and/or vistas. And finally, Adverse Effects, as defined in the Environmental Protection Act, means one or more of: a) impairment of the quality of the natural environment for any use that can be made of it; b) injury or damage to property or plant or animal life; c) harm or material discomfort to any person; d) an adverse effect on the health of any person; e) impairment of the safety of any

person; f) rendering any property or plant or animal life unfit for human use; g) loss of enjoyment of normal use of property; and, h) interference with normal conduct of business.

As noted above, Policy 15.D.4.22 already permits a building height of 8 storeys or 25 metres, whichever is greater at the highest grade elevation, for lands designated Mixed Use as an Urban Corridor, including the subject lands and all lands on the east side of Belmont Avenue West in Upper Belmont. This is a more restrictive policy than 15.D.4.21 which notes that there is no maximum building height on lands designated Mixed Use within an MTSA. These two policies reflect the different built form expectations between development in an MTSA compared to development in an Urban Corridor which implement the Urban Structure hierarchy. In considering compatibility of the additional height recommended in Site Specific Provision (188), consideration must be had for the existing land use permissions and building form, as well as planned function of Belmont Avenue West and existing land use permissions (potential future built form).

Site Specific Provision (188) would permit additional height for a property that is already planned for redevelopment, within a corridor that is also planned for redevelopment and growth. Planning staff are of the opinion that an 11 storey building with a height of 39.1 metres can be mutually tolerant and capable of existing together in harmony with the planned function of Belmont Avenue West. While this built form is different from existing built form, the additional height is not anticipated to cause unacceptable adverse effects, adverse environmental impacts, or adverse impacts.

The City's Urban Design Manual has criteria to evaluate the microclimate impacts of a development. Building design should mitigate cumulative wind impacts through base design, stepbacks, projections, balcony design, building massing and architectural articulation. The City required a shadow analysis and a wind study to demonstrate how the proposed development is designed to mitigate unwanted microclimatic impacts. When evaluating shadowing, at least 5 hours of cumulative direct sunlight must be maintained daily to nearby sidewalks and open spaces under equinox conditions, beginning with sidewalks located on the opposite side of adjacent ROWs. Updated shadow and wind analysis will be required at the site planning stage to confirm preliminary findings to ensure that these impacts will be addressed and mitigated.

The subject site is well positioned between the commercial businesses on the west side of Belmont Avenue West and Gildner Green (City-owned park) limiting concerns for residential overlook. The proposed building is not expected to create adverse light pollution, odour, vibration, or noise pollution. A building that is 8 or 11 storeys will alter the skyline and may partially obstruct some existing views and vistas, but it is not anticipated that this would be adverse in nature.

While the development concept does propose to remove some existing trees, the overall quality of the natural environment will not be substantially impacted. New native trees will be required to compensate for tree removals. It is anticipated that while the proposed building will be different from the existing built form in Upper Belmont Village, a new building of 8 or 11 storeys will not cause harm or material discomfort to any person or have an adverse effect on the health of any person.

Further, Policy 15.D.4.24 notes that the City may impose minimum façade and building height regulations in the Zoning By-law.

Urban Design policies in the Official Plan support creating visually distinctive and identifiable places, structures and spaces that contribute to a strong sense of place and community pride, a distinct character and community focal points that promote and recognize excellence and innovation in architecture, urban design, sustainable building design and landscape design. The City will require high quality urban design in the review of all development applications through the implementation of the urban design policies of the Official Plan and the City's Urban Design Manual.

Official Plan Conclusions

Planning staff is recommending refusal of the requested Official Plan Amendment and approval of a revised Zoning By-law Amendment application to add Site Specific Provision (188) in Zoning By-law 2019-051 to permit a mixed-use building with a maximum building height of 39.1 metres and 11 storeys, a two storey base of a building, and a street line stepback for a building of 2.7 metres.

Belmont Village is an intensification area in the city that is planned to redevelop to accommodate growth. The subject lands are identified as an MTSA in the 2014 Official Plan. During the development of the Midtown Secondary Plan, the boundaries of the MTSA were further refined. The subject lands were removed from the MTSA area and were identified as part of the Urban Corridor. An Urban Corridor is lower on the hierarchy of intensification areas in the City's Urban Structure, and the related policies permit a smaller scale of development when compared to MTSA's.

Policy 15.D.4.22 permits a building height of 8 storeys or 25 metres, whichever is greater at the highest grade elevation. Site Specific Provision (188) implements Official Plan 15.D.4.23 which allows the City to 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.

Intensification areas like Belmont Village are planned to provide for a range of retail and commercial uses and intensification opportunities and are planned to change over time.

The lands are designated Mixed Use which permit an appropriate and compatible mix and range of commercial, retail, institutional and residential uses. Different scales and intensities of these uses is encouraged within an Urban Corridor.

