

Staff Report



Development Services Department

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REPORT TO: Committee of Adjustment

DATE OF MEETING: November 15, 2022

SUBMITTED BY: Tina Malone-Wright, Interim Manager, Development Review
519-741-2200 ext. 7765

PREPARED BY: Craig Dumart, Senior Planner, 519-741-2200 ext. 7073
Julian Lee, Student Planner, 519-741-2200 ext. 7078

WARD(S) INVOLVED: Ward 7

DATE OF REPORT: November 4, 2022

REPORT NO.: DSD-2022-468

SUBJECT: Minor Variance Application A2022-131 - 1388 Highland Road West

RECOMMENDATION:

Zoning By-law 85-1

- A. That Minor Variance Application A2022-131 for 1388 Highland Road West requesting relief from Section 6.2.1 a) and 6.2.1 b) iv) of Zoning By-law 85-1 to permit a parking requirement of 0.68 spaces per dwelling unit, inclusive of visitor parking, instead of the minimum required 1.5 parking spaces per dwelling unit and minimum of 20% of the required parking to be visitor parking, to facilitate the development of the property with a 10-storey multiple residential building, having 151 dwelling units, BE APPROVED.

Zoning By-law 2019-051

- B. That Minor Variance Application A2022-131 for 1388 Highland Road West requesting relief from Section 5.6, Table 5-5 of Zoning By-law 2019-051, to permit a parking requirement of 0.68 parking spaces per dwelling unit, inclusive of visitor parking, instead of the minimum required 1 parking space per dwelling unit and 0.1 visitor parking spaces per dwelling unit, to facilitate the development of the property with a 10-storey multiple residential building, having 151 dwelling units, BE APPROVED subject to the following:

This minor variance shall become effective only at such time as Zoning By-law 2022-040 comes into force, pursuant to section 34 (30) of the Planning Act, R.S.O. 1990, c. P 13, as amended, at such time the variance shall be deemed to have come into force as of the final date of this decision.

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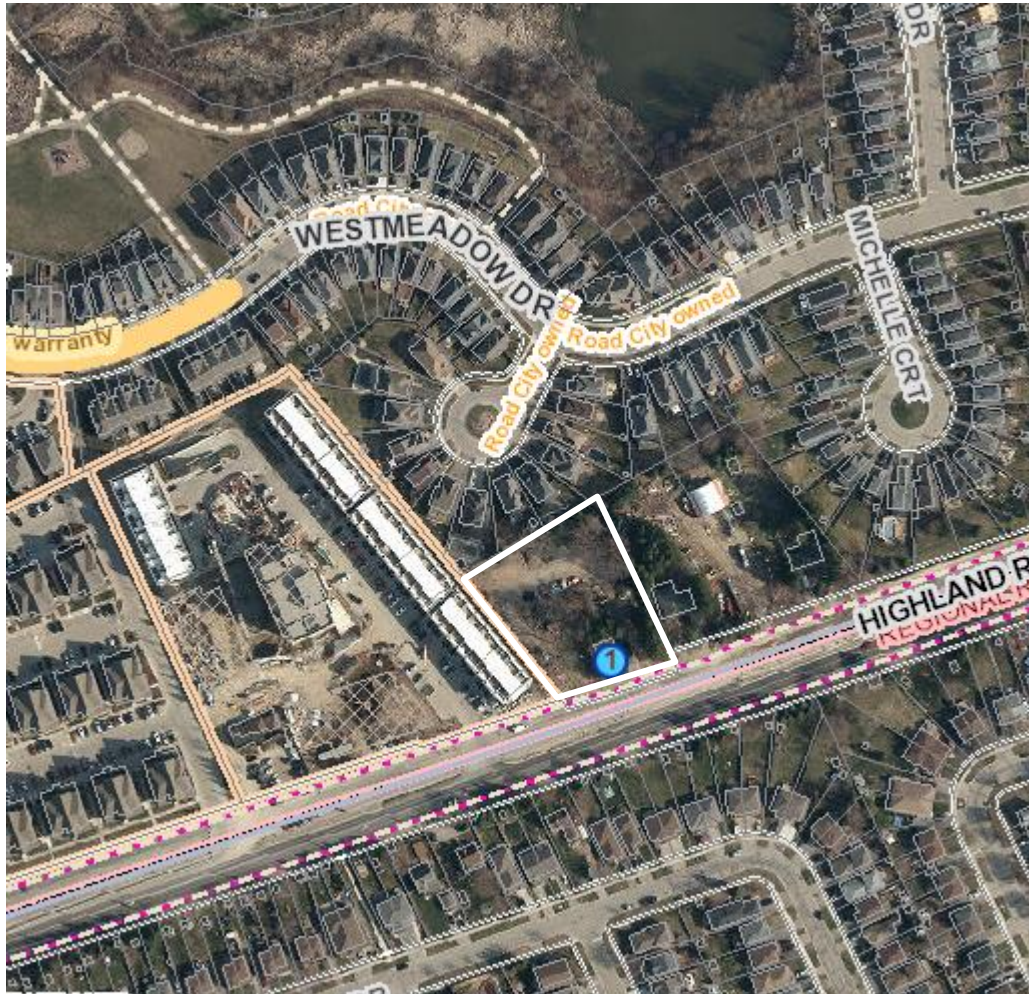
REPORT HIGHLIGHTS:

- The purpose of this report is review minor variances requesting relief from the minimum parking requirements of Zoning By-laws 85-1 and 2019-051 to facilitate the development of the property with a 10 storey multiple residential building.

