

Staff Report



Development Services Department

www.kitchener.ca

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: February 13, 2023

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

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

WARD(S) INVOLVED: Ward 2

DATE OF REPORT: January 10, 2023

REPORT NO.: DSD-2023-051

SUBJECT: 142-146 Fergus Avenue
Official Plan Amendment Application OPA22/02/F/BB
Zoning By-law Amendment Application ZBA22/02/F/BB
2467491 Ontario Inc.

RECOMMENDATION:

- A. That Official Plan Amendment Application OPA22/02/F/BB for 2467491 Ontario Inc. requesting a change to the Land Use Designation on the parcel of land specified and illustrated on Schedule 'A', be adopted, in the form shown in the Official Plan Amendment as Appendix "A" to Report DSD-2023-051, and be forwarded to the Region of Waterloo for approval; and,
- B. That Zoning By-law Amendment Application ZBA22/02/F/BB for 2467491 Ontario Inc. be approved in the form shown in the "Proposed By-law" and "Map No. 1" attached as Appendix "B" to Report DSD-2023-051; and further,
- C. That the Urban Design Brief prepared by GSP Group Inc. and attached as Appendix "C" to report DSD-2023-051 be adopted, and that staff be directed to apply the Urban Design through the Site Plan Approval process.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding Official Plan Amendment and Zoning By-law Amendment applications for the subject lands municipally addressed as 142 to 146 Fergus Avenue. It is Planning staff's recommendation that the applications be approved.
- The proposed applications support the development of mid-rise purpose-built rental housing.
- The proposed applications support the acquisition of privately-owned land for the development additional City-owned parkland.
- Community engagement included:
 - circulation of a notice postcard to residents and property owners within 240 metres of the subject properties;
 - installation of billboard notice sign on the properties;
 - a City-led Neighbourhood Meeting held on May 25, 2022;
 - ongoing discussions with interested members of the public;

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

- a third postcard notice of the statutory public meeting was circulated to all residents and property owners within 240 metres of the subject properties, as well as to those who responded to the preliminary circulation; and,
- notice of the public meeting was given in The Record on January 20, 2023.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

2467491 Ontario Inc. is seeking Official Plan and Zoning By-law Amendments to build a 7-storey multiple dwelling (purpose-built rental) containing 78 residential units and 89 parking spaces. Planning staff is recommending that the applications be approved.

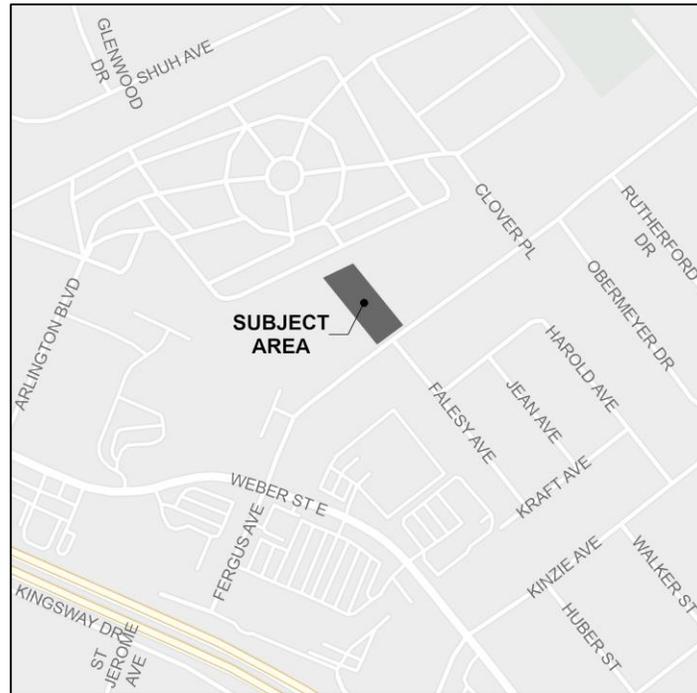


Figure 1 – Location Map for 142-146 Fergus Avenue

REPORT:

The subject lands are located on Fergus Avenue (see Figure 1 and Figure 2 below) in the Stanley Park Community and are comprised of two separate properties which are proposed to be consolidated for the purpose of redevelopment. Municipally, the site is known as 142-146 Fergus Avenue and has a legal description of Lots 54 and 55, Registered Plan 690 City of Kitchener. The site is rectangular in shape with 38.76 metres of frontage on Fergus Avenue and an overall area of 0.3 hectares (0.8 acres).