The proposed development, with all lands consolidated (based on the total consolidated lot area of all parcels), is within the permitted Floor Space Ratio range of 1.0 to 4.0 in accordance with Policy 15.D.4.19.

Planning staff are of the opinion that the recommended zoning by-law amendment conforms to the Official Plan.

Kitchener Growth Management Strategy

The Kitchener Growth Management Strategy (KGMS) was approved in January 2009 and helps to ensure that growth is managed effectively to achieve the required density and intensification targets, through a desired built form and function which will enhance the quality of life in Kitchener. The Kitchener Growth Management Plan (KGMP) is based on the principle that maximizing the use of existing infrastructure is preferred and that planning for and implementing intensification is a high priority.

Planning staff's recommendation is in compliance with the KGMS and KGMP by supporting appropriate intensification that better utilizes the existing infrastructure while ensuring that any future development be compatible and complementary to the existing neighbourhood, while bringing new residents into a stable community.

Zoning By-law 2019-051 & Recommended Zoning By-law Amendment

The lands are zoned as MIX-2: Mixed Use Two. The purpose of this zone is to accommodate a variety of uses within mixed use buildings and mixed-use developments at a medium density on certain lands within Urban Corridors. There are three existing Site Specific Provisions as follows;

(128) states that the number of required parking spaces for all uses within an existing building shall be the lesser of the number of existing parking spaces or the number of parking spaces required by Section 5 of this By-law.

(142) – states that a visual barrier between a parking lot and a residential zone will not be required, that the minimum yard abutting a residential zone shall be 0 metres, that the minimum rear yard setback shall be 0 metres, and that a dwelling unit may be located on the ground floor of a mixed use building provided that such dwelling unit is oriented toward the Iron Horse Trail.

(49) states that the minimum floor space ratio shall be 1 and the maximum floor space ratio shall be 4.

Mixed Use Corridor (MUC) zones were applied to the Belmont Village Mixed Use Corridor in 2012 through a City-initiated zoning by-law amendment. That work was undertaken to implement the nodes and corridor planned function that was established in 2001 when Council approved a new commercial policy structure in an amendment to the 1994 Official Plan. A City-initiated zoning by-law amendment in 2012 applied Mixed Use (MU) Corridor zones to the entire Belmont Mixed Use Corridor - the land use designations were already in place and no Official Plan Amendment was required. All properties in the corridor were zoned as either Low Intensity Mixed Use Corridor (MU-1) or Medium Intensity Mixed Use Corridor (MU-2). No parcels were changed to High Intensity Mixed Use Corridor (MU-3). In assigning the Mixed Use Corridor zone categories, staff had regard for the Official Plan designation for Mixed Use Corridors which emphasizes the importance of achieving a built form that is compatible with surrounding residential neighbourhoods. Generally, the MU-1 zone was applied in areas that abut low rise residential development. The MU-2 zone is proposed in locations where development could be adequately separated from low rise residential development (along the east side of Belmont Avenue or on larger development sites) or to recognize existing conditions (such as existing apartment buildings).

The new MIX zones that were applied recently as part of the City's new Zoning By-law essentially brought forward similar permissions as the MUC zones. The MIX zones were applied as part of stage 1 (non-residential zones) of the Comprehensive Review of the Zoning By-law (CRoZBy) project. On April 29, 2019 council passed Stage 1 of the new zoning bylaw for Kitchener. Zoning By-law 2019-051 received 3 appeals. On December 4, 2020, the Local Planning Appeal Tribunal (LPAT) rendered an oral decision to scope the remaining appeal to be site-specific in nature, with the remainder of Zoning By-law 2019-051 coming into effect. The effective date of Zoning By-law 2019-051 is April 29, 2019.

Planning staff is recommending approval of a revised Zoning By-law Amendment application to add Site Specific Provision (188) in Zoning By-law 2019-051 to permit a mixed-use building with a maximum building height of 39.1 metres and 11 storeys, a two storey base in a building, and a street line setback for a building of 2.7 metres. By including the height and setback in Site Specific Provision (188), the built form for future development on this site will be carefully managed.

Urban Design Manual

Part B of the Urban Design Manual contains area specific guidelines that are specific to drive-through facilities, mixed-use corridors and Queen Street Placemaking. The Mixed-Use Corridor (now known as Urban Corridors) Area Specific Guidelines dates back to 2003. In 2003, Kitchener City Council supported the general principles outlined in the Mixed-Use Corridor Urban Design Brief and directed staff to undertake a final public consultation process prior to their adoption and ultimate inclusion in the City's Urban Design Manual. In 2005, Council approved the Mixed-Use Corridor Design Brief, largely as it exists today.

