

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: March 7, 2022

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

PREPARED BY: Bateman, Brian – Senior Planner, 519-741-2200 ext. 7869

WARD INVOLVED: Ward 10

DATE OF REPORT: February 2, 2022

REPORT NO.: DSD-2022-089

SUBJECT: Official Plan Amendment OPA21/005/K/BB
Zoning By-law Amendment ZBA21/008/K/BB
890-900 King Street West
Cantiro King General Partner Ltd.

RECOMMENDATION:

- A. That Official Plan Amendment Application OPA21/005/K/BB for Cantiro King General Partner Ltd. requesting Special Policy Area 20 to permit a mixed-use development with a Floor Space Ratio of 10.1 on the parcel of land specified and illustrated on Schedule 'A', be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2022-089 as Appendix "A", and accordingly forwarded to the Region of Waterloo for approval; and
- B. That Zoning By-law Amendment Application ZBA21/008/K/BB for Cantiro King General Partner Ltd. be approved in the form shown in the "Proposed By-law" and "Map No. 1", and further
- C. That in accordance with Planning Act Regulation 45 (1.3 & 1.4) that applications for minor variances shall be permitted for lands subject to this Zoning By-law Amendment ZBA21/008/K/BB.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding an Official Plan Amendment and Zoning By-law Amendment application for subject lands located at 890-900 King Street West. It is Planning staff's recommendation that the applications be approved.
- Community engagement included:
 - circulation of a preliminary notice letter to owners of property within 120m of the subject site;
 - installation of billboard notice sign on the property;
 - a developer-led Neighbourhood Meeting (July 28, 2021)
 - a City-led Neighbourhood Meeting (October 6, 2021);
 - discussions with interested members of the public;

- notice letter advising of the public meeting was circulated to all property owners within 240 metres of the subject site, those who responded to the preliminary circulation and those who attended the Neighbourhood Information Meeting; and,
- notice of the public meeting was given in The Record on February 11, 2022.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

Cantiro King General Partner Ltd. is seeking Official Plan and Zoning By-law amendments to build a proposed purpose-built rental development comprised of a 25 storey mixed use building with 231 residential units with retail/commercial proposed at grade and residential units above. The development proposes structured parking below grade (two levels) and above grade in the second level of the podium. A total of 108 parking spaces are proposed. The owner is seeking a partnership with the Grand River Hospital Foundation (GRHF) to provide several units for exclusive use of patient's families while seeking care at the hospital.

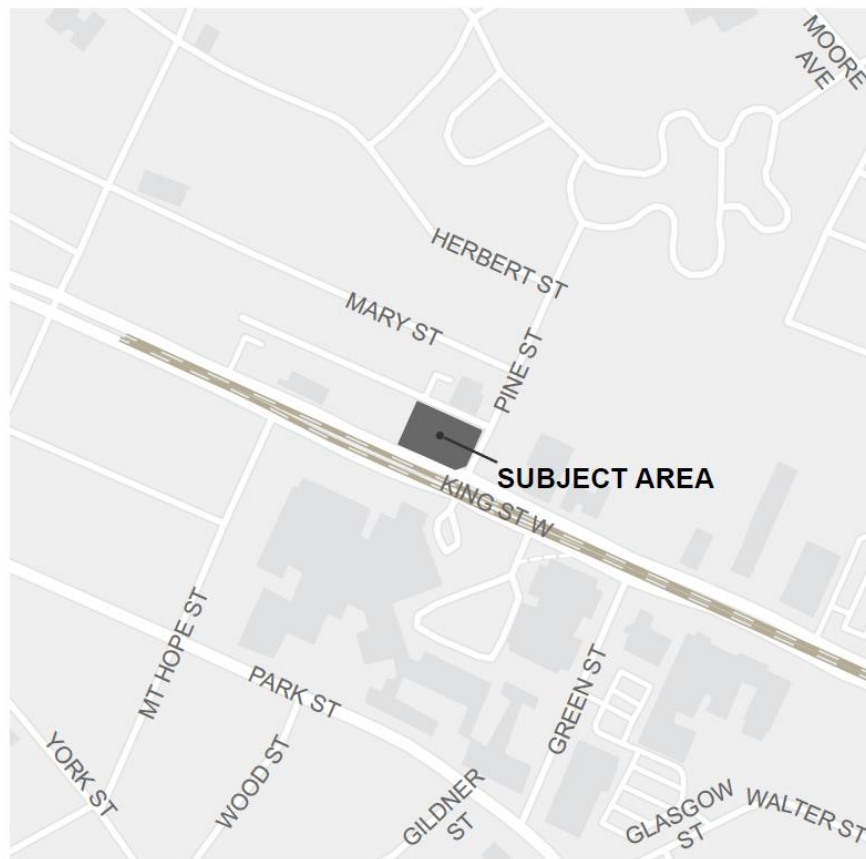


Figure 1 - Location Map: 890-900 King St. W.

REPORT:

The subject lands are located at the corner of Pine Street and King Street West, directly across the street from Grand River Hospital (see Figure 1). The subject lands are comprised of two separate properties (890 King Street West and 900 King Street West) which are proposed to be consolidated for the purpose of redevelopment. 890 King Street West was recently used as a private surface parking lot and prior to that, was formerly used as a gas station until 1993. 900 King Street West was a three storey walk up office building previously used as a medical office. This building has

since been demolished. The subject lands are contaminated and are being remediated through the Region of Waterloo's Brownfield Incentive program. The remediation work has commenced.

The surrounding area includes a mix of land uses including commercial, mixed use, residential and institutional. Surrounding land uses include a medical commercial building to the north, commercial buildings to the west, Pine Street to the east and Grand River Hospital located on the opposite site of King Street. Immediately adjacent to the subject lands, located within the King Street right-of-way, is the Grand River Hospital LRT ION transit stop.

Official Plan Amendment and Zoning By-law Amendment Applications

The purpose of this amendment is to add a Special Policy to the K-W Hospital Secondary Plan in the 1994 Official Plan and to amend Map 18 – K-W Hospital Secondary Plan to increase the maximum permitted density on the lands, municipally known as 890-900 King Street West, to facilitate the redevelopment for a 25 storey, mix use building with ground floor commercial, 231 residential units and 108 parking spaces.

To implement the proposed development, an Official Plan Amendment (OPA) is required. The OPA is requesting that the subject lands have a maximum Floor Space Ratio of 10.1 whereas policy 13.7.3.5 of the K-W Hospital Neighbourhood Secondary Plan limits density to a Floor Space Ratio (FSR) of 4.0.

