

AMENDMENT NO. __ TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER

CITY OF KITCHENER
4220 King Street East and 25 Sporstworld Crossing Road

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SECTION 1 – TITLE AND COMPONENTS

This amendment shall be referred to as Amendment No. xx to the Official Plan of the City of Kitchener (2014). This amendment is comprised of Sections 1 to 4 inclusive.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of the Official Plan Amendment is to amend:

- Map 3 -Land Use by redesignating lands from 'Commercial' (4220 King Street East) and 'Commercial Campus' (25 Sportsworld Crossing Road) to 'Mixed Use'

SECTION 3 – BASIS OF THE AMENDMENT

Planning Analysis:

Planning Act, R.S.O. 1990, c. P.13 25.

Section 2 of the Planning Act establishes matters of provincial interest and states that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) The minimization of waste;
- h) The orderly development of safe and healthy communities;
- j) The adequate provision of a full range of housing, including affordable housing;
- k) The adequate provision of employment opportunities;
- p) The appropriate location of growth and development;
- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- r) The promotion of built form that,
 - (i) Is well-designed,
 - (ii) Encourages a sense of place, and
 - (iii) Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

These matters of provincial interest are addressed and are implemented through the Provincial Policy Statement, as it directs how and where development is to occur. The City's Official Plan is the most important vehicle for the implementation of the Provincial Policy Statement, and to ensure Provincial policy is adhered to.

Provincial Policy Statement, 2020:

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Section 1.4.3(b) of the PPS promotes all types of residential intensification, and sets out a policy framework for sustainable, healthy, liveable and safe communities. The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of affordable and market-based residential dwelling types with other land uses, while supporting the environment, public health and safety. Provincial policies promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development

patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

To support provincial policies relating to the optimization of infrastructure, transit and active transportation, the proposed designation and zoning facilitate a compact form of development which efficiently uses the lands, is in close proximity to transit options including bus, rapid transit, and makes efficient use of both existing roads and active transportation networks. The lands are serviced and are in proximity to parks, trails and other community uses. Provincial policies are in support of providing a broad range of housing. The proposed mixed use development represents an attainable form of market-based housing.

Planning staff is of the opinion that the proposed application will facilitate the intensification of the subject property with a high intensity mixed-use development that is compatible with the surrounding community, helps manage growth, will contribute towards a complete community, is transit supportive and will make use of the existing infrastructure. No new public roads would be required for the proposed development and Engineering staff have confirmed there is capacity in the sanitary sewer to permit intensification on the subject lands.

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

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

The Growth Plan supports the development of complete and compact communities that are designed to support healthy and active living, make efficient use of land and infrastructure, provide for a range and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation. Policies of the Growth Plan promote growth within strategic growth areas including major transit station areas, in order to provide a focus for investments in transit and other types of infrastructure.

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

Policies 2.2.1.4 states that complete communities will:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;
- f) mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and

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

The Growth Plan supports planning for a range and mix of housing options and, in particular, higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities.

Policy 2.2.4 requires that planning be prioritized for MTSA's on priority transit corridors, including zoning in a manner that implements the policies of the Growth Plan. MTSA's on priority transit corridors will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit. The Region of Waterloo's ION is a form of light rail transit and the ION stations are Major Transit Station Areas (MTSA's) that are required to achieve the minimum density target of 160 residents and jobs combined per hectare.

The subject lands are located within the City's delineated built up area, and within a Major Transit Station Area. The lands are identified as a MTSA in the 2014 Kitchener Official Plan. In the City's Official Plan on Map 2 – Urban Structure the lands appear within the MTSA boundary for the Sportsworld station. The Region of Waterloo commenced the Regional Official Plan Review project and as part of that work, revised MTSA boundaries were approved in August 2022 and these lands are within the Sportsworld Station MTSA as the planned station stop for the Sportsworld LRT station stop is located directly in front of the subject lands at 25 Sportsworld Crossing Road. The proposed development represents intensification and will help the City achieve density targets in the MTSA. The proposed designation and zoning will support a higher density housing option that will help make efficient use of existing infrastructure, parks, roads, trails and transit. Planning staff is of the opinion that the applications conform to the Growth Plan.