The site is currently occupied by two detached dwellings and one detached garage that is accessed by existing driveways to Fergus Avenue. One of these properties is currently occupied by a tenant while the other is used by the developer as his personal home office.



Figure 3 - Street View of 142 -146 Fergus Avenue (Google streetview)

The topography is generally flat with a downward slope towards the eastern portion of the site from Fergus Avenue. A few mature trees surround the existing dwellings.



Figure 2 - Parcel Fabric: 142 -146 Fergus Ave.

The surrounding area includes a mix of residential and institutional land uses including single detached dwellings, semi-detached dwellings, duplexes, low-rise multiples, a cemetery, and Fergus Place retirement home next door. The lands are located approximately 200 metres from a range of commercial uses along Weber Street East, including a grocery store, personal services, financial institutions, restaurants, and convenience retail. It is also within 200 metres east of existing Grand River Transit ("GRT") bus route along Weber Street (Route 8) and is within walking distance to GRT services on Franklin Street (Route 28) and River Road (Route 1). All existing GRT routes provide direct access to the Fairway ION Station. Schools are also nearby.

Development Proposal:

The proposed development is a seven-storey multiple dwelling containing 78 dwelling units with a common indoor amenity area (54.7 square metres in area), an outdoor amenity area (359.6 square metres in area) atop the two-storey podium and a total of 89 parking spaces. The proposed parking spaces consist of 38 parking spaces on one level of underground parking, 51 parking spaces on two levels of podium parking and 8 surface parking spaces. Barrier-free parking stalls are also proposed near the building entrances.