In addition to the OPA, a Zoning By-law Amendment (ZBA) is required. The subject lands are zoned High Intensity Mixed Use Corridor Zone (MU-3) as per Schedule 75 of Zoning By-law 85-1.

To permit the proposed development the applicant is requesting to maintain the High Intensity Mixed Use Corridor Zone (MU-3), but add site-specific provisions to implement the proposed development. These include seeking permission to:

- amend Section 55.2.2.2 a) of Zoning By-law 85-1 to permit a rear yard setback from the west property line of 0.70m, whereas 14.0m is required.
- amend Section 55.2.2.2 a) of Zoning By-law 85-1 to permit a side yard setback from Dodds Lane of 0.60m, whereas 1.50 m is required.
- amend Section 55.2.1 of Zoning By-law 85-1 to permit a maximum Floor Space Ratio of 10.1 for the proposed building, whereas a maximum of 4.0 is permitted.
- amend Section 55.2.1 of Zoning By-law 85-1 to implement a maximum building height of 81.0 metres and 25 storeys, whereas the current by-law does not contain a maximum height restriction.
- amend Section 6.2.1 a) to permit parking at a rate of 0.71 per unit for Dwelling Units, greater than 51.0 sq.m. in size.
- amend Section 6.2.1 a) to permit parking at a rate of 0.165 per unit for Dwelling Units less than 51 sq.m. in size.
- amend Section 6.2.1 b) vi) B) to permit Visitor Parking at a rate of 10% of required parking. Visitor parking is to be shared with commercial uses.
- amend Section 6.2.1 a) to allow non-residential uses without a minimum parking requirement; and
- allow for canopies and stairs within 0.0 metres from the King Street property line.

Development Concept

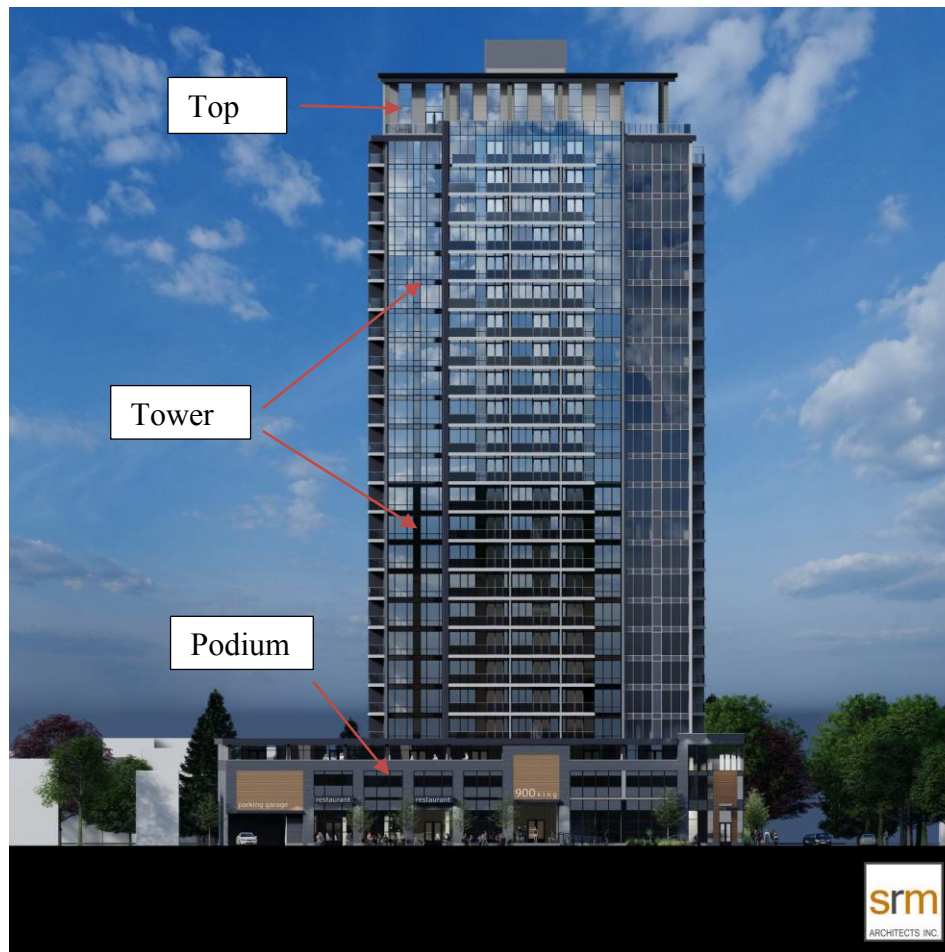


Figure 2 – Concept Plan of King Street Elevations

The conceptual plan is illustrated in Figure 2 above. It consists of a base/podium, tower and top.

The podium is 3 storeys in height and covers most of the site. The first floor is proposed to consist of retail/commercial uses at grade along the frontage of King Street West and Pine Street. Several entry points to commercial units are along King Street, at the corner of King Street West and Pine Street, and along a portion of the Pine Street frontage. The main floor has a 4.5m interior ceiling height with large windows along most of the frontage of King and Pine Streets. Elements such as rolling garage doors are being considered along the frontage to allow the businesses to spill out onto the outdoor patio/landscaped area along the King Street West frontage. The main entryways to the commercial and residential component of the development will be clearly defined with signage, alternative exterior finishes and canopy structures over each pedestrian entrance.

The main access to the residential component of the development is off King Street. The lobby area includes access to elevators, a parcel room, mail room, common amenity area and an office area. Also on the main level are garbage and recycling areas (with collection off of Dodds Lane). The garbage/recycling pick up area will double as a loading area for residents moving in and out of the building and to service the commercial/retail units. Service areas and the building transformer are located at the back of the building and screened from view from King and Pine Streets. Storage lockers, bike maintenance, a dog washing station and mechanical room are also provided on the main level of the podium.

The primary vehicular access leading to the underground parking garage is from King Street. Bicycle parking is provided in a secure room for residents on the main level as well as in the second level of the podium. Bicycle parking for public use will be included on the site plan during the detailed Site Plan process.

The second storey of the podium is for parking. Vehicular access to the second storey parking is from Dodds Lane. There are 34 parking spaces along with a bike room that are accessed by residents either through an internal staircase or elevators. Large windows are extended up to the top of the second floor and provide views out of the building. Parking planned on the second-floor podium will be screened so it is not seen from the street.

The third storey of the podium level is for several hospital foundation units as well as office and amenity/lounge space. The hospital foundation units would house family members of those seeking overnight or extended care at the hospital.