One of the Corridor Strategies in the Belmont Village Corridor is to have a built form that maintains low-rise, compact urban form in Upper Belmont (north of Glasgow Street) (2-5 storeys with step

backs for increased height) and encourages mid-rise forms (3-8 storeys) in Lower Belmont (south of Glasgow Street) with opportunities for high-rise forms (10 storeys). The subject site is identified as a redevelopment opportunity and it is noted that the underutilized 0.25 ha property is encouraged to redevelop with a low rise (3-4 storey) mixed use building with minor stepback on top floor if over 3 storeys in height. It is also noted that the corridor has many underutilized properties that could be redeveloped or intensified.

The current Mixed Use Corridor Design Brief was brought into the current UDM format in Part B in 2010 (last updated 2012). Since the 2005 Council approval of the Mixed Use Corridor Design Brief, the Planning Act, Provincial Policy Statement, Growth Plan, Regional Official Plan, Kitchener Official Plan, Zoning By-law 2019-051, and Part A of the UDM have been revised, and the updated policy direction has not been reflected in those older sections of the Urban Design Manual.

When considering urban design direction for development applications, it is appropriate to look at Section 11 of the Official Plan and the current sections of the Urban Design Manual. Part A of the Urban Design Manual contains Urban Design Guidelines that were approved between 2017 and 2019. There are 13 sections that are applied based on the geography and planned function of a property (Downtown, Nodes and Corridors, etc) as well as based on the building typology (tall building, mid-rise building, etc).

Design for Tall Buildings Guidelines (tall building guidelines)

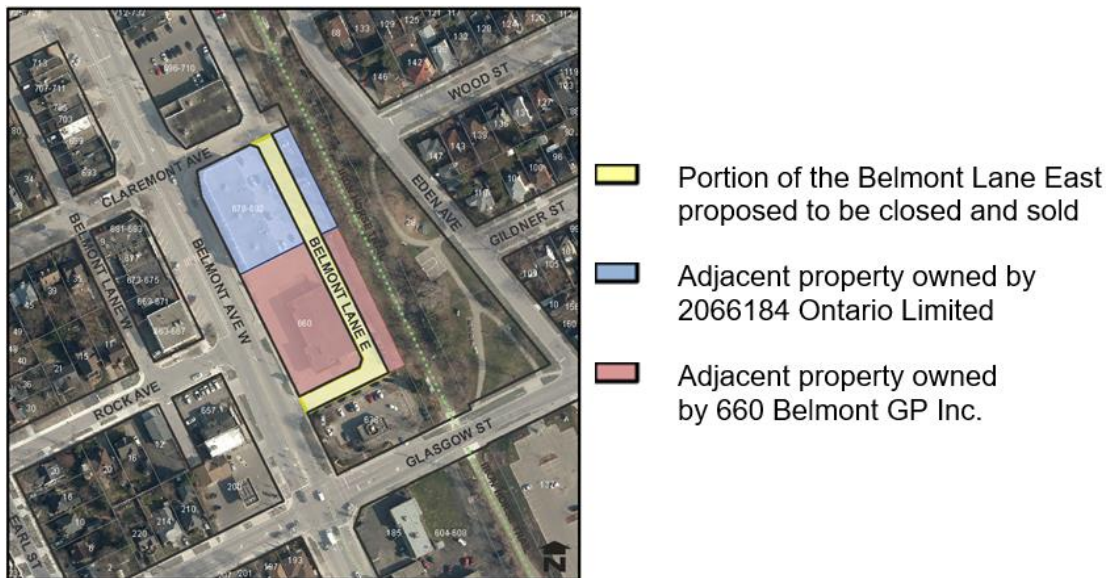
The City's Urban Design Manual applies to all properties within the City and there are several sections that apply to the subject lands, including City-wide design guidelines. All guidelines will be applied through the site planning stage, but the Design for Tall Buildings Guidelines specifically were relied upon in reviewing the appropriateness of the proposed building and current applications.

In Kitchener, a tall building is defined as any building that is more than eight storeys in height. When considering the appropriate placement of building mass, the design should respond to both the existing and planned context of the area. Proper compatibility creates harmonious relationships between a tall building and its surroundings. Adjacent built form can be complemented through compatible height, scale, massing, and materials. Transitions should be provided to surrounding urban contexts, accounting for both the existing context and the planned vision for an area. Setbacks (the distance from property lines to a building) and stepbacks (the distance from the edge of the building base to upper-level base storeys, the tower, and top features) should be implemented. A tall building should not interrupt or impose upon an existing or planned neighbourhood character or the public realm. All tall buildings should have a human-scaled relationship to the public realm. In areas with existing or planned tall and/or mid-rise buildings, relative height, separation, overlook, creative tower orientation, compact floor plate size and point-tower form should all be considered as factors contributing to good compatible design. Tall buildings create substantial viewsheds, are visually prominent, occupy key locations, are often visible and perceivable from significant distances and contribute to a city's skyline.