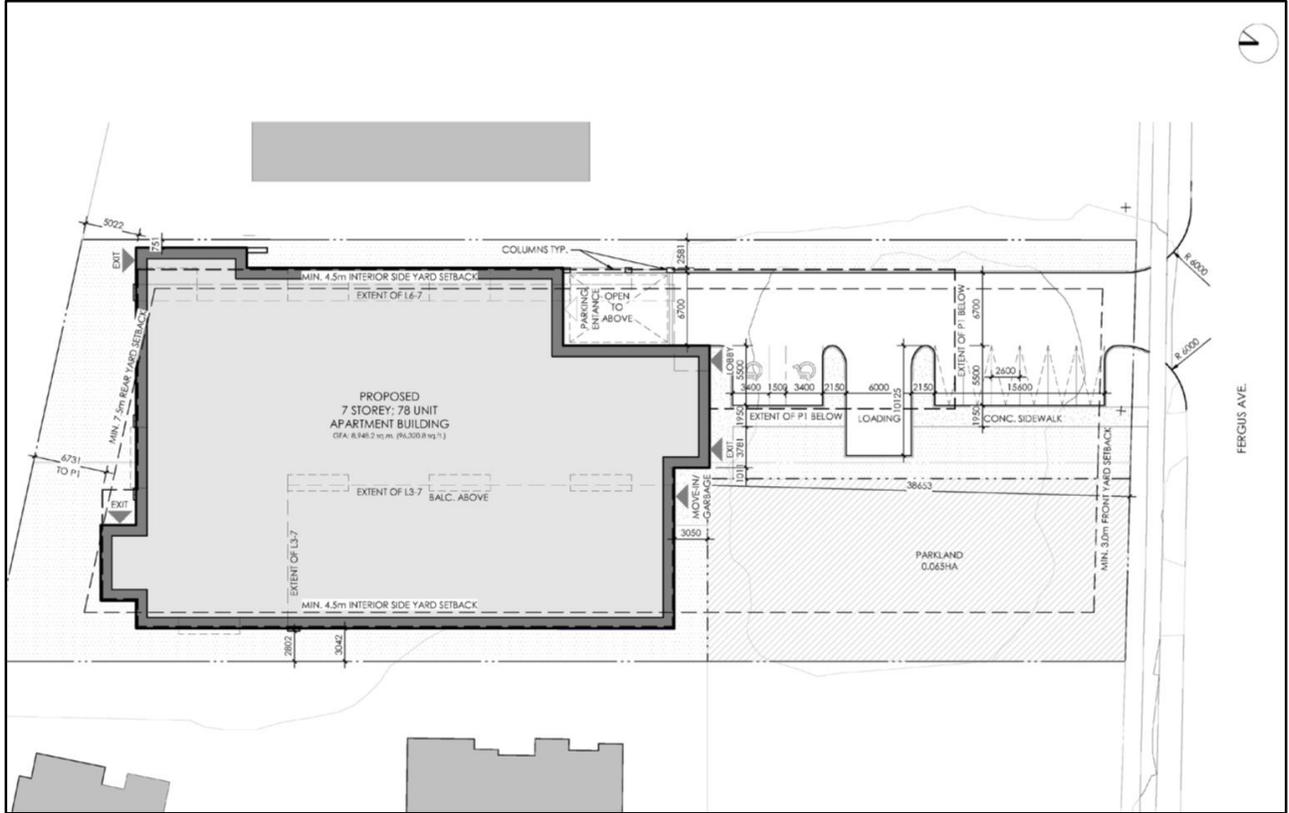


Figure 4 - Proposed Site Plan (ABA Architects)



Figure 6 – Rendering (showing front left side elevation)

Proposed Official Plan Amendment and Zoning By-law Amendment Applications

The proposed Official Plan Amendment would redesignate the properties from 'Low-Rise Residential' to a 'Medium-Density Residential' land use designation with Specific Policy Area 56.

Specific Policy Area 56 will permit a maximum Floor Space Ratio (FSR) of 2.3 instead of the maximum permitted 2.0 in the Medium-Rise Residential land use designation.

The proposed Zoning By-law Amendment will change the zoning of the subject properties from 'Low Rise Residential Four Zone (RES-4)' to 'Medium Rise Residential Six Zone (RES-6)' with Site Specific provision (355) and Holding Provision 39H in Zoning By-law 2019-051.

The effect of the by-law amendment is to add the following regulations that are site-specific to the development proposal:

- a) Maximum Floor Space Ratio (FSR) of 2.3;
- b) Minimum rear yard setback of 5.0 metres;
- c) Minimum side yard setback of 0.75 metres (east) and 2.8 metres (west);
- d) Minimum setback to parkland of 1.0 metres;
- e) Minimum vehicle parking of 1.14 space/unit (including visitor);
- f) Minimum lot width of 21 metres.

The zoning by-law amendment also proposes to re-zone a rectangular section of the subject lands adjacent to Fergus Avenue to 'Open Space and Recreation OSR-1 Zone'. This portion of land will be dedicated to the City for parkland purposes and will be combined with Fergus Green to double the size of the existing park.

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 applications will contribute to an appropriate mix of housing types by providing a mid-rise form of housing that is compatible and complements the existing neighbourhood. 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) required municipalities to 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) states that Complete Communities will feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities.

The proposed development is a mid-rise multiple dwelling proposal, which will contribute to a greater mix of housing types in the neighbourhood. The existing neighbourhood is well served by local stores, services, and public service facilities being located adjacent to the Weber Street commercial corridor. This development will help to support the commercial corridor. 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. Planning staff are of the opinion that the application conforms to the Regional Official Plan.

City of Kitchener Official Plan:

Urban Structure

The subject lands are identified as '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.

The Official Plan requires that 55% of all new residential development occurring annually be directed to existing Built-Up Areas. The proposed development will assist the Region and City in achieving their required intensification targets for new residential development within the existing built-up area, which better utilizes serviced lands and limits outward growth. The proposed development is consistent with the planned intensification contemplated in the Community Area. The proposed development has been sited at the rear of the site with incorporated stepbacks for transitions in the built-form to the adjacent residential uses. The site is located next to a Community Node, a Regional road that is a commercial corridor, and is accessible to a variety of mixed uses and transit services.

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 proposed development is a "mid-rise" housing form that provides an option that bridges the gap between high density residential towers and low rise residential uses such as single detached dwellings. The proposed housing type is an important segment in Kitchener's housing continuum.

Policy 4.C.1.9. of the Official Plan states that 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. 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 states that 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.

Although Stanley Park is largely comprised of low rise uses, the proposed development will expand upon existing intensification projects in the Stanley Park Community, providing a mid-rise form of rental housing that is lacking in many City's neighborhoods, including Stanley Park.

The proposed building is situated at the rear half of the property, with incorporated stepbacks, to reduce the visual impact of massing and to provide separation to the existing low-rise residential on the south side of Fergus Avenue. The expanded park is proposed along the property frontage, allowing natural screening to the building and enhanced separation.

The proposed development will provide for 89 parking spaces (1.14 space per unit). Although the proposed parking rate is slightly lower than required by the Zoning By-law 2019-051, reduced vehicular parking was deemed suitable for auto ownership rates as outlined in the parking study, as

well accommodated by the provision of bicycle parking and access to existing transit services. Outdoor amenity area is provided by through the creation of the City-owned neighbourhood park and rooftop amenity terrace, as well indoor amenity rooms for resident use.

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.

Regarding 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 promotes and encourages 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 close walking access to Grand River Transit Route 8 that connects directly with the Fairview ION Transit Station. The proposed development concept includes provision of safe, secure indoor bicycle storage to encourage active transportation. Staff is of the opinion that the requested amendments conform with the transportation policies of the City's Official Plan.

Urban Design

The City is committed to achieving a high standard of urban design, architecture, and place-making to positively contribute to quality of life, environmental viability, and economic vitality. Urban design is a vital component of city planning and goes beyond the visual and aesthetic character of individual buildings and also considers the functionality and compatibility of development as a means of strengthening complete communities.

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

The arrangement of the built form on the site provides a sensitive transition from the low-rise neighbourhood and accommodates significant park frontage along Fergus Avenue. The scale of the building, with the appropriate yard setbacks, parkland dedication and building articulation, creates a human scale proportion along Fergus Avenue. The preliminary building elevations include horizontal and vertical articulation and creating undulations that add visual interest and break down the apparent mass of the building. The architectural style is a contemporary architectural aesthetic of form and materials that complements the existing context.

Parkland

Parks staff has identified this area of Stanley Park as being deficient in parkland. To help address this issue, staff has requested the dedication of land rather than cash-in-lieu in accordance with policy 8.C.1.29 of the Official Plan. The developer has agreed to dedicate land, and this will be conveyed to the City as a condition of Site Plan Approval. The land will be added to the City's existing park (Fergus Green) located at 120 Fergus Avenue. Accordingly, the proposed park area is proposed to be zoned "Open Space and Recreation Zone (OSR-1)". This land dedication reduces the land area for development while the built form will be within the parameters of height, the reduced area results in the minor increase in FSR.

Specific Policy Area No.56

The proposed Official Plan Amendment would redesignate the site from 'Low-Rise Residential' to 'Medium-Rise Residential' designation with the following Specific Policy Area (Figure 3):

15.D.3.56 142-146 Fergus Avenue

Notwithstanding the Medium Rise Residential land use designation and policies on the lands municipally known as 142-146 Fergus Avenue:

- a) A Maximum Floor Space Ratio (FSR) of 2.3 will be permitted.
- b) A Holding provision pursuant to Section 17.E.13 will apply to residential uses, day care uses and other sensitive uses. The Holding provision will not be removed until such time as a detailed Stationary Noise Study has been acknowledged by the Province and a release has been issued by the Region.

Details and rationale of the proposed Official Plan Amendment are found in Appendix 'A' of this report

Staff is of the opinion that the proposed Official Plan Amendment is appropriate in consideration of policies contained Sections 3, 4, 11, 13 and 15 of the Official Plan. The proposed change in land use designation will permit an infill development which is compatible with surrounding land uses and maintains the existing character and planned function of the neighbourhood. Furthermore, the proposed design responds to the design direction of the medium rise designation in that the proposed mid-rise building:

- a) Provides opportunity for residential intensification and the provision of a housing alternative in the neighbourhood.
- b) Fits within the existing and emerging context, scaled to respect the proportions of Fergus Avenue and demonstrating no adverse shadow impacts.
- c) Enhances the existing character of the streetscapes along Fergus Avenue.
- d) A set back of 39.8 metres from Fergus Avenue to allow for sufficient area for the parkland and tree planting along the street edge.
- e) Provides appropriate transition from the one and two-storey built forms to the east and west through setbacks and variation in heights.
- f) Includes highly articulated building elevations with regularly spaced openings.

Staff is of the opinion that the proposed Medium Rise Residential land use designation with Specific Policy Area No. 56 is appropriate for the subject lands and is good planning.

Proposed Zoning By-law Amendment

A Zoning By-law Amendment has been requested to rezone the subject lands from 'Low Rise Residential Four Zone (RES-4)' to 'Medium Rise Residential Zone RES-6' with Site Specific Provision (355) and Holding Provision (39H) and 'Open Space and Recreation Zone (OSR-1)' to implement the proposed designation and to align with Zoning By-law 2019-051. The proposed 'RES-6' zone permits multiple dwellings and aligns with the 'Medium Rise Residential' designation of the Official Plan. The OSR-1 zone is for land to be dedicated to the City and combined with Fergus Green located at 120 Fergus Avenue.

Each of the recommended site-specific zoning provisions is discussed in greater detail below. The intent of the special regulations is to tailor the zoning regulations to the built form proposed and the analysis by staff through the review of the zoning by-law amendment application.

Proposed Regulation	Purpose
Maximum building height for a multiple dwelling of 24 metres and 7 storeys	The proposed ZBA has been considered based on the proposed built form and height. The 'RES-6' zone permits a height of 25 metres and 8 storeys and staff feel it is appropriate to limit the height to implement the form articulated in the proposed site design. Staff is of the opinion that the proposed height is appropriate. Given a 38 metre front yard setback, location of the park, parcel fabric, building setbacks and surrounding context, a 7-storey building is acceptable. The building will not provide unacceptable shadow impacts, and a mid-rise building form would complement the streetscape at this location.
Maximum FSR for a multiple dwelling shall be 2.3	The FSR is the amount of above ground building floor area divided by the site area. The figure is specific to the development proposal.
Minimum rear yard setback of 5.0 metres.	To accommodate land for a park, the building has been shifted to the rear half of the site requiring a reduced rear yard. The site backs onto Woodland Cemetery and therefore impacts of a reduced rear yard are negligible.
Minimum side yard setback to the easterly lot line shall be 0.75 metres.	It is a site-specific regulation tailored to the proposed design of the site.
Minimum side yard setback to the westerly lot line shall be 2.8 metres	It is a site-specific regulation tailored to the proposed design of the site.
Minimum lot width of 21 metres	By-law 2019-051 requires a 30 metre lot width but due to proposed dedication of parkland to the City, the lot width will be decreased as a result.
Parking rate of 1.14 spaces per unit	By-law 2019-051 requires a parking rate of 1 space per unit plus 15% visitor parking or 1.15 spaces per unit. The proposed rate represents a slight reduction that staff can support. Additionally, TDM measures are proposed to support a reduction in parking.
That Holding Provision 39H shall apply	The Region of Waterloo has requested to apply a holding provision until such time as a detailed Noise Study has been prepared and accepted to the satisfaction of the Region. The holding provision will have to be lifted, prior to issuing a building permit.

WHAT WE HEARD



8 people provided comments



1 Neighbourhood Meetings held



1413 households circulated and notified

Department and Agency Comments:

Preliminary circulation of the OPA and ZBA was undertaken on February 11, 2022, to applicable City departments and other review authorities. No major concerns were identified by any commenting City department or agency. Site Design and Building details will continue to be refined through the Site Plan Approval process and will be generally consistent with the design considered through this development application. Copies of comments are found in Appendix 'E' of this report.

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

- Archaeological Assessment
- Architect's Design Brief
- Geotechnical Report
- Noise Study
- Planning Justification Report
- Servicing and Stormwater Management Report
- Traffic Impact Statement
- Urban Design Brief
- Vegetation Management Plan

Neighbourhood Comments and Staff Response:

Planning staff received 8 written submissions which are attached as Appendix "F". Comments were received following the initial circulation in February 2022 and the Neighbourhood Meeting held on May 25, 2022. The comments received from community members during the consultation on these applications is described in greater detail below.

Overall, of the responses received in writing, the majority expressing concern and comments, most were in the following areas:

- Parking & On Street Parking
- Traffic
- Compatibility
- Affordability and Tenure
- Construction Nuisance

Parking/On Street Parking

Provision of adequate parking was one of the primary concerns expressed by residents responding to this application. The applicant is providing 89 parking spaces for 78 units in the form of

underground and surface parking. This represents a parking rate of 1.14 spaces per unit or slightly less than the required rate of 1.15 spaces per unit. Given proximity of GRT routes on Weber Street and TDM measures being proposed, Transportation Planning staff is satisfied that a minor reduction in the parking rate is acceptable.

Residents expressed concerns with spillover parking onto Fergus Avenue. Staff acknowledges that limited on street parking exists along Fergus Avenue for the public. Kitchener has an on-street parking by-law that prohibits parking for more than 3 consecutive hours on any City street from 6 a.m. to 11 p.m., unless signs are posted that say otherwise. Residents are encouraged to contact the City's By-law Enforcement if a violation of the by-law is observed. Staff typically discourage parking in the front yard but given the location of the park and building setback, space is limited on site. Moreover, the surface parking will be used for visitor and disabled parking in order to avoid on-street parking.

Traffic

As part of the OPA/ZBA application process, Transportation Services requested that a Transportation Impact Assessment and Parking Study (September 2021) be submitted, which was completed by Paradigm Transportation Solutions Ltd. Part of Paradigm's analysis completed a traffic count at the intersection of Weber/Fergus in 2019. Transportation Services supported the volumes from the traffic count, which would represent the two-way traffic traveling along Fergus Ave near the development.

A 2% growth rate per year was applied to the existing traffic from 2019 and forecasted that traffic to 2025. Below is a summary of the 2025 total traffic for the AM/PM peak hours that can be expected along Fergus Avenue. These traffic volumes include both site generated traffic and existing traffic.

Estimated 2025 total two-way traffic volumes along Fergus Avenue

- AM peak hour - 283
- PM peak hour – 329

A common practice is that 10% of the Average Daily Traffic (ADT) is to represent the highest peak hour volume. 3290 vehicles per day are expected, which falls within the ADT traffic volume range for Fergus Avenue. This figure represents the total volume of all traffic expected on Fergus Avenue and not just from the proposed development. Fergus Avenue is designated as a Minor Neighbourhood Collector roadway with an ADT rating of between 2000 to 5000 vehicles per day. Therefore, Transportation Planning has no concerns with the proposal.

Compatibility

Compatibility means different things to different people, but in the City's Official Plan it means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area without causing unacceptable adverse effects, adverse environmental impacts or adverse impacts. Compatibility or compatible should not be narrowly interpreted to mean "the same as" or even as "being similar to". As such, given parcel fabric, surrounding context, site and building design, and location of parkland, it is the opinion of staff that a mid-rise building form that is 7 storeys in height, setback 38 metres from the Fergus Avenue streetline, separated by parkland and incorporates appropriate building design measures such as building setbacks and undulations, achieves compatibility.

Affordability and Tenure

Staff can confirm that this development is intended to be a purpose built rental, but is not considered affordable housing, and is anticipated to have market rents. The building has been designed to have a mix of 1 and 2 bedrooms. