

Staff Report



Development Services Department

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REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: September 12, 2022

SUBMITTED BY: Garett Stevenson, Interim Director of Planning, 519-741-2200 ext. 7070

PREPARED BY: Eric Schneider, Senior Planner, 519-741-2200 ext. 7843

WARD(S) INVOLVED: Ward 3

DATE OF REPORT: August 12, 2022

REPORT NO.: DSD-2022-409

SUBJECT: 82 Wilson Avenue, 84 Wilson Avenue, and 210 Fourth Street
Zoning By-law Amendment Application ZBA22/007/W/ES
Regional Municipality of Waterloo

RECOMMENDATION:

That Zoning By-law Amendment Application ZBA22/007/W/ES requesting to amend Zoning By-law 85-1, for the applicant, the Regional Municipality of Waterloo, be approved in the form shown in the Proposed 'Proposed By-law', and 'Map No. 1' attached to Report DSD-2022-409 as Attachment 'A'; and

That Zoning By-law Amendment Application ZBA22/007/W/ES requesting to amend Zoning By-law 2019-051, for the applicant, the Regional Municipality of Waterloo, be approved in the form shown in the Proposed 'Proposed By-law', and 'Map No. 1' attached to Report DSD-2022-409 as Attachment 'B'; and,

That the Proposed By-law to amend Zoning By-law 2019-051, as amended shall have no force and effect against the subject lands until the date that all appeals relating to By-law 2022-040 (Comprehensive Review of the Zoning By-law (CRoZBy) Stage 2b – Applying New Residential Zones on Properties) in relation to the subject lands have been withdrawn or decided and any applicable appeal periods have expired; and further

That in accordance with Planning Act Section 45 (1.3 & 1.4), applications for minor variances shall be permitted for lands subject to Zoning By-law Amendment Application ZBA22/007/W/ES.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding a Zoning By-law Amendment application for the property located at 82 Wilson Avenue, 84 Wilson Avenue, and 210 Fourth Street.
- It is Planning staff's recommendation that the Zoning By-law Amendment application be approved. The proposed application represents an opportunity to provide affordable housing that is "geared to income" for seniors.
- Community engagement included:

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

- circulation of a preliminary notice to residents and property owners within 240 metres of the subject site;
- installation of a large billboard notice sign on the property;
- follow up one-on-one correspondence with members of the public who responded to the circulation or saw the billboard sign;
- notice advising of the statutory public meeting was circulated to all residents and property owners within 240 metres of the subject site, and those who responded to the preliminary circulation, and
- notice of the public meeting was published in The Record on August 19, 2022.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

Planning Staff is recommending approval of the requested Zoning By-law Amendment application to:

- Amend Zoning By-law 85-1 by adding a new Special Regulation Provision (782R) to regulate minimum required parking standards and the location of the parking area.
- Amend Zoning By-law 2019-051 by adding a new Site Specific Provision (351) to regulate minimum required parking standards and the location of the parking area.
- Facilitate the construction of a 48-unit affordable housing building.

BACKGROUND:

The City of Kitchener has received an application for a Zoning By-law Amendment from the Regional Municipality of Waterloo to redevelop an existing affordable housing site to add 32 additional affordable dwelling units.

The subject property is identified as 'Community Areas' on the City's Urban Structure (Map 2 - City of Kitchener Official Plan) and designated as 'Medium Rise Residential' (Map 3 - City of Kitchener Official Plan).

The subject property is part of a larger regionally owned affordable housing campus that includes 82 Wilson Avenue, 84 Wilson Avenue and 210 Fourth Street. In total there are currently 123 dwelling units as follows:

- 82 Wilson Avenue contains a two-storey apartment building with 16 dwelling units
- 84 Wilson Avenue contains a six-storey apartment building with 56 dwelling units
- 210 Fourth Avenue contains a two-storey apartment building with 51 dwelling units

The proposed development would leave the buildings addressed as 84 Wilson Avenue and 210 Fourth Avenue unchanged. The two-storey building addressed as 82 Wilson Avenue would be demolished and replaced with a six-storey building with 48 dwelling units.