Floors four through twenty-four make up the compact point tower portion which is stepped backed from the podium and offset to be closer to the corner of Pine and King Streets. The tower contains 231 residential units. A mix of unit sizes are proposed including studios, one-bedroom and two-bedroom units. Each unit is proposed to have a private balcony. All units are proposed to be rental tenure.

The twenty fifth storey is the top of the tower. The floorplate of the twenty fifth storey is stepped back, and it provides a common amenity space for all residents of the building. The common amenity space consists of a fitness room and lounge/café/kitchen. A covered outdoor terrace is planned to overlook King and Pine streets and provides views overlooking the hospital and residential areas to the west of the site and to the south towards downtown Kitchener. The proposed development prioritizes shared communal space (indoor and outdoor) which will provide residents with an opportunity to socialize.

Planning Analysis:

Provincial Policy Statement, 2020:

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets out policies to consider in building strong healthy communities. The PPS is supportive of efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term and communities that accommodate an appropriate range and mix of land uses, while promoting compact and efficient development patterns that minimize land consumption and make better use of infrastructure.

The goal of the Provincial Policy Statement (PPS) is to provide a vision for land use planning in Ontario that encourages the efficient use of land, resources and public investment in infrastructure. A mix of land uses are encouraged to provide choice and diversity. A variety of transportation modes that will facilitate pedestrian movement, require less reliance on the automobile, and increase use of public transit is encouraged as a means of creating more sustainable, livable and healthy communities. The PPS encourages development that will provide for long-term prosperity, environmental health and social well-being.

The PPS provides that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources.

The PPS requires municipalities to promote healthy, livable, and safe communities by accommodating an appropriate range and mix of residential, park and other uses to meet the long term needs of the community and to encourage compact, mixed-use development that incorporates compatible employment uses to support liveable communities.

Provincial land use policies establish a framework that supports transit supportive development within Urban Areas of the Region. Sections 1.1.3.2 and 1.4.3 of the PPS require land use patterns within settlement areas to be based on densities and a mix of land uses that make efficient use of land and resources, which are transit-supportive and support active transportation, and provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents. Moreover, 1.4.3e) directs municipalities to require transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations.

Planning staff is of the opinion that the proposed applications are consistent with the PPS as they will facilitate the redevelopment of the subject property with a compact mixed-use development that is located within the Midtown Major Transit Station Area (MTSA), an identified intensification area in the Official Plan (OP). The property is adjacent to the Grand River Hospital LRT station. No new public roads will be required for the proposed development and Engineering staff has confirmed there is capacity in existing infrastructure to support the proposed development. This proposal better utilizes the subject lands as it will bring in a range of uses, including a new purpose-built rental housing option, in a form that is transit supportive and included active uses at grade, secured bicycle parking, and reduced parking rates.

Growth Plan for the Greater Golden Horseshoe (Growth Plan), 2020

The Growth Plan identified and delineated built up areas as key focus areas for intensification to make efficient use of land and infrastructure to support transit viability and provide flexibility to capitalize on new economic and employment opportunities while ensuring the provision of a full range of housing options to accommodate a range of incomes and household sizes all as part of a *complete community*.

Growth within settlement areas is focused on locations with existing or planned transit, with a priority on higher order transit where it exists or is planned. Complete communities feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities. They also have convenient access to a range of transportation options, including options for the safe, comfortable, and convenient use of active transportation. Within complete communities, developments must be of a high quality compact built form with an attractive and vibrant public realm which includes public open spaces.

Furthermore, Section 2.2.4 of the PPS requires MTSA's to be planned for a minimum density of 160 residents and jobs combined per hectare for those that are served by light rail transit. The ION light rail transit system is a Priority Transit Corridor. The subject lands are within several metres the Grand River Hospital ION station.

Within all MTSA's, development will be supported, where appropriate, by planning for a diverse mix of uses, including second units and affordable housing, to support existing and planned transit service levels; by providing alternative development standards, such as reduced parking standards; and by prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities. Lands adjacent to or near existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and should be comprised of a range of uses and activities.

It is the opinion of staff that the proposed applications are in conformity with the Growth Plan. The development of the subject lands with a high density mixed-use building - including partnering with Grand River Hospital to provide a suite of rooms for families of loved ones needing care from out of town - will contribute to the number of jobs and housing options within the MTSA and near the City's Urban Growth Centre, Uptown Waterloo, and Grand River Hospital. An underutilized surface parking lot will be redeveloped with an intensive mix of land uses, including a new housing option. The redevelopment of these lands will make better use of existing and new infrastructure such as the ION light rail transit, and is appropriate for a MTSA. The proposed development is located within an area planned for intensification. The Growth Plan prioritizes intensification within strategic growth areas which include both Major Transit Station Areas and brownfield sites, both of which applies to the subject lands. The proposed development meets the criteria of the Places to Grow Policy by planning a development for intensification within a Major Transit Station Area that is of an appropriate scale to support the transit infrastructure and utilizes existing services.

Regional Official Plan (ROP):

The Regional Official Plan (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 Urban Growth Centers (UGC) and MTSAs. The subject lands are within a MTSA and in the Midtown PARTS plan area of the City of Kitchener. Increased densities in the form of a mix of residential, office, institutional and commercial development is encouraged within the MTSAs. The Region is supportive of the increase in density on site and the mixed-use nature of the proposal.

This area contains the physical infrastructure and community infrastructure to support major growth, including transportation networks, municipal drinking-water supply systems and municipal wastewater systems, and a broad range of social and public health services. It is also well-served by the existing public transportation system including bus and light rail rapid transit, including a transit station stop immediately in front of the property on King Street. For these reasons, lands within the Urban Area have the greatest capacity to accommodate growth and serve as the primary focus for employment, housing, cultural and recreational opportunities in the region.

Within the Urban Area, most of the Region's future growth will be directed to Urban Growth Centres, MTSAs, Reurbanization Corridors, Major Local Nodes and Urban Designated Greenfield Areas. In general, these areas will be planned to create a more compact urban form with a greater mix of employment, housing, and services in close proximity to each other. The proposed mix of residential, office, and commercial uses are proposed at a density that will support transit and make more efficient use of the subject lands than an underutilized parking lot and former office building would.

MTSAs are planned to be developed to achieve increased densities that support and ensure the viability of existing and planned rapid transit service levels and a mix of residential, office, institutional and commercial development, wherever appropriate. Regional Planning staff has no objections to the proposed applications.

The Region is currently undergoing a review of its Official Plan including the delineation of MTSA boundaries, which have been endorsed by Regional Council. The subject lands are within the draft MTSA boundaries that will be outlined in the ROP.

Planning staff is of the opinion that the applications conform with the ROP as this site is appropriate for the increases in density being sought due to its proximity to the Grand River Hospital Transit ION station.