Full implementation of the Urban Design Manual's directions will be undertaken as part of the City's site planning process for this development proposal.

Sale of Belmont Lane East

The Zehr Group has requested to purchase the portion of Belmont Lane East between Belmont Avenue West and Claremont Avenue. If purchased from the City, the lane would be divided into two parcels and transferred to the owner of 660 Belmont Avenue West (660 Belmont GP Inc) and the owner of 678-692 Belmont Avenue West (2066184 Ontario Limited) as shown below.



There is no proposed change in use for 678-692 Belmont Avenue West at this time. The portion of the laneway adjacent to 660 Belmont Avenue West (Parcel B) is proposed to form part of the 660 Belmont Avenue West redevelopment. Due to underlying infrastructure, the laneway itself cannot be built upon. However, by owning the laneway, Zehr Group would be able to consolidate 660 Belmont Avenue West with the strip of parking to the east of the lane. The lane would serve as access to the proposed mixed-use development and would enable the potential floor space to increase by increasing the total lot area. If Parcel B is consolidated with the adjoining property, 660 Belmont Avenue West, the lane would serve as access to the proposed mixed-use development and would enable the potential floor space to increase from approximately 0.62 acres in size to 1.05 acres.

The lane closure proposal was circulated to all utility providers, Transportation, Fire, Engineering, and Operations staff for review and comment. The owner of 638 Belmont Avenue West (the property to the east) was provided notice of the request to close and sell the laneway. The following easements would be required to be granted by the purchaser, at no cost to the City:

- Easement in favour of the City for access to sanitary and storm water sewers. The precise easement area is to be determined via reference plan.
- Easement in favour of Kitchener Wilmot Hydro (hydro poles are located between the laneway and parking strip to the east). The precise easement area is to be determined via reference plan.
- Since the laneway is to be split and sold as two parcels, easements will be required providing the owner of Parcel A with access to Parcel B, and vice versa. This would ensure the adjoining property owners continue to have access to the entire length of the laneway.

Notice of the sale of Belmont Lane, a City-owned property, is outlined in *Chapter 177 – Sale – Real Property*, of the City's Municipal Code. Section 177.3.3 requires that, before selling any real property owned by the City, Council shall give notice to the public of the proposed sale. Section 177.6.2 stipulates that notice to the public can consist of one or more of the following types:

- a) by advertisement in a daily newspaper of general circulation;
- b) by listing with a real estate broker or by direct multiple listing with the Kitchener -Waterloo Real Estate Board;
- c) by posting of a "For Sale" sign on the property;
- d) by advertisement on local cable television, Internet or other telecommunication;
- e) by personal service, registered mail, certified mail, courier or fax;
- f) by a report of a City department available to the public; or

g) by listing on the Council or Committee of Council agenda.

While the initial circulation letter and the first Neighbourhood Information Meeting did not discuss the lane purchase request, there was quite a bit discussion on process at the second Neighbourhood Information meeting and in the follow up small group meetings and the site walk.

Additional information on the lane purchase requested was also included in the Comprehensive Engagement Report (attached as Appendix “B”). The City’s website was updated following the second Neighbourhood Information Meeting to include the lane purchase request.

The notice of the February 7, 2022 Planning and Strategic Initiatives Committee meeting will also include notice of the potential sale of Belmont Lane East.

Reports, Studies and Technical Memos

The following reports and studies were considered as part of this proposed Official Plan Amendment and Zoning By-law Amendment and are available on the planning applications webpage:

- Affordable Housing Letter
- Architectural Design Package – include Building Elevations, Site Plan and Underground Parking Plan (original and update)
- Environmental Noise Assessment
- Functional Servicing Report & Drawings
- Geotechnical Investigation
- Mass Views
- Parking Study and TDM Plan
- Pedestrian Wind Assessment
- Phase 1 Environmental Site Assessment (both parcels)
- Planning Justification Report (original and addendum)
- Record of Site Condition & Letter of Acknowledge (both parcels)
- Record of Site Condition (both parcels)
- Salt Management Plan
- Shadow Study
- Sustainable Development Initiatives
- Tree Management Plan
- Urban Design Report (original and update)

Department and Agency Comments:

A copy of all comments received from the commenting agencies and City departments are attached as Appendix “D”. In summary, there are no outstanding concerns with the proposed Zoning By-law Amendment applications. Additional considerations or concerns will be addressed through the site plan approval process.