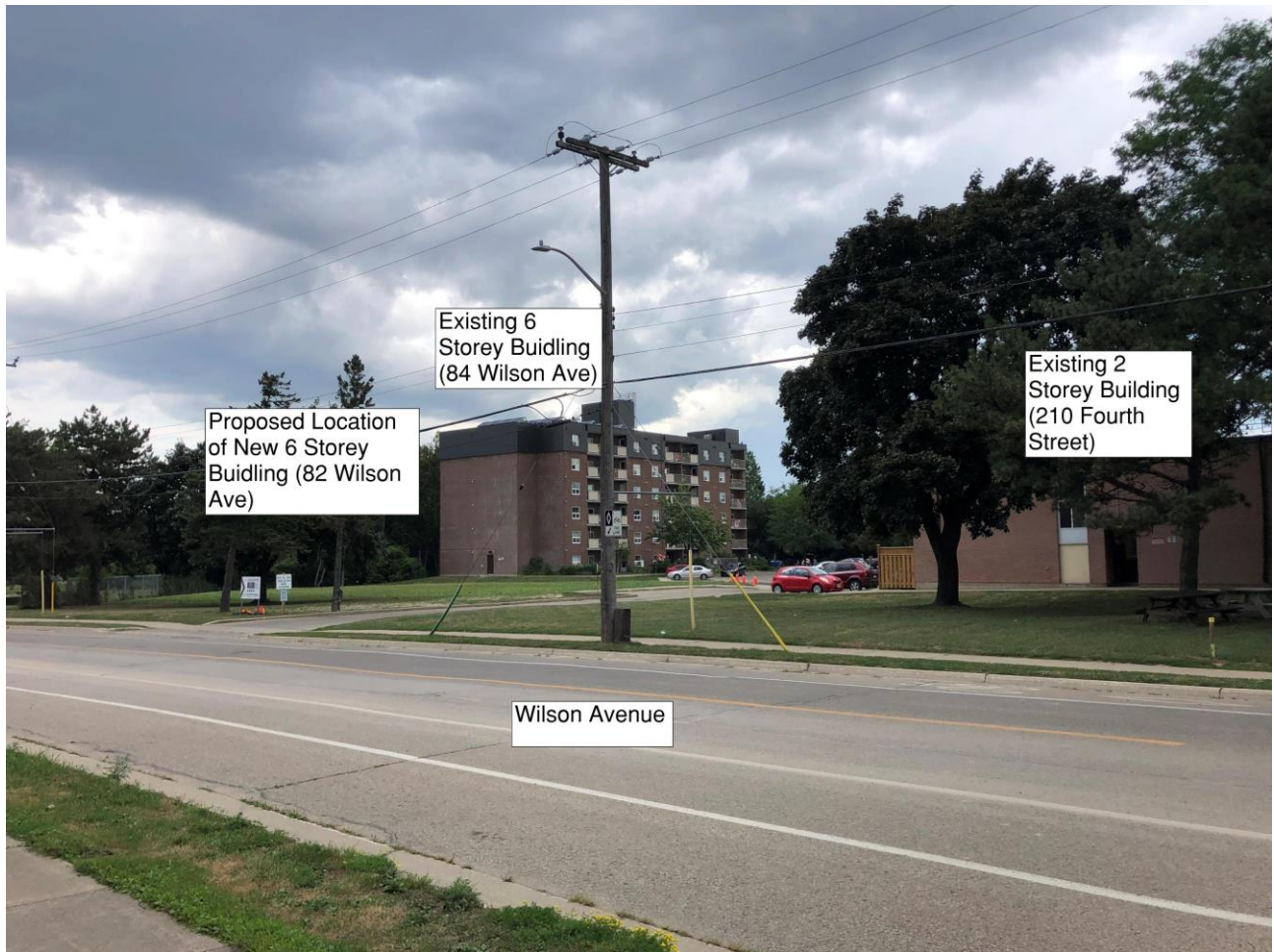


Figure 1 – Existing Affordable Housing Campus

Site Context

The subject property is located on the northwest corner of Wilson Avenue and Fourth Avenue. The lot area of the subject site is approximately 1.23 hectares. The lot frontage on Wilson Avenue is 84 metres and the frontage on Fourth Avenue is 139 metres. The lands currently contain three (3) buildings with 123 affordable dwelling units. The interior lot lines of the subject lands abut City-owned lands made up of Kingsdale Community Centre to the west, and a wooded area to the north that is part of the community centre lands.