Regional Official Plan (ROP):

Urban Area policies of the ROP identify that the focus of the Region's future growth will be within the Urban 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 Area Municipalities to plan for a range of housing in terms of form, tenure, density and affordability to satisfy the various physical, social, economic and personal support needs of current and future residents.

The subject lands are within the Major Transit Station Area (MTSA) boundary that was approved in August 2022. The Region of Waterloo have indicated they have no objections to the proposed application or to higher density within the MTSA area. (Appendix 'D'). Planning staff are of the opinion that the applications conform to the Regional Official Plan.

City of Kitchener Official Plan (OP)

The City of Kitchener OP provides the long-term land use vision for Kitchener. The vision is further articulated and implemented through the guiding principles, goals, objectives, and policies which are set out in the Plan. The Vision and Goals of the OP strive to build an innovative, vibrant, attractive, safe, complete and healthy community.

The subject lands are designated 'Commercial' (4220 King Street East) and 'Commercial Campus' (25 Sportsworld Crossing Road) in the City of Kitchener Official Plan. Lands designated as Commercial provide for a range of commercial activities and are intended to ensure that

commercial activities are well distributed, accessible and able to respond to the needs of the city's residents, employees, businesses and visitors while lands designated as Commercial Campuses are intended to serve the day-to-day and weekly commercial needs of the surrounding community and developed as comprehensively planned commercial uses functioning as a unit and consisting of individual buildings or multi-unit building groupings.

The applicant is proposing to change the land use designation to 'Mixed Use' to the subject lands. The Mixed Use land use designation plays an important role in achieving the planned function of the MTSA intensification area. Lands designated Mixed Use have the capacity to accommodate additional density and intensification of uses. Development and redevelopment of lands within lands designated Mixed Use must implement a high standard of urban design. The Floor Space Ratio (FSR) requirements for all new residential or mixed use building development or redevelopment within lands designated Mixed Use will be a minimum Floor Space Ratio of 0.6 and a maximum Floor Space Ratio of 4.0 within a Major Transit Station Area.

Policy 17.E.13.1. of the City of Kitchener Official Plan require that holding provisions will be applied in situations where it is necessary or desirable to zone lands for development or redevelopment in advance of the fulfillment of specific requirements and conditions, and where the details of the development or redevelopment have not yet been fully resolved. A Holding provision may be used in order to implement this Plan to ensure that certain conditions, studies or requirements related to a proposed Zoning By-law Amendment are met.

Urban Structure

The Official Plan establishes an Urban Structure for the City of Kitchener and provides policies for directing growth and development within this structure. Intensification Areas are targeted throughout the Built-up Area as key locations to accommodate and receive the majority of development or redevelopment for a variety of land uses. Primary Intensification Areas include the Urban Growth Centre, Major Transit Station Areas, Nodes and Corridors, in this hierarchy, according to Section 3.C.2.3 of the Official Plan. The subject lands are located within a Major Transit Station Area. The planned function of the Major Transit Station Areas is to provide densities that will support transit, and achieve a mix of residential, office, institutional and commercial uses. They are also intended to have streetscapes and a built form that is pedestrian-friendly and transit-oriented.

Policies also require that development applications in Major Transit Station Areas give consideration to the Transit-Oriented Development policies contained in Section 13.C.3.12 of the Official Plan. Generally, the Transit-Oriented Development policies support a compact urban form, that supports walking, cycling and the use of transit, by providing a mix of land uses in close proximity to transit stops, to support higher frequency transit service and optimize transit rider convenience. These policies also support developments which foster walkability by creating safe and comfortable pedestrian environments and a high-quality public realm. Staff is of the opinion that the proposed development will help to increase density in an area well served by nearby transit and future rapid transit while being context sensitive to surrounding lands and provides excellent access to off-road pedestrian and cycling facilities.