City Policy Considerations:

City Official Plan (OP)

The subject lands, 890-900 King Street West, are located at the north easterly corner of King Street West and Pine Street. The subject lands are located within the designated Built-Up Area and are also located within a Major Transit Station Area. The lands are designated Mixed Use Corridor in the K-W Hospital Secondary Plan, which forms part of the 1994 Official Plan. The Mixed-Use Corridor designation in the K-W Hospital Secondary Plan encourages higher density, mixed use development and redevelopment.

Major Transit Station Area (MTSA) Official Plan

The OP establishes an Urban Structure for the City of Kitchener. Policies direct growth and development within this intensification area. Intensification areas are targeted as the primary locations to accommodate most of the development or redevelopment within the City. According to Section 3.C.2.3 of the OP, Primary Intensification Areas include MTSA's. These intensification areas have been identified as the areas targeted to provide a range and mix of uses at higher densities than adjacent areas.

The subject lands are located within a MTSA which include lands that are generally within a ten-minute walking radius around the location of an ION station.

Section 3.C.2.17 of the OP indicates that the planned function of MTSA's is to support transit and rapid transit. This is a key principle when focusing on where to accommodate growth through development, as growth is intended to support existing and planned transit including rapid transit service levels. The MTSA is integral in providing connectivity of various modes of transportation to the transit system; achieving a mix of residential, office and commercial development, and achieving streetscapes with a built form that is pedestrian-friendly and transit-oriented.

In the opinion of staff, the proposed mixed-use development supports the planned function of a MTSA. The proposed uses will result in intensification of a currently underutilized parcel of land near a range of transit options, including ION. Supporting transit usage is a key objective for lands within the MTSA, and as such the proposed development has been designed at a density to support higher order transit. The site will contain several Transportation Demand Management (TDM) measures which encourage other modes of transportation, besides the automobile, with a focus on active transportation including walking and cycling. As a predominant location between Uptown Waterloo and Downtown Kitchener and along the ION transit route, the site is also located within a Mixed Use Corridor which has also been identified for intensification to direct development away from surrounding low rise residential neighbourhoods and into the station areas.

In accordance with Section 3.C.2.19 of the OP, the Midtown PARTS Plan has been adopted by Council, but has not been implemented through an OPA. However, the City is currently in the process of conducting its Neighbourhood Planning Review (NPR) which is intended to implement the recommendations of the PARTS Plan. It is important to note that the NPR project has commenced but has not been finalized as this is closely tied to the ROP Review and the final delineation of the MTSA's in the ROP. Therefore, this study is on hold until the ROP review is completed.

Until such time as Station Area Plans are completed, any development application submitted within a MTSA will be reviewed generally in accordance with the Station Study Areas contained in the City's PARTS Project Plan and Background Report. Section 3.C.2.22 of the OP establishes criteria for development within a MTSA. The proposed high-density mixed-use development supports the planned function of the MTSA by employing several TDM measures, is within proximity to existing public transit facilities, provides on-site amenities together with intensive residential, office and

commercial uses that will activate the streetscapes and that are both pedestrian and transit friendly. The proposed development is at a scale and intensity that is appropriate for lands located within a MTSA.

Urban Structure

The planned function of a MTSA, in order to support transit and rapid transit, is to:

- a) provide a focus for accommodating growth through development to support existing and planned transit and rapid transit service levels;
- b) provide connectivity of various modes of transportation to the transit system;
- c) achieve a mix of residential, office (including major office), institutional (including major institutional) and commercial development (including retail commercial centres), wherever appropriate; and,
- d) have streetscapes and a built form that is pedestrian-friendly and transit-oriented.

In addition, MTSA on priority transit station corridors shall be planned with a minimum density target of 160 residents and jobs combined per hectare for those served by light rail transit. Planning staff are recommending approval of these applications as these types of redevelopment proposals will help achieve minimum target levels.

Housing

Section 4.1.1 of the OP, as one of the City's objectives concerning the provision of housing options, directs staff to provide for an appropriate range, variety and mix of housing types and styles, densities, tenure, and affordability to satisfy the varying needs of our community through all stages of life. The application for the high-density mixed-use development will provide for a variety of housing options including rentals of studio, one-, and two-bedroom units thereby meeting this policy direction of the OP.

Section 4.1.4 also directs the location and integration of housing opportunities with local stores and services that are accessible by active transportation and public transit. The subject lands will integrate office and retail uses with the proposed residential uses. The site is located within a MTSA and therefore has access to higher order transit and will also provide for active transportation through the provision of bicycle storage and pedestrian and cycling linkages to nearby trails and the neighbourhood at large.

Urban Design

Chapter 11 of the City's OP outlines policies with respect to the direction and criteria used for urban design. To address these policies, a checklist was submitted in support of the development proposal.

Policy 11C.1.30 provides direction for the Site Plan Control process for elements that must be incorporated into the site design. These include a design that provides for a high-quality public realm, safe site circulation for all modes of transportation, site servicing components are functional but screened from view from the public realm, landscaping, site signage be integrated into the design, nighttime visibility, and safety.

Policy 11.C.1.31. directs that new buildings are designed to enhance pedestrian usability, respect, and reinforce human scale, create attractive streetscapes, and contribute to rich and vibrant urban places.

Policy 11.C.1.32 states that the City will require special design consideration for buildings located at priority locations.

Policy 11.C.1.33. encourages attractive building forms, compatible with surrounding buildings, infill development that contributes to the neighbourhood character, architectural innovation, and a high standard of building designs for buildings located at priority locations.

In the opinion of staff, the proposed development satisfies the criteria outlined in Section 11 of the OP. the criterion for evaluation includes Streetscape; Skyline; Safety; Universal Design; Priority Locations; Site Design; and Building Design, Massing and Scale Design. The proposal includes upgrades and improvements to adjacent streetscapes to improve the public realm. The proposal includes a high-rise tower that has been evaluated with respect to the Guidelines for Tall Building Design (Urban Design Manual) and the 25 storey height of the building will provide visual interest and variation which is consistent with other high-rise proposals that have either been approved or are under evaluation with respect to the City's skyline. The floor plate is smaller to mitigate the effects of shadow. Safety and universal design are principles always considered in good site design. Given the location of the subject site within the LRT corridor a higher level of urban design is expected and has been incorporated in the overall site and building design. Wind, Shadow and Traffic Impact and Tall Buildings analyses have all been undertaken to inform building, site design, massing, and scale design of the site to promote compatibility and good planning. Final design considerations will be confirmed through the site plan approval process.

Policy Framework

Policy 16.D.1.4 of the OP directs that certain policies of the OP are applicable in Secondary Plan areas. Parts A, B, C, E and F of the OP are applicable policies that apply to lands within a Secondary Plan. Therefore, although the Secondary Plans have not been updated as part of the OP in the 2014, all Secondary Plans listed in Policy 16.D.1.3 including the K-W Hospital Secondary Plan, which affects these lands, are still subject to these Sections of the OP which means that the OP policies also apply to the Secondary Plan areas.

K-W Hospital Secondary Plan

The subject lands are currently designated as Mixed Use Corridor in the K-W Hospital Secondary Plan, which forms part of the Official Plan.

Secondary Plans that are originally part of the 1994 OP, were not revised as part of the adoption of the OP in 2014 and are currently under review as part of the Neighbourhood Planning Review (NPR) with the intention of being revised as part of a separate comprehensive planning process. Therefore, the Secondary Plan policies of the K-W Hospital Secondary Plan continue to apply to the subject lands and will be amended through this process.

The Mixed Use Corridor land use designation in the K-W Secondary Plan currently permits a maximum FSR of 4.0. Lands within this designation are primarily intended to serve the adjacent residential neighbourhoods and employment areas and allow for intensive transit supportive development such as the development proposed by the applicant, which will include a mix of office and commercial and retail uses together with a variety of residential uses and tenure types including affordable housing, as well as rental and condominium development. The intensification of this and other sites within the corridor is intended to support higher order transit. The high intensity mixed use development proposed for the subject lands will implement this policy direction of the K-W Secondary Plan through its provision of residential use as well as the commercial/retail employment uses on the lands that are being proposed for higher densities that will support transit.

Mixed Use Corridors generally have strong pedestrian linkages to and from the surrounding residential neighbourhoods and this development proposes to support those linkages. The subject lands have the benefit of being in proximity to Uptown Waterloo and Downtown Kitchener meaning the full range of amenities are available within walking or biking distance. This includes:

- Major employers (Grand River Hospital, Sun Life, etc.);
- Food stores (Central Fresh Market – 700 m; Vincenzo's – 700 m; Valu-Mart, 1.3 km);

- Schools (King Edward Public School, Kitchener Waterloo Collegiate and Vocational School);
- Trails;
- Restaurants;
- Retail; and
- Recreation.

The current policy framework of the City under the K-W Hospital Plan permits mixed development at floor space ratio of 4.0 whereas the proponent is requesting 10.1. These policies pre-date a number of policy documents including the current Provincial Policy Statement, the current Growth Plan, the current Regional Official Plan and the 2014 City of Kitchener Official Plan. When the City's Official Plan was updated in 2014, the Secondary Plans, including the K-W Hospital Plan, were deferred in order to complete more detailed PARTS planning and the related Neighbourhood Review process. These Secondary Plans are in the process of being updated, with final approval pending the Regional review of its Official Plan which is currently underway.

To implement the proposed mixed-use development, an amendment to the Secondary Plan is required to increase the Floor Space Ratio from 4.0 to 10.1. This increase is appropriate given the location within a Major Transit Station, the adjacency to the Grand River Hospital ION stop, the location along a major Regional Road, and the ability to design the site in a manner which minimizes impacts on surrounding development. The subject lands do not directly abut low-rise residential development and are separated from the closest low-rise residential properties by Dodds Lane and other non-residential uses. It has been demonstrated the increased density across from the ION stop is supportable and compatible with the objectives of the PARTS Plans. The proposed development is consistent with the Provincial Policy Statement and conforms to the Growth Plan and the Region of Waterloo Official Plan. The proposed development implements broader policy direction as it relates to implementation, and reflects the City's 2014 Official Plan, which identifies Major Transit Station Areas as primary intensification areas. The subject lands are also a Brownfield site. Brownfields are also considered priorities for redevelopment.

The City's intensification areas are intended to provide for a broad range and mix of uses in an area of higher density and activity than surrounding areas. As noted in Policy 3.C.2.17 of the Official Plan, the planned function of Major Transit Station Areas, in order to support transit and rapid transit, is to:

- a) provide a focus for accommodating growth through development to support existing and planned transit and rapid transit service levels;
- b) provide connectivity of various modes of transportation to the transit system;
- c) achieve a mix of residential, office (including major office), institutional (including major institutional) and commercial development (including retail commercial centres), wherever appropriate; and,
- d) have streetscapes and a built form that is pedestrian-friendly and transit oriented.

The proposed development will support existing rapid transit service levels by providing development immediately adjacent to an existing transit stop. The proposed development provides housing adjacent to a major employer (Grand River Hospital) allowing future residents to walk to work. The development incorporates bicycle parking and will support active transportation. The development includes a mix of uses and has a streetscape and built form that is pedestrian-friendly.

The Official Plan acknowledges that Major Transit Station Areas may include lands within stable residential neighbourhoods which are not the primary focus for intensification. The subject lands are outside of the stable residential neighbourhood and are already designated and zoned for high density development.

The City's Growth Management Strategy

The strategy outlines where new development will take place within our city to ensure it is complementary to our community priorities and aligned with our future infrastructure investments. As it relates to the subject lands, a Priority 'A' rating has been assigned, which means the City will actively work on applications towards an approval.

PARTS Midtown Plan

The subject lands are located within the PARTS Midtown Plan, which is a guiding document that made recommendations for land uses around rapid transit station areas. The Midtown Plan made recommendations for amendments to the Secondary Plans within the MTSA, which have not yet been implemented. One of the principal recommendations was to protect stable neighbourhoods by directing growth in the areas such as the Mixed-Use Corridors. As the subject lands are situated adjacent to the Grand River Hospital LRT station, higher density is appropriate, and it will help support transit use.

Additionally, the PARTS Midtown recommended that transition regulations be implemented in zoning by-laws to protect the transition of higher density development adjacent to stable neighbourhoods. One of the key strategies is to ensure buildings are scaled to integrate within their surroundings by locating taller elements closer to the transit stops. Create a smooth transition in height down to established neighbourhoods. The tower is designed to shift massing and height closest to the transit stop and directly opposite to the commercial building in behind which is located off Pine Street. This combined with a 3 storey podium ensures transition occurs between the proposed development, the commercial lands directly behind and the residential dwellings of the Mary/Pine neighbourhood.