Community Input and Staff Responses:

A Comprehensive Engagement Report, which includes a question-and-answer summary from the two Neighbourhood Information Meetings and a summary of the ten small group meeting comments and discussion were prepared by Planning Staff on April 12, 2021 and posted to the City’s website. A copy is attached to this report as Appendix “B”.

Planning staff received written submissions which are attached as Appendix “E”.

Responses are provided below for comments that have new or additional information since the preparation of the Comprehensive Engagement Report dated April 12, 2021. Appendix “E” also contains comments from the community on these applications.

Affordable Housing

There was concern that the proposed development does not include affordable housing units. The Applicant has advised in writing that they intend to make a \$250,000 donation to Menno Homes to contribute to the development of the project’s second phase at 544 Bridgeport Road (Appendix G).

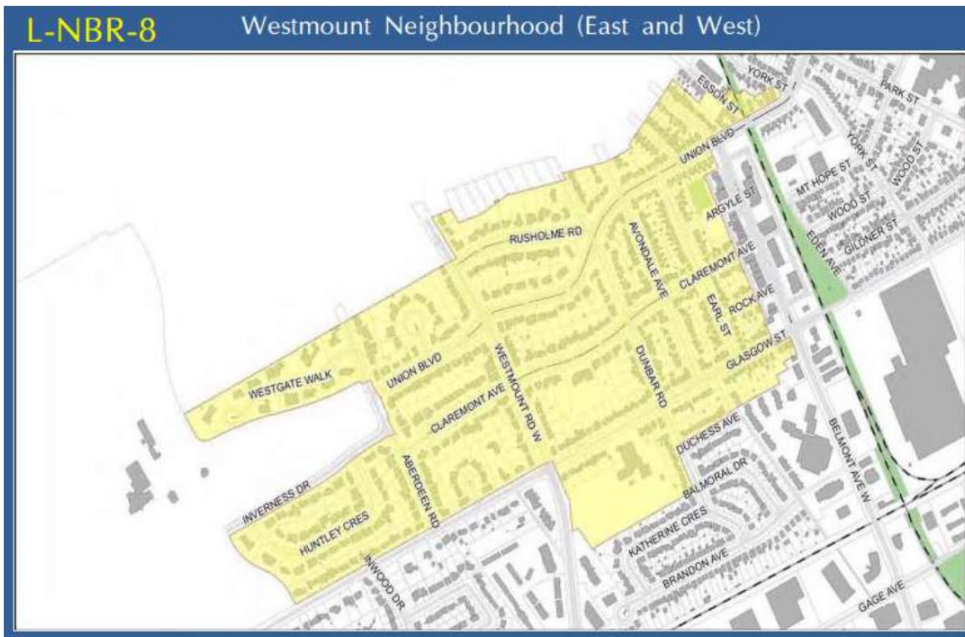
Building Height & Shadow Impacts & Privacy

Some residents provided comments that the building should be lower in height, with suggested heights ranging between 2 and 8 storeys. The City’s Official Plan permits a building height of 8 storeys as-of-right. Site Specific Provision (188) will implement Official Plan Policy 15.D.4.23, among others, which permits the City to 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. Planning Staff are satisfied that Site Specific Provision (188) will permit a built form that features a pedestrian scale base, appropriate massing along the streetscape and compatibility with adjacent lands. Planning staff are satisfied that the revised proposal meets the intent of Policy 15.D.4.23 for reasons outlined above in this report.

Loss of Character of Belmont Village

Some residents were concerned that a mid-rise or high-rise building would be out of character for Upper Belmont Village and some respondents requested that Upper Belmont Village should be preserved in its current form and preserved as a Heritage Conservation District.

Belmont Village is not included in the current boundaries of the Westmount Neighbourhood Cultural Heritage Landscape (CHL). The Westmount Neighbourhood is identified as a significant CHL in the 2014 CHL Study, prepared by The Landplan Collaborative Ltd. and approved by Council in 2015. The CHL Study serves to establish an inventory of CHLs, and the study identified 55 CHLs across the City. The CHL inventory does not have formal status under the Ontario Heritage Act, and the Westmount Neighbourhood CHL is not designated under the Ontario Heritage Act. The following map shows the boundaries of the Westmount Neighbourhood CHL, as identified in the 2014 CHL Study.



Intensification areas like Belmont Village are planned to provide for a range of retail and commercial uses and intensification opportunities and are planned to change over time. Concentrating mid-rise and high-rise developments within intensification areas brings a variety and mix of housing types to existing communities. Community areas, like the lands shown within the Westmount Neighbourhood CHL are not planned to accommodate significant growth and change.

Staff note that the existing building on site was formerly used as a five bay automotive service centre and tire store, shown below.