- The key finding of this report is that the requested variances meet the four tests of the Planning Act.
- There are no financial implications.
- This report supports the delivery of core services.

BACKGROUND:

The subject property is located on the northerly side of Highland Road West, between Ira Needles Boulevard and Westforest Trail. The subject property is located within the Highland West neighbourhood, which is comprised of a mix of low and mid-rise residential, commercial, and institutional uses.



Location Map – 1388 Highland Road West

The subject property is identified as 'Community Areas' on Map 2 – Urban Structure and is designated 'High Rise Residential' on Map 3 – Land Use in the City's 2014 Official Plan.

The property is zoned 'Residential Nine Zone (R-9), 7HSR' in Zoning By-law 85-1, and 'High Rise Residential Seven Zone (RES-7) (339), (35H), (27H)' in Zoning By-law 2019-051, which is currently under appeal.



Photo of subject property

The applicant is requesting relief from Section 6.2.1 b) iv) of Zoning By-law 85-1 to permit a parking requirement of 0.68 spaces per dwelling unit, inclusive of visitor parking, instead of the minimum required 1.5 parking spaces per dwelling unit and minimum of 20% of the required parking to be visitor parking, and from Section 5.6, Table 5-5 of Zoning By-law 2019-051, to permit a parking requirement of 0.68 parking spaces per dwelling unit, inclusive of visitor parking, instead of the minimum required 1 parking space per dwelling unit and 0.1 visitor parking spaces per dwelling unit, to facilitate the development of the property with a 10 storey multiple residential building.

The development is intended to have 151 dwelling units, 40% of which are proposed to be affordable housing units. The applicant notes that the submitted site plan is 'Conceptual Only', prepared by ABA Architects Inc., for the Region of Waterloo, to show how the site could be development for multiple residential use.

Staff conducted a site visit on November 3, 2022.

REPORT:

Planning Comments:

In considering the four tests for the minor variances as outlined in Section 45(1) of the Planning Act, R.S.O, 1990 Chap. P 13, as amended, Planning staff offers the following comments:

General Intent of the Official Plan

The subject property is designated 'Community Areas' on Map 2 – Urban Structure and 'High Rise Residential' on Map 3 – Land Use in the City's 2014 Official Plan. The intent of this designation is to accommodate high density multiple dwellings to achieve a high intensity of residential use.

Policy 13.C.8.2 in the City's Official Plan states that the City may consider adjustments to parking requirements for properties within an area or areas, where the City is satisfied that adequate alternative parking facilities are available, where developments adopt transportation demand management (TDM) measures or where sufficient transit exists or is to be provided.

The applicant has provided a study provided by Paradigm Solutions Ltd. which supports the reduced parking requirement.

The requested minor variances, are supported by the Paradigm Solutions Ltd. Study and will facilitate the development of a high rise residential use consistent with the land use designation of the subject property, therefore meeting the intent of the Official Plan.

General Intent of the Zoning By-law

The intent of a minimum parking and visitor parking requirement is to ensure that the development is able to provide an appropriate number of parking spaces for both residents and visitors to the site. Residents are becoming increasingly less car-dependant and reducing the number of required spaces will allow more units and amenity space to be provided on site. Staff note that the proposed development provides an adequate number of Class A and B bicycle parking spaces and will have direct access to the new multi-use trail along Highland Road West. Staff are of the opinion that the requested minor variances meet the intent of the Zoning By-law.

Is/Are the Effects of the Variance(s) Minor?

The effects of the requested minor variances are minor in nature. As stated in the site statistics submitted with the minor variance application, 82 Class A and B bicycle parking spaces will be provided on site. Staff also note that the subject property is serviced by GRT bus route 204 at the intersection of Westforest Trail and Highland Road West, which connects to the Boardwalk, Downtown Kitchener, and a number of amenities and services along the route. The reduced number of resident and visitor parking spaces will not impact the functioning of the subject or adjacent properties.

Is/Are the Variance(s) Desirable For The Appropriate Development or Use of the Land, Building and/or Structure?

The requested minor variances are desirable for the appropriate development and use of the land as they will facilitate the development of a 10-storey, 151-unit high rise multiple dwelling consistent with the land use designation and compatible with the built form and scale of the surrounding neighbourhood. With 40% of the 151 units proposed to be affordable housing units, the development will further contribute to affordable intensification in this higher density residential neighbourhood.

Environmental Planning Comments:

No natural heritage or tree management concerns.