The proposed development is located in a prime location for high intensity mixed use development. The subject lands are located directly in front of the future Sportsworld LRT station stop. Low rise neighbourhoods are located far away, they will not be directly impacted by this development and those low rise neighbourhoods will not be intensification areas. The proposed development introduces a new form of housing to the surrounding area with a mix of unit types. The existing surrounding area is dominated by housing that is owner-occupied low rise ground

oriented dwellings in the form of single detached, semi detached and townhouse units. Housing diversity is needed to provide a greater housing choice, and meet the needs of increasingly diverse residents and household types such as young families, professionals, retirees, people with disabilities, all with a various range of income. Diverse housing types for this area of the City of Kitchener will be planned through future MTSA planning work. This application is in advance of that work and can be considered based on urban structure and future planned function of the community. As such, staff is of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment will support a development that not only complies with the City's policies for a Major Transit Station Area but also contributes to the vision for a sustainable and more environmentally-friendly city.

Urban Design Policies:

The City's urban design policies are outlined in Section 11 of the City's OP. In the opinion of staff, the proposed development meets the intent of these policies, specifically: Streetscape; Safety; Universal Design; Site Design; Building Design, and Massing and Scale Design. To address these policies, an Urban Design Brief and Design Report was submitted and has been reviewed by City staff. The Urban Design Brief outlines the vision and principles guiding the site design and informs the proposed zoning by-law regulations.

Streetscape – All Street frontages are activated by at-grade commercial units, with a combined 3,651 square metres of commercial space proposed along the King Street East, Sportsworld Crossing Road and the private road. Furthermore, both buildings' principal entrances and lobbies are located at grade with direct access to public sidewalks. The three towers include podiums that have defined bases which will enhance the streetscape.

Safety – As part of the site plan approval process, staff will ensure Crime Prevention Through Environmental Design (CPTED) principles are achieved and that the site meets the Ontario Building Code and the City's Emergency Services Policy.

Universal Design – The development will be designed to comply with Accessibility for Ontarians with Disabilities Act and the Ontario Building Code.

Skyline – The proposed buildings will provide a new feature on the City's skyline. The proposed buildings will create visual interest from several different vantage points.

Site Design, Building Design, Massing and Scale – The subject site is designed to have a development that will be developed at a scale that is compatible with the existing and planned built form for the surrounding neighbourhood. The three towers have well defined podiums and building step backs which helps enhance the public realm.

Tower Design

All three proposed towers are classified as a slab towers. All three of the towers have been oriented towards street frontages with 2-3 storey podiums and building setbacks. All three of the towers massing is broken up vertically by variation and the articulation of building materials. Furthermore, balconies for the residential units are included on the street-facing elevations.

Shadow Impact Study

The owner has completed a Shadow Impact Study in addition to the Urban Design Report. Staff have reviewed the study and are satisfied the shadow study meets the City's requirements, with respect to shadow impacts, as noted in the City of Kitchener Urban Design Manual.

Wind Study

A wind study was prepared for the consideration of this development proposal and reviewed by staff. The wind conditions surrounding the proposed development are generally suitable. The only exception is the entrance at the southwest corner of Tower C (4220 King Street East) where higher wind speeds and conditions are anticipated during the winter. Wind control features will be required through the detailed design stage during the site plan application process.

Tall Building Guidelines

The proposed development has also been reviewed for compliance with the City's Design for Tall Buildings Guidelines. The objective of this document is to:

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

The proposed development concept has been reviewed with these objectives in mind. City staff has confirmed that the proposed towers are generally consistent with and meet the overall intent of the City's Design for Tall Building Guidelines. More specifically, the proposed development meets the onsite and offsite separation distance requirements of the Design for Tall Building Guidelines.

Transportation Policies:

The Official Plan supports an integrated transportation system which incorporates active transportation, allows for the movement of people and goods and promotes a vibrant, healthy community using land use designations and urban design initiatives that make a wide range of transportation choices viable. The subject lands are located within the planned MTSA for the Sportsworld LRT station stop which is located directly in front of the subject lands at 25 Sportsworld Crossing Road. The proposed development also has excellent access to planned on and off-street cycling facilities. The location of the subject lands, in the context of the City's integrated transportation system, supports the proposal for transit-oriented development on the subject lands.