660 Belmont Avenue West (Source: Google Street View – dated October 2020)

The current built form is not pedestrian oriented and features a large surface parking lot between the front building façade and the sidewalk. Urban Corridors are planned to evolve over time as new automobile-oriented uses are no longer permitted. As redevelopment occurs within any Urban Corridor, the built form is planned to transition to a pedestrian and transit supportive design, which includes bringing primary facades closer to the street, locating parking behind buildings, and having active uses at grade adjacent to the sidewalk.

Further, the base of the building has been proposed to be two storeys so that the building will provide a similar feel to the low-rise buildings that currently exist in Upper Belmont Village. Belmont Avenue West is a pedestrian-oriented street design with road improvements that support pedestrian activity. Therefore, it is important to consider the mass of the building from the pedestrian perspective at the base of the building.

Existing Traffic and On-Street Parking in the Community

Planning staff received comments about vehicles travelling through the neighbourhood and an increase in traffic and parking demands during events such as Bestival. Some respondents also noted that further traffic studies should have been completed in 2012 and when the on-street cycling lanes were introduced along Belmont Avenue West.

Transportation staff have advised that Regional standards require that a development must generate at least 100 new trips in either the AM or PM peak for the formal requirement of a Transportation Impact Study. Generally, a site that generates less than 100 vehicle trips in the peak hour has limited impact on the surrounding street network.

When reviewing transportation impacts, it is important to note that height alone doesn't generate traffic, but rather the intended uses of the site. In this case, traffic studies were collected by a third party at a nearby comparable condo site to better determine anticipated peak hour traffic volume that could be expected at 660 Belmont Avenue. Through that study, it was determined that that site generated 0.21 and 0.27 vehicle trips per unit during the AM and PM peak hours respectively. These rates were then applied to the proposed site (163 units at the time of comparison) and it was determined that 34 and 44 vehicle trips can be expected in the AM and PM peak hours respectively.

The next step in assessing peak traffic volume is to understand the current use. The existing site contained a tire store that would generate traffic (if still in operation of course) which needs to be considered as well. A typical 5-bay Tire Store (such as Dettmer Tire which was formerly located at this site) would be expected to generate 11 vehicle trips in the AM and 18 trips in the PM. These totals can be subtracted from the anticipated volume to give the total *new* traffic volumes anticipated; 23 vehicle trips in the AM peak hour and 26 vehicle trips in the PM peak hour (roughly one new vehicle trip every 2 to 2 and a half minutes). This then gets broken down further by entering/exiting traffic and direction. Assuming even distribution, this site results in one new vehicle trip every 4-5 minutes in the peak hour at the intersection of Belmont and Glasgow. This type of negligible volume increase is anticipated to have minimal if any noticeable impact on the surrounding street network.

All of the above does not begin to take into consideration the improvements to transit and active transportation infrastructure that has also resulted in changing traffic patterns and would also generally be applied in a transportation impact study. Nor does it take into account any traffic signal improvements that were implemented as a result of the changes to Belmont Avenue when the bicycle lanes were added in the fall of 2019.

Transportation staff did not identify the need for a traffic study in 2012, but rather that the proposed intensification of the entire corridor presents potential traffic-related compatibility issues to develop in the surrounding residential neighbourhoods related to parking and traffic infiltration. At that time, Transportation staff were referring to the intensification of the entire Belmont Avenue corridor. 660 Belmont Ave is one specific element within the entire corridor. In staff's analysis of this particular site, it is important to take into account existing approved use and compare with what is proposed. In going through that transportation analysis exercise, Transportation staff determined that the proposed site would not generate enough traffic and certainly not enough "new" traffic to warrant a full-scale transportation impact study. In order to assess potential parking infiltration concerns, parking studies were conducted.

Consistent with the implementation of the Mixed Use Corridor zoning in 2012, one of the objectives of the implementing the land use changes was to achieve a built form that supports transit and active transportation. This means a change in the type of uses (away from auto-oriented uses that generate high volumes of traffic, such as an automotive repair garage) to uses that are more conducive to pedestrians and transit users. There have been improvements in both transit and active transportation that were not fully contemplated in 2012 and therefore it is even more probable that trips generated within the corridor will be shorter trips and vehicle use will be that much more limited.

Off-Street Parking

Residents expressed concern about the proposed parking reduction requested with this application given the existing parking demand and narrow surrounding residential streets. Respondents were concerned about having ample street parking for day-to-day operation of their community. Some respondents were concerned about the two-car bay parking stalls in the underground parking levels.

As part of the revised development concept, the total number of residential units has decreased and an on-site parking reduction is no longer being requested. Planning staff are not recommending any parking reductions with this application at this time. The subject lands are zoned in Zoning By-law 2019-051, which means that secured and visitor bicycle parking, shared commercial and visitor parking, and electric vehicle parking rates will apply to any future development. Secondly, the revised development concept has removed the two-car bay garage on the lower parking levels.