Neighbourhood Planning Review Proposed Zoning

Properties located within Secondary Plans are undergoing Neighbourhood Planning Reviews which includes updates to the Official Plan/Secondary Plans and to the proposed Zoning By-law. The City of Kitchener's recently updated Zoning By-law (2019-051) does not include lands within anticipated MTSA's or within Secondary Plan areas. As part of the NPR, the city has prepared proposed amendments to the Zoning Bylaw 2019-051, but these have not yet been considered by Council and may be subject to change. The draft zoning regulations are available on the City of Kitchener website and the proposed development is identified as a MIX-3: Medium to High Rise Mixed Use Three Zone – which plans to accommodate a variety of uses within mixed use buildings and mixed-use developments at a medium to high density. If approved, it is anticipated that the site-specific zoning contemplated in the Zoning By-law Amendment to By-law 85-1, would be carried forward into a future stage of Zoning By-law 2019-051.

Urban Design Manual - Tall Buildings Guidelines

Tall Buildings Guidelines are in the Urban Design Manual. The objective of this document is to:

- achieve a positive relationship between high-rise buildings and their existing and planned context;
- create a built environment that respects and enhances the city's open space system, pedestrian, and cyclist amenities and streetscapes;
- create human-scaled pedestrian-friendly streets, and attractive public spaces that contribute to livable, safe, and healthy communities;
- promote tall buildings that contribute to the view of the skyline and enhance orientation, wayfinding and the image of the city;
- promote development that responds to the physical environment and microclimate and the natural environment through design, including four season design and sustainability; and

- promote tall building design excellence to help create visually and functionally pleasing buildings of architectural significance.

The proposed development has been designed with these objectives in mind. Urban Design staff has confirmed that the proposed tower is generally consistent with and meet the overall intent of the guidelines. Tower separation, wind, shadow analyses are acceptable and consistent with the UDM. Detailed design elements will be implemented at the site plan approval stage.

Zoning By-law Amendment

A Zoning By-law Amendment has been submitted with this report to rezone the subject lands from High Intensity Mixed Use Zone (MU-3) to High Intensity Mixed Use Zone (MU-3) with special regulation provision 775R to accommodate the proposed development. Each of the recommended site-specific zoning provision is discussed in greater detail below.

1. Reduced rear yard setback of 0.73 whereas 14.0 m is required

The applicant is seeking relief from Section 55.2.2.2 a) of the Zoning By-law to permit a rear yard setback from the west lot line of 0.73m. The setback applies to the 3 storey podium only as the tower is setback more than 17m from the property line. Tall mixed use developments are often comprised of a tower with a podium at the bottom. The intent of the rear yard setback is to create a separation from the neighbouring properties. Although the west property line is considered the rear yard in accordance with the Zoning By-law definition, it functions more as a side yard. The adjacent use at 904 King Street West is a Traction Powered Sub Station (TPSS). This land is owned by the Region of Waterloo and is a site that is required to power the LRT. As such, the TPSS provides additional separation between the proposed development and any development planned further west of the property.

2. Increased Floor Space Ratio of 10.1 whereas a maximum of 4.0 is permitted

The applicant is seeking permission to amend Section 55.2.1 of Zoning By-law 85-1 to permit a maximum Floor Space Ratio of 10.1 for the proposed building, whereas a maximum of 4.0 is permitted.

The increase to the Floor Space Ratio is appropriate for sites located within a MTSA and adjacent to an ION station. The additional Floor Space on site will accommodate additional floor area, which will be used for office, commercial, and residential uses. Concentrating high density developments adjacent to ION stations supports the significant investment that has been made in the Region of Waterloo's Rapid Transit System and is in alignment with Provincial, Regional and local policy that directs intensification to MTSA's as a priority.

3. A parking rate of 0.71 spaces per unit for Multiple Dwelling Units and 0.165 spaces per unit for Multiple Dwelling Units less than 51 sq. m

The applicant is seeking permission to amend Section 6.2.1 a) to permit parking at a rate of 0.71 per unit for Multiple Dwelling Units, and 0.165 spaces per unit for Multiple Dwelling Units less than 51 sq.m. in size.

The OP supports parking reductions for sites that are well served by transit and particularly by the LRT. Parking at a rate of 0.71 per unit is being requested due to the site being located adjacent to the Grand River Hospital ION station. It is anticipated that the residents will utilize existing transit and active transportation as primary modes of transportation. A Parking Justification Report has

been prepared and submitted to support the parking rate proposed as part of the ZBA and has been reviewed by Transportation staff.

The Zoning By-law permits reduced parking for units less than 51 sq.m. in size for a maximum of 40% of the total units. A special regulation is proposed that would allow the reduced rate to apply to all units less than 51 sq.m. in size. This increase is being recommended given the TDM measures and proximity to high order transit options.

5. A visitor parking rate of 10% of required parking.

The applicant is seeking permission to amend Section 6.2.1 b) vi) B) to permit Visitor Parking at a rate of 10% of required parking.

Visitor parking is to be shared with commercial uses. By-law 2019-051 – Kitchener’s new Zoning By-law – allows for shared parking arrangements in mixed use developments. The By-law does not apply to these lands, so the regulation does not apply. The 10% visitor rate is consistent with the required visitor parking for MIX zoned lands in By-law 2019-051. The City of Kitchener has also approved other applications seeking a 10% visitor parking rate. This is to recognize the fact that as overall parking is proposed to be reduced, it is appropriate to also consider reductions to visitor parking rates as visitors will be able to access the site through alternative modes of transportation.

6. Permitting commercial/retail uses without a minimum parking requirement.

The applicant is seeking permission to amend Section 6.2.1 a) to allow commercial/retail uses without a minimum parking requirement.

The visitor parking is proposed to be shared between the residential visitor and commercial uses as noted above. It is not anticipated that the ground floor commercial/retail area will generate a significant amount of vehicular traffic. Secure bike parking is proposed for employees of the commercial units and outdoor bicycle parking will be provided for public use.

7. Permitting Hotel Parking at a rate of 0 spaces per guest room.

The applicant is seeking permission to amend Section 6.2.1 a) to permit Hotel Parking at a rate of 0 spaces per guest room.

The owners are seeking a partnership with the Grand River Hospital Foundation (GRHF) for the provision of suites and office space for exclusive use by GRHF to accommodate family and caregivers for those seeking treatment at the Grand River Hospital. To that end, GRHF has confirmed that there is parking available at the hospital and that no parking is required at the subject lands. The GRHF residential units would be considered a Hotel use under the Zoning By-law.

In summary, to implement the proposed development plan, several site-specific regulations are being recommended given context, site location and proximity to the LRT. Staff recommend that the proposed Zoning By-law amendment be approved as shown in Appendix “C”.

Technical Analysis

Traffic Study/Transportation Demand Management (TDM) and Parking Reduction Justification

A Traffic Study, TDM and Parking Reduction Justification study was submitted to understand and assess the transportation context and infrastructure to support the proposed applications for the site.