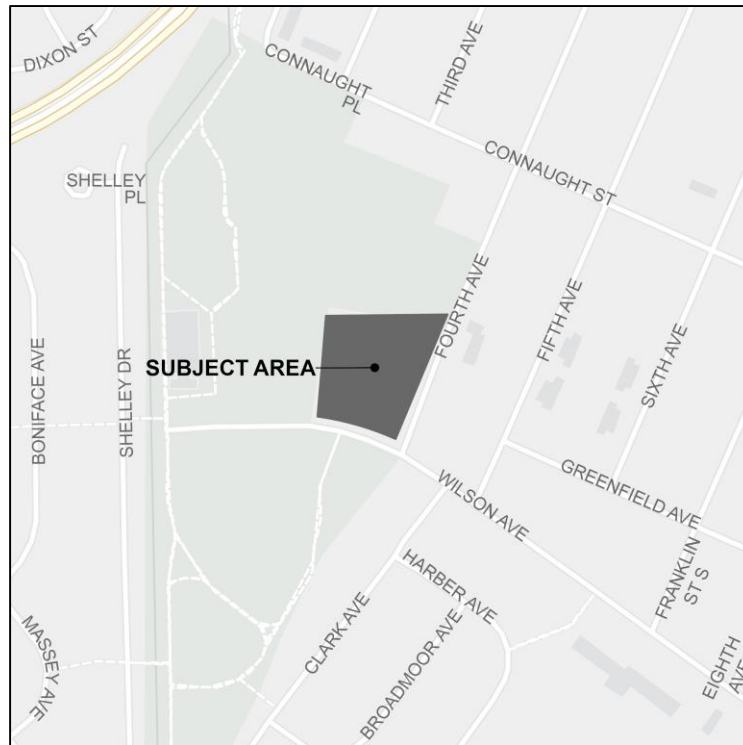


Figure 2 - Location Map: 82 Wilson Avenue, 84 Wilson Avenue, and 210 Fourth Avenue

REPORT:

The applicant has recently demolished a two-storey building addressed as 82 Wilson Avenue and proposes to replace it with a 6-storey building. The 16 dwelling units would be replaced with 48 dwelling units, for a net increase of 32 dwelling units. This would bring the overall total of the Region of Waterloo affordable housing campus to 155 dwelling units.

The ground floor of the new 6-storey building is proposed to contain office space, a commercial kitchen, bicycle storage, amenity area for residents, utility rooms, and the main lobby. A building connection with an elevator is proposed to bridge the new building with the existing 6-storey building addressed as 84 Wilson Avenue. This will provide a shared elevator for both buildings. A need was identified for this by the applicant as the existing 6-storey building at 84 Wilson contains only one elevator.

Each of the 48 new dwelling units is proposed to contain a charging station for a mobility scooter or e-bicycle. In addition, 7 additional Class A bicycle parking spaces are to be provided on the ground floor of the building.



Figure 3- Site Plan for 6-storey Building Location and Connection to 84 Wilson Avenue

To facilitate the redevelopment of the lands, a Zoning By-law Amendment is proposed. The Zoning By-law Amendment would establish a new site specific provision to create development standards for building height, a parking rate, and the location of the parking area.

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. Section 1.4.3 (d) of the PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities. The PPS sets out a policy framework for sustainable healthy, liveable and safe communities. The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of affordable and market-based residential dwelling types with other land uses, while supporting the environment, public health and safety. Provincial policies promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

Planning staff is of the opinion that the proposed application will contribute to the provision of affordable housing and allow an existing affordable housing complex to intensify. The subject lands are within an existing neighbourhood with adequate servicing capacity, road network capacity, and other required infrastructure and therefore represents a cost-effective development pattern that minimized land consumption and servicing costs.