Building Setbacks and Setbacks

At some of the small group meetings there was discussion about building design and how the City's Urban Design Guidelines require a base and a stepback of the tower above. After providing some local examples of where tall buildings were built without a base and stepback, Planning staff did receive some comments of concerns about the other examples.

Site Specific Provision (188) will allow for a reduced tower stepback of 2.7 metres where 3.0 metres is required by the City's Zoning By-law. The MIX-2 zone and the Design for Tall Building Guidelines require a base and tower stepback for a building. A 2.7 metre stepback will ensure that the built form will be articulated that will include both a base and tower component.

Sale of Belmont Lane East – Notice

Comments were received that the potential sale of Belmont Lane East had not been publicly advertised and that sufficient consultation has not occurred on the potential sale of the lane.

The notice of the potential sale of Belmont lane East is in accordance with Section 177.3.3 and 177.6.2 of *Chapter 177 – Sale – Real Property* of the City's Municipal Code as noted above.

While the initial circulation letter and the first Neighbourhood Information Meeting did not discuss the lane purchase request, there was quite a bit of discussion on process at the second Neighbourhood Information Meeting and in the follow up small group meetings and the site walk.

Additional information on the lane purchase requested was also included in the Comprehensive Engagement Report (attached as Appendix "B"). The City's website was updated following the second Neighbourhood Information Meeting to include the lane purchase request.

The notice of the February 7, 2022 Planning and Strategic Initiatives Committee meeting will also include notice of the potential sale of Belmont Lane East.

Sale of Belmont Lane East – Function

Planning staff received comments that the lane should be maintained by the City to ensure that there is access to the rear of the building and the parking areas. Part B of the Urban Design Manual (Mixed Use Corridor Brief) notes that the existing laneway access be maintained and that parking be located behind buildings. Underground parking for high-rise forms & structured parking for mid-rise forms is encouraged.

Only the lane is City-owned and the existing and proposed parking areas are privately owned (although often used by the general public). The City is responsible for the maintenance of the laneway to the minimum legislated standards and should the proposed redevelopment at 660 Belmont Avenue West proceed without the closure and sale of the laneway, rear access to the development would be provided via an easement over a public laneway.

Planning staff agree that the function of the laneway is important to ensure a pedestrian-first streetscape along Belmont Avenue West and that all parking and back-of-house operations of 660 Belmont Avenue West and 678-692 Belmont Avenue West should be from the rear lane. As there is only one landowner for this block (two companies owned by the Zehr Group), the lane could be in private ownership and still continue to function and operate in a similar manner to today, without the liability to the City nor maintenance requirements. The sale of the lane is being recommended because if the City decides not to sell the laneway to the adjacent property owner as there would likely never be another opportunity to sell or dispose of this laneway out side of the current request. This publicly-owned and maintained laneway would benefit only one private landowner and require regular City maintenance and costs in perpetuity and the function of the lane could continue in private ownership.

The increased development potential the land consolidated would provide to both properties would be reflected in the final purchase price and subject to Council approval as outlined in the recommendation above.

The revised proposal also includes a publicly accessible pedestrian mews, a mid-block connection through the site from Belmont Avenue West to the Iron Horse Trail that is a more pedestrian oriented connection as compared to walking down a travelled lane.

Sale of Belmont Lane East – Emergency Access

Planning staff received comments about how emergency access would be provided to 660 Belmont Avenue West and 678-692 Belmont Avenue West if the lane was not sold and a narrower private lane was developed instead.

Emergency access can be provided to both 660 Belmont Avenue West and 678-692 Belmont Avenue West with or without the lane. As part of the site planning process, the City's Fire Prevention Officer reviews all site plan drawings in accordance with the Ontario Building Code and the City's Emergency Services Policy at the site planning process. For larger buildings, sprinklers are often used as firefighting occurs largely from within the building. Through the site plan process, the Applicant will have to identify the location of the Siamese connection (fire department pumper connection). The proximity of that connection to the street is carefully reviewed so that fire trucks can be within the required distance (those connections are often facing the public street like Belmont Avenue West). If this criteria can be met from the street, the rear lane does not need to meet the Fire Access Route standards.

Belmont Village District Energy

Planning staff received a proposal for Belmont Village to be a location for a future district energy system.

In September 2020 Council directed staff to develop a district energy business case for downtown as outlined in report DSD-20-151. Staff have been advancing work on this matter since that time. Belmont Avenue West is not currently identified as a location for further study for district energy at this time.

Closure of Belmont Avenue West and Iron Horse Trail During Construction

Some residents were concerned about the closure of Belmont Avenue West and/or the Iron Horse Trail during construction. The Applicant has advised that road and trail closures were not anticipated, and that construction staging could occur on site. The City will require a parking and construction staging plan as a condition of site plan approval.

Sustainable Development Techniques and Methods

Planning staff, as well as some respondents, identified that need that the development proposal be developed using sustainable construction techniques and methods. The Official Plan provides sustainable development direction for new developments, including a broad range of practices, including: developing communities and buildings that are energy and water efficient; reducing greenhouse gas emissions; using environmentally friendly building materials; efficiently managing stormwater; reducing and/or managing solid waste; and, creating complete, healthy, walkable, transit-supportive, cycling and pedestrian-friendly communities are often associated with sustainable development. The proposal is a compact and efficient development that redevelops an existing property. Sustainable development techniques and construction methods will be further explored at the site planning stage.

Planning Conclusions:

Community input over the last 17 months has been considered and resulted in changes to the proposal. The development proposal evolved with input from community members, City staff, and commenting agencies since the fall of 2020.

Provincial, Regional, and City planning policy provide guidance that must be considered when evaluating changes in land use permissions. Planning staff are of the opinion that a high-rise multiple dwelling building is appropriate for this location and will not have adverse impacts on the community. This is an identified intensification site within the community that can accommodate additional residential units and ground floor commercial uses and contribute to a complete community.

Planning Staff are satisfied that Site Specific Provision (188) will permit a built form that features a pedestrian scale base, appropriate massing along the streetscape and compatibility with adjacent lands. Planning staff are satisfied that the revised proposal meets the intent of Policy 15.D.4.23 for the reasons outlined above in the Official Plan Analysis section.

Planning staff is of the opinion that the recommended Zoning By-law Amendment is in the public interest and strives to balance various interests; the multi-level legislative planning framework, the planned function of the community and the City, input from the community's residents, and providing new housing within an established community. Planning staff are of the opinion that the proposed development will offer a different housing type and provide more residential units within an established neighbourhood. While the proposed dwellings are in a built form that is different from

other existing buildings, high-rise residential in a mixed-use building is a compatible use for the planned function of Belmont Village.

Based on this analysis, Planning staff is recommending approval of the Zoning By-law Amendment application as outlined in Appendix “A” of this report.

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.

COMMUNITY ENGAGEMENT:

INFORM – The Official Plan Amendment and Zoning By-law Amendment applications were circulated for comment to internal departments, external agencies, and all property owners within 120 metres of the subject lands on August 7, 2020. A list of interested residents was continually updated throughout the application process. Written responses from property owners and interested parties are attached as Appendix “E” and are discussed in this report and in the attached Comprehensive Engagement Report attached as Appendix “B”. This report will be posted to the City’s website with the agenda in advance of the Council / Committee meeting. Two large billboard notice signs were posted on the property facing Belmont Avenue West as well as the Iron Horse Trail. A letter advising of the Planning and Strategic Initiatives Committee Meeting (Statutory Public Meeting) was sent to everyone who participated in the process and all property owners within 120 metres of the subject lands. A copy of the notice was also emailed to all community members that provided an email address through the application process, as well as the Westmount and Cherry Park Neighbourhood Associations.

CONSULT – A virtual Neighbourhood Information Meeting (NIM) was held on December 17, 2020. A second virtual NIM was held on Thursday, February 25, 2021. The Zoom registration reports recorded 97 different log-ons for the first meeting and 154 for the second meeting. Planning Staff held ten small group sessions the week of March 15, 2021. These meetings provided an opportunity for community members to share their perspectives, have a chance to speak, and ask questions. In total, 88 people registered and over 90 people attended one of the small group meetings. Planning staff also attended a site walk on March 23, 2021. The site walk was led and organized by community members known as the *Friends of Belmont Village*, and Planning staff attended. The site walk was an opportunity for community members to identify their concerns, discuss their comments in the field, and to ask questions of Planning staff.

Notice of the public meeting will appear in The Record on January 14, 2022 (a copy of the Notice may be found in Appendix F).

PREVIOUS REPORTS/AUTHORITIES:

- Municipal Act, 2001
- Planning Act
- Provincial Policy Statement, 2020
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

- Regional Official Plan
- City of Kitchener Official Plan, 2014
- City of Kitchener Municipal Code Chapter 177 – Sale – Real Property
- Kitchener Growth Management Strategy
- Zoning By-law 2019-051
- City of Kitchener Urban Design Manual
- CSD-12-012 - Belmont Avenue West Mixed Use Corridor Zoning By-law Amendment

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

ATTACHMENTS:

- Appendix A - Proposed Zoning By-law & Map No. 1
- Appendix B - Comprehensive Engagement Report
- Appendix C - Final Development Concept
- Appendix D - Department/Agency Comments
- Appendix E - Community Input
- Appendix F – Newspaper Notice
- Appendix G – Affordable Housing Letter