The main conclusions reached are as follows:

1. During weekday morning and afternoon periods, the proposal is estimated to generate 50 and 45 vehicle trips, respectively;
2. The site is well located for travel by transit and active transportation;
3. Bicycle parking on-site will be provided beyond current requirements; and
4. TDM measures will be incorporated into the proposal to encourage travel alternatives by transit, walking and cycling including:
 - Indoor secure bike parking,
 - Unbundled parking, and
 - Inclusion of a carshare vehicle on-site.

In summary, based on the proposed TDM measures and the site context, the proposed development is well suited to serve pedestrians, cyclists, car share users and transit users, and as a result, the proposed parking justification is appropriate.

Shadow Impact Study

A Shadow Impact Analysis was completed to determine any impact that the proposed building design may have on nearby residential areas. The study provided an assessment for three periods during the day including 10:00am, 1:00pm and 4:00pm shadows for the months of March, June, September and December. The study identified that any proposed shadows cast by the tower fall within acceptable ranges for the three critical time periods of March, June, and September. During December, however, the effect of shadow is more apparent. This is a common occurrence at this time of year where the sun's angle is at its lowest and shadows cast further as a result. Winter is the least critical period because people spend most of their time indoors.

Additional shadow impact was undertaken to address concerns of residents. It, too, has shown that the effects are minimal.

Staff has considered the study and is generally satisfied with the results. At least five (5) hours of cumulative direct sunlight is maintained.

Wind Impact Study

A Pedestrian Wind Assessment was prepared for the subject lands by RWDI, dated March 26, 2021. RWDI utilized the local wind climate, surrounding buildings and experience with wind tunneling testing in their analysis. The study concluded that no unsafe or uncomfortable conditions are expected.

The Wind Assessment provides the following recommendations:

- Wind control concepts for the commercial entrances.
- Additional wind control measures to provide appropriate conditions for outdoor dining
- Rooftop terrace requires strategically located vertical wind screens and/or planters to protect the more sensitive passive use areas.
- A wind tunnel study is recommended to quantify these wind conditions and to refine any conceptual wind mitigation measures presented in the Wind Assessment.

This study has been reviewed and accepted by City staff. Any of the recommendations noted above are to be carried out as part of Site Plan approval.

Noise and Vibration Study

A Noise and Vibration Impact Study was prepared for the subject lands by RWDI. The following noise control measures are recommended for the proposed development: Installation of central air-conditioning; the inclusion of noise warning clauses; and suite bedroom window glazing with minimum sound isolation performance of STC 36 for the south façade.

The potential vibration impacts due to the adjacent Grand River Transit ION Light Rail line was evaluated. No mitigation measures for vibration are recommended as measured levels of the Light Rail Transit passes were below applicable limits.

The study recommends that the building design be further evaluated through detailed design to ensure that the acoustical design is adequately implemented to meet applicable criteria.

Regional staff has reviewed the study and concur with the recommendations to undertake a detailed assessment at the site plan stage. A holding provision has been proposed at the request of Regional staff. It will have to be lifted, prior to site plan approval.

Heritage Conservation

The subject lands are not identified as being of cultural heritage value or interest by the City of Kitchener and do not contain any significant built heritage resources which are designated or 'listed' under the Ontario Heritage Act.

Servicing Considerations

A Functional Servicing Report and Stormwater Management Report were prepared in support of the proposed redevelopment. The purpose of this report is to document servicing, grading and stormwater management opportunities and constraints for the subject lands. The conclusions of the study confirm that the proposed development can be adequately serviced by municipal water and sanitary infrastructure but there is no storm sewer. Plans are proposed to extend the storm sewer along Pine from Mary Street. Detailed design will be carried out as part of site plan approval. This conclusion has been corroborated by City Engineering staff.

Site Plan

Site Plan application SP22/011/K/BB to redevelop these lands with the concept described above was submitted in late 2021. The site plan was considered at SPRC Meeting of February 16, 2022. It is anticipated that approval in principle will be granted pending additional urban design review, overall improvements to building design, and pending Council's approval of the land use permissions. Staff has met with the project Architect, and the Project Planning Consultant on several occasions to provide input on the design of the site. Considerable improvements to the overall site and building design have occurred, including improved building elevations. Staff is generally satisfied with the building and site design.

Department and Agency Comments:

Preliminary circulation of the OPA and ZBA was undertaken on June 30, 2021, to applicable City departments and other review authorities. No major concerns were identified by any commenting City department or agency. Additional consideration will be addressed through the site development approval process. Copies of comments are found in Appendix 'D' of this report.

The following Reports and studies were considered as part of this proposed OPA and ZBA:

- Planning Justification Report
Prepared by: MHBC Planning, May 2021

- Functional Servicing Letter
Prepared by: Meritech Engineering, April 27, 2021
- Transportation Impact, Transportation Demand Management and Parking Justification Study
Prepared by: Salvini Consulting April, 2021
- Sustainability Statement
Prepared by SRM Architects Inc., April 16, 2021
- Noise & Vibration Study
Prepared by: RWDI, March 30, 2021
- Shadow Study
Prepared by: SRM Architects Inc., November 2, 2021
- Pedestrian Wind Assessment
Prepared by: RWDI, March 26, 2021

NEIGHBOURHOOD COMMENTS AND STAFF RESPONSE:

Planning staff received written submissions which are attached as Appendix “E”. Comments were received following the initial circulation in July 2021 and at a Neighbourhood Meeting (NM) that was held on October 6, 2021. Approximately 37 individuals, including members of the media, attended the NM. Additional information on the comments received from community members during the consultation on these applications is described in greater detail below.

Overall, comments received were generally understanding that development would take place but not at the scale and intensity being proposed. The primary issues raised were as follows:

- Traffic - impact to surrounding road network
- Parking – ensuring there is enough parking on-site
- Compatibility – height too tall
- Shadow impacts
- Loss of privacy and overlook concerns
- Affordable housing

Traffic

Traffic impacts associated with the development proposal was cited often by residents who live on Pine, Mary, and Herbert streets. To respond, the subject lands front onto both a Regional Road (King Street E.) and a Local Street (Pine Street). The principal access to the development is from King Street with a secondary access proposed off Dodd’s Lane into the parking structure for visitor parking only. As a result, it is anticipated that most of the traffic generated from this development will use King Street thus avoiding direct travel through adjacent residential areas. Having access to King and Dodds Lane allows a split of the total traffic, keeping the majority off Dodds Lane at the request of comments received. The vehicle access does not dominate the façade along King Street. The split ramp design limits ramping within the building on the ground floor, allowing more ground floor area to be used for active uses.

King Street is designed to accommodate large volumes of traffic and can support the additional traffic proposed. Regional Transportation Planning staff has no concerns. While it is anticipated surrounding residential streets may experience some traffic associated with this development,

Transportation Planning staff has considered proposed traffic movements and volumes and is confident the operational capacities of these surroundings local roadways will not be exceeded.

Parking

Residents expressed concerns and wanted to ensure that adequate visitor parking be provided on site to avoid spillover parking onto surrounding neighbourhood streets. This is a common concern and one that staff is always trying to balance by encouraging TDM to reduce vehicle trip generation (and a need for lots of parking spaces) in favour of public transportation, cycling or walking. Staff is of the opinion this development proposal strikes a balance of providing on-street parking spaces and supporting TDM measures. Although a parking reduction is being sought, a total of 109 parking spaces will be provided while incorporating a number of TDM measures to promote and incentivize using other forms of transportation such as providing unbundled parking, transit passes, indoor cycling storage, car share spaces and active uses at grade to offset the reduction. Moreover, the location of the subject lands relative to the Grand River Hospital ION station and other retail and employment opportunities combined with the fact this is a mixed use proposal, will lead to walking, cycling, or taking public transit more often than driving for future residents of this development. The objective of TDM is to encourage a shift in behaviour from a car dominated culture towards one of using public transportation, cycling, and walking. Limiting the amount of parking helps to drive this change in behaviour. Staff is of the opinion that there is a balance of supplying enough parking for the development while providing a number of TDM measures to encourage use of public transit, cycling, and walking as this area of the community evolves and grows over the longer term.

Compatibility

There were a number of comments expressing concern with the compatibility of the proposal. Staff can appreciate and understand this sentiment as the proposal represents change for the area. It is acknowledged that much of the area is presently developed with low-to-mid rise forms of commercial/residential land uses. That is changing as there are several new developments underway including ones located at 690 King Street (6 storeys) and 607 King Street (Station Park – 18 to 44 storeys). Development along the King Street West Mixed Use Corridor, including existing development, recently approved developments, and current development proposals reflect the presence of LRT and the importance of providing transit supportive densities in MTSAs.

Most of the lands situated within the King Street West Mixed Use Corridor have been targeted for planned growth, promoting a vision of mixed land uses of commercial/residential at a higher intensity, particularly for lands that have been consolidated into a larger parcel or do not directly back onto residentially zoned lands. The subject parcel of land would fall in the latter category as it backs onto a commercial zoned property developed with a six storey commercial building. The proximity of the subject lands to Grand River Hospital ION justifies higher density mixed-use developments to support the planned function of a MTSA. Moreover, despite the scale and density, the site has been designed to promote compatibility including a podium that is 3 storeys in height, pushed to the property edges and activated with commercial uses to provide a positive pedestrian-oriented streetscape and public realm. The tower will be step-backed from the podium so that the presence of height is minimized from the street level. The tower is shifted closer to the King and Pine Street intersection. The floor plate size of the tower is narrower to reduce impacts of wind and shadow, while promoting wayfinding and visual interest. The primary vehicular entrance/exit to the site is off King Street which is designed to carry large volumes of traffic thus vehicles do not have to travel directly through residential neighbourhoods.

Shadow Impacts

Given the proposed height of the building, many residents who live in the nearby residential neighbourhood are concerned with shadow impacts. The applicant prepared a Shadow Impact

Analysis, and this has been reviewed by the City's Urban Design staff. The study provided an assessment for three periods during the day including 10:00am, 1:00pm and 4:00pm shadows for the months of March, June, September and December. Additional shadow analysis was undertaken for earlier in the morning and into the evening hours at the request of residents. Staff has reviewed the data and support the findings of the analyses that shadow impact is minimal and acceptable based on evaluating criteria of the Tall Building Guidelines.

Loss of Privacy/Overlook Concerns

Some residents expressed concern for the potential of the loss of privacy with the introduction of a tall building to their community.

Staff understand the concern, but it is important to note that the existing zoning permissions would permit a building of approximately 11-12 storeys in height located 1.5 metres from Dodd's Lane. The potential for overlook would still occur under the existing permissions scenario. This proposal however shifts the tower closer to King/Pine and Dodds Lane to create separation between low rise residential and the proposed tower and it brings the tower more in line with the commercial building directly behind. This measure, combined with the podium blocking views at the lower levels while incorporating inset balconies at the higher levels, will help to limit views and mitigate the concern.

Affordable Housing

Some residents raised the question of the provision of affordable housing. The development includes 231 purpose-built rental units comprised of a mix of studio, one and two bedroom units that will provide an immediate supply of rental housing within an intensification area identified in the OP. The residential density achieved through this development provides for a more affordable housing option than many existing housing options within the City's central neighbourhoods. The units will appeal to a broad demographic range including singles, families and seniors. Additionally, the proposal also includes a much-needed partnership with the GRHF to provide housing to families from out of town seeking medical care at Grand River Hospital.

Planning Conclusions

In considering the foregoing, staff are supportive of the proposed Official Plan Amendment and Zoning By-law Amendment to permit 890-900 King Street E. to be developed with a mixed-use building 25 storeys in height. Staff is of the opinion that the subject applications are in keeping with the objectives of the KW Hospital Secondary Plan, are consistent with policies of the Provincial Policy Statement (2020), conform to Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan and represent good planning. Staff recommends that the applications be approved.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

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

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

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the Council / Committee meeting. Notice signs were posted on the property and information regarding the application posted to the City's website in the summer of 2021. Following the initial circulation

referenced below, an additional courtesy notice of the public meeting was circulated to all property owners within 240 metres of the subject lands, those responding to the preliminary circulation and who attended the Neighbourhood Meeting on October 6, 2021 and Notice of the Public Meeting was posted in The Record on February 11, 2022 (a copy of the Notice may be found in Appendix C).

CONSULT – The OPA and ZBA were originally circulated to property owners within 120 metres of the subject lands on June 19, 2021. In response to this circulation, staff received written responses from 38 households, which are included in Appendix ‘E’.

PREVIOUS REPORTS/AUTHORITIES:

- Municipal Act, 2001
- Planning Act, R.S.O. 1990, c. P.13
- Provincial Policy Statement, 2020
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020
- Regional Official Plan, 2010
- City of Kitchener Official Plan, 2014
- Kitchener Growth Management Strategy
- Zoning By-law 85-1 & 2019-051
- City of Kitchener Urban Design Manual

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

APPENDIX

- Appendix A – Proposed Official Plan Amendment
- Appendix B – Proposed Zoning By-law Amendment
- Appendix C – Newspaper Notice
- Appendix D – Department and Agency Comments
- Appendix E – Community Comments