Policy 3.C.2.22 states that until such time as Station Area Plans are completed, any development application submitted within a Major Transit Station Area will be reviewed generally in accordance with the Transit-Oriented Development Policies included in Section 13.C.3.12

The proposed Official Plan Amendment and Zoning By-law Amendment applications support a more compact residential development. The location of the proposed buildings, secured through the proposed site-specific provisions, will result in a compatible built form that fosters walkability within a pedestrian-friendly environment that allows walking to be safe, comfortable, barrier-free and a convenient form of urban travel.

At future site plan approval processes, the design of the buildings will have to feature a high quality public realm to enhance the identity of the area and create gathering points for social interaction, community events and other activities. Additionally, secured and visitor bicycle parking is required as part of the Zoning By-law.

Housing Policies:

Section 4.1.1 of the City's Official Plan contains policies with the primary objective to provide for an appropriate range, variety and mix of housing types and styles, densities, tenure and affordability to satisfy the varying housing needs of our community through all stages of life. The proposed development increases the range of dwelling units available in the city. The development is contemplated to include a range of unit types including, one and two bedroom units. The wide range of units, in this location, will appeal to a variety of household needs.

Sustainable Development

Section 7.C.4.1 of the City's Official Plan ensures developments will increasingly be sustainable by encouraging, supporting and, where appropriate, requiring:

- a) compact development and efficient built form;
- b) environmentally responsible design (from community design to building design) and construction practices;
- c) the integration, protection and enhancement of natural features and landscapes into building and site design;
- d) the reduction of resource consumption associated with development; and,
- e) transit-supportive development and redevelopment and the greater use of other active modes of transportation such as cycling and walking.

Development applications are required to demonstrate that the proposal meets the sustainable development policies of the Plan and that sustainable development design standards are achieved.

Sustainable development initiatives will be further explored at the site planning stage.

Proposed Official Plan Amendment Conclusions

The Official Plan Amendment application requests that the land use designation as shown on Map 3 of the 2014 Official Plan be changed from 'Commercial' (4220 King Street East) and 'Commercial Campus' (25 Sportsworld Crossing Road) to 'Mixed Use'. Based on the above-noted policies and planning analysis, staff is of the opinion that the proposed Official Plan Amendment represents good planning and recommends that the proposed Official Plan Amendment be approved.

SECTION 4 – THE AMENDMENT

The City of Kitchener Official Plan (2014) is hereby amended as follows:

- a) Amend Map No. 3 – Land Use by:
 - i) Designating the lands municipally addressed as 4220 King Street East and 25 Sportsworld Crossing Road 'Mixed Use' instead of 'Commercial' (4220 King Street East and 'Commercial Campus' (25 Sportsworld Crossing), as shown on the attached Schedule 'A'.

NOTICE OF PUBLIC MEETING for a development in your neighbourhood 4220 King St. E. & 25 Sportsworld Crossing Rd.



Have Your Voice Heard!

Date: **December 12, 2022**
Time: **3:00 p.m.**
Location: **Council Chambers,
Kitchener City Hall
200 King Street West
or Virtual Zoom Meeting**



Concept Drawing

To view the staff report, agenda, meeting details, start time of this item or to appear as a delegation, visit:

kitchener.ca/meetings

To learn more about this project, including information on your appeal rights, visit:

**[www.kitchener.ca/
PlanningApplications](http://www.kitchener.ca/PlanningApplications)**

or contact:

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Mixed Use



3 Buildings,
14 to 18
Storeys



520 Residential
Units

Official Plan Amendment and Zoning By-law Amendment applications will be considered to facilitate a mixed-use development with three buildings 14, 15 and 18-storeys in height providing 520 residential dwelling units, with a Floor Space Ratio (FSR) of 4.0, a decreased podium height and decreased ground floor façade along a street line.

APPENDIX 2: Minutes of the Planning & Strategic Initiatives Committee Meeting (December 12, 2022)

APPENDIX 3 - Minutes of the Meeting of City Council (December 26, 2022)