Based on the above, staff is of the opinion that this proposal is in conformity with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan):

The Growth Plan supports the development of complete and compact communities that are designed to support healthy and active living, make efficient use of land and infrastructure, provide for a range

and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation.

Policy 2.2.6.1(a) Municipalities will support housing choice through the achievement of the minimum intensification and targets in this plan by identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents.

Policy 2.2.1.4(a) This plan will support the achievement of Complete Communities that feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services and public service facilities.

Policy 2.2.1.4(c) This plan will support the achievement of Complete Communities that 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.

The proposed development represents affordable housing, and multiple dwelling residential, which are encouraged in the above policies of the Growth Plan. The existing neighbourhood is well served by local public transit and community services, such as the adjacent Kingsdale Community Centre. Planning staff is of the opinion that the development proposal conforms to the Growth Plan.

Regional Official Plan (ROP):

Urban Area policies of the ROP identify that the focus of the Region's future growth will be within the Urban Area. The subject lands are designated Built-Up Area in the ROP. The proposed development conforms to Policy 2.D.1 of the ROP as this neighbourhood provides for the physical infrastructure and community infrastructure to support the proposed residential development, including transportation networks, municipal drinking-water supply and wastewater systems, and a broad range of social and public health services. Regional policies require the City to plan for a range of housing in terms of form, tenure, density and affordability to satisfy the various physical, social, economic and personal support needs of current and future residents. Regional staff have indicated that they have no objections to the proposed applications (Attachment 'D'). Planning staff are of the opinion that the applications conform to the Regional Official Plan.

City of Kitchener Official Plan:

Urban Structure

The subject lands are identified as a 'Community Areas' in the City's Urban Structure (Map 2). The planned function of Community Areas is to provide residential uses as well as non-residential supporting uses intended to serve the immediate residential areas. Community Areas may have limited intensification with development being sensitive and compatible with the character, form, and planned function of the surrounding context.

Land Use Designation

The subject lands are designated 'Medium Rise Residential' in the City's Official Plan (Map 3). Medium Rise Residential areas are intended to accommodate a range of medium density housing types including townhouse dwellings in a cluster development, multiple dwellings and special needs housing. The Medium Rise Residential designation states that the City will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a medium-rise built form. No buildings shall exceed 8 storeys or 25 metres in height.

The proposed zoning by-law amendment will facilitate the addition of a new multiple dwelling and special needs housing, as it is proposed to serve users that have mobility requirements and use daily support functions. The proposed building at 6 storeys and 20.9 metres will not exceed the

stated maximum heights in metres or storeys in the Official Plan. Planning staff is of the opinion that the requested zoning by-law amendment will assist in the provision of a housing form that conforms with the Medium Rise Residential land use designation in the City's Official Plan.

Transportation

The City's Official Plan contains policies to develop, support, and maintain a complete, convenient, accessible and integrated transportation system that incorporates active transportation, public transit, and accommodates vehicular traffic.

In regard to alternate modes of transportation, objectives of the Official Plan include promoting land use planning and development that is integrated and conducive to the efficient and effective operation of public transit and encourages increased ridership of the public transit system. The City shall promote and encourage walking and cycling as safe and convenient modes of transportation.

The proposed development aims to increase density on an existing site that is served well by public transit, with access to Grand River Transit Routes 7, 8 and iXpress Route 301. The site sits just outside of a Major Transit Station Area, as an Ion Station is approximately 850 metres away. Staff is of the opinion that the requested zoning by-law amendment conforms with the transportation policies of the City's Official Plan.

Housing

The City's primary objective with respect to housing in the Official Plan 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. This proposal for affordable housing for seniors represents a crucial housing need in the City and Region. The City's Official Plan encourages and supports the creation and retention of special needs housing. The proposed housing type is an important segment in Kitchener's housing continuum.