Heritage Planning Comments:

The subject property was reviewed for the Heritage Kitchener Inventory in 2014 and determined to have no cultural heritage value or interest. There are no heritage concerns.

Building Division Comments:

The Building Division has no objections to the proposed variance.

Engineering Division Comments:

Engineering has no comment.

Parks/Operations Division Comments:

No comments.

Transportation Planning Comments:

Transportation Services can support the proposed parking rates for the proposed affordable and market rate housing development based on the study provided by Paradigm Solutions Ltd.

Region of Waterloo Comments:

No comments.

GRCA Comments:

No comments.

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:

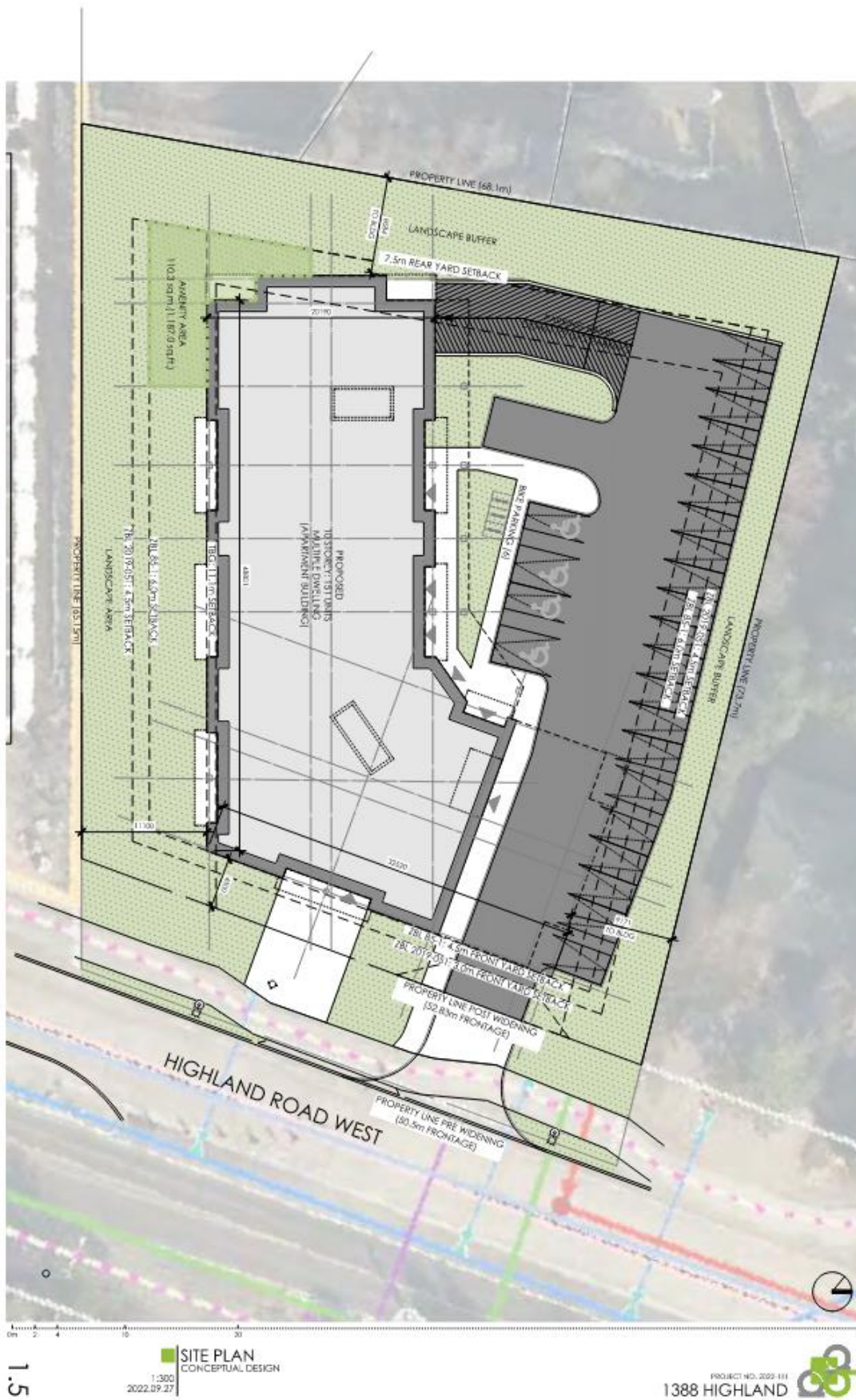
INFORM – This report has been posted to the City's website with the agenda in advance of the Committee of Adjustment meeting. A notice sign was placed on the property advising that a Committee of Adjustment application has been received. The sign advises interested parties to find additional information on the City's website or by emailing the Planning Division. A notice of the application was mailed to all property owners within 30 metres of the subject property.

PREVIOUS REPORTS/AUTHORITIES:

- *Planning Act*
- *Provincial Policy Statement (PPS 2014)*
- *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-laws 85-1 and 2019-051*

ATTACHMENTS:

Attachment A – Conceptual Site Plan



Conceptual Site Plan