Policy 4.C.1.9. Residential intensification and/or redevelopment within existing neighbourhoods will be designed to respect existing character. A high degree of sensitivity to surrounding context is important in considering compatibility.

Policy 4.C.1.12. 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.1.22: The City will encourage the provision of a range of innovative housing types and tenures such as rental housing, freehold ownership and condominium ownership including common element condominium, phased condominium and vacant land condominium, as a means of increasing housing choice and diversity.

Policy 4.C.1.29: The City will encourage and support special needs housing to locate in close proximity to public transit, commercial uses and other compatible non-residential land uses, parks and community facilities and have convenient access to community, social and health services.

Based on the above housing policies, staff is of the opinion that the application conforms to the Official Plan.

Policy Conclusion

Planning staff are of the opinion that the proposed Zoning By-law amendment is consistent with policies of the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan and the City of Kitchener Official Plan, and represents good planning.

Proposed Zoning By-law Amendment:

The subject lands are currently zoned in both Zoning By-law 85-1 and Zoning By-law 2019-051 (currently under appeal). Amendments to both By-laws are necessary as part of this Zoning By-law Amendment application and are described separately below.

Zoning By-law 85-1:

The subject lands are currently zoned 'Residential Six Zone (R-6)' in Zoning By-law 85-1.

The applicant has requested to add Special Regulation Provision 782R to Zoning By-law 85-1.

The proposed special regulation provision would establish development standards related to building height, front yard setback, the required parking, and the location of parking.

- a) *The maximum building height shall be 25 metres*
- b) *The minimum front yard setback shall be 10 metres*
- c) *The maximum front yard setback shall be 15 metres*
- d) *The minimum required parking for a multiple dwelling shall be 0.5 parking spaces per dwelling unit*
- e) *Required off-street parking may be located in the front yard or side lot abutting a street and between the façade and the front lot line or side lot line abutting a street. In no case shall any parking be located within 3 metres of the street line.*

Zoning By-law 2019-051:

The subject lands are split-zoned 'Medium Rise Residential Six Zone (RES-6)' and 'Natural Heritage Conservation' in Zoning By-law 2019-051, which is currently under appeal. A small portion of the northwest corner of 84 Wilson Avenue is zoned 'Natural Heritage Conservation Zone (NHC-1)'. This portion is to remain untouched and is not within the proposed development area.

The applicant has requested to add Site Specific Provision (351) to Zoning By-law 2019-051.

The proposed provision would establish development standards related to the required parking and the location of parking.

- a) *The minimum required parking for a multiple dwelling shall be 0.5 parking spaces per dwelling unit; and*
- b) *Parking spaces may be located within the front yard or exterior side yard. In no case shall any parking spaces be located within 3 metres of the front lot line, exterior side lot line, or street line*

Staff offer the following comments with respect to the requested special regulation provision and site specific provision.

Maximum building height

A site specific provision for maximum building height is required only for Zoning By-law 85-1. The current 'R-6' zoning under By-law 85-1 permits a maximum building height of 10.5 metres. In the opinion of Planning staff, the regulation in that zone category is outdated as it is based on the 1994 Official Plan which is no longer in effect on the subject lands. The land use designation in the 2014 Official Plan is 'Medium Rise Residential', and the zoning has been implemented as 'RES-6' in Zoning By-law 2019-051 (currently under appeal). The 'RES-6' zoning permits a building height of 25 metres. This building height is more indicative of a medium-rise residential housing form.

Front Yard Setback

A site specific provision for front yard setback is required only for Zoning By-law 85-1. The Residential Intensification in Established Neighbourhoods (RIENS) by-law applies to multiple dwellings in Zoning By-law 85-1, but not in Zoning By-law 2019-051. The RIENS by-law intends to preserve established street lines in neighbourhoods in which contain consistent front yard setbacks. The street line on Wilson Avenue is not representative of a consistent, established street line. Rather, the site abuts Fourth Ave to the east and the Kingsdale Community Centre lands to the west. Wilson Ave reaches its terminus shortly after. Planning staff is of the opinion that applying the RIENS by-law for minimum/maximum setback is not appropriate in this circumstance and support the proposed building location at approximately 13 metres. Detailed review of elevation drawings during the subsequent site plan stage will ensure an adequate level of urban design regarding the building's street presence on Wilson Avenue.

Required Parking

Parking demand for affordable housing tends to be significantly lower than demand for market housing. The applicant has prepared a Parking Review and Justification Report (Salvini Consulting, 2021) that included on-site parking demand surveys to understand the existing demand for parking on the site. The surveyed maximum parking demand represented a rate of 0.2 parking spaces per dwelling unit.

The existing site contains 78 parking spaces. It is proposed to contain 98 parking spaces in total after development of the proposed 6-storey building. The applicant is requesting a parking rate of 0.5 parking spaces per residential unit. Planning and Transportation Staff have reviewed the Parking Review and Justification Study and are supportive of the requested parking rate for the overall affordable housing campus.

Parking Area Location

The applicant is proposing to establish a new parking layout and paving between 82 Wilson Avenue and 210 Fourth Avenue. Other existing parking at the north of the site is to remain. Part of the new parking area, mostly containing visitor parking, is proposed to be located closer to Wilson Avenue and Fourth Avenue than the proposed building. Due to the layout of buildings on a corner site, portions of the proposed parking area are within the front and exterior side yards.

Enhanced landscaping design through the site plan process can help to screen the parking area from the street line.

Department and Agency Comments:

Preliminary circulation of the Zoning By-law Amendment was undertaken on April 13, 2022 to applicable City departments and other review authorities. No major concerns were identified by any commenting City department or agency. Copies of the comments are found in Attachment "D" of this report.

The following reports and studies were considered as part of this proposed Zoning By-law Amendment:

- Planning Justification Report
Prepared by GSP Group, December 2021
- Urban Design Brief
Prepared by GSP Group with LGA Architectural Partners, November 2021
- Parking Review and Justification Report
Prepared by Salvini Consulting, November 25, 2021

- Functional Servicing and Stormwater Management Report
Prepared by MGM Consulting Inc, November 15, 2021
- Site Concept Plan
Prepared by LGA Architectural Partners, November 22, 2021
- Sustainability Statement
Prepared by GSP Group, November 23, 2021
- Hydrogeologic Study
Prepared by Salas O'Brien, March 31, 2022
- Environmental Impact Study
Prepared by NSRI Inc, November 17, 2021

Community Input and Staff Response:

Staff received written responses from 5 residents with respect to the proposed development. These can be found in Attachment 'E'. 3 of the 5 responses were from residents seeking a unit in the proposed development.

Planning Conclusions:

In considering the foregoing, staff are supportive of the Zoning By-law amendment. Staff is of the opinion that the subject applications are consistent with policies of the Provincial Policy Statement (2020), conform to Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan and represent good planning. Staff recommends that the application be approved.

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:

There are no financial implications associated with this recommendation.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the Council / Committee meeting. A large billboard notice sign was posted on the property and information regarding the application was posted to the City's website. 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 Notice of the Public Meeting was posted in the Waterloo Region Record on August 19, 2022 (a copy of the Notice may be found in Attachment 'C').

CONSULT – The proposed Zoning By-law Amendment was originally circulated to property owners within 240 metres of the subject lands on April 13, 2022. In response to this circulation, staff received written responses from 5 residents, which are included in Attachment 'E'.

PREVIOUS REPORTS/AUTHORITIES:

- Zoning By-law 85-1
- Zoning By-law 2019-051
- Official Plan, 2014

- Regional Official Plan, 2010
- Provincial Policy Statement, 2020
- Planning Act, 1990
- A Place to Grow Growth Plan, 2020

APPROVED BY: Justin Readman - General Manager, Development Services

ATTACHMENTS:

- Attachment A – Proposed Zoning By-law Amendment to Zoning By-law 85-1
- Attachment B – Proposed Zoning By-law Amendment to Zoning By-law 2019-051
- Attachment C – Newspaper Notice
- Attachment D – Department and Agency Comments
- Attachment E – Neighbourhood Comments
- Attachment F – Concept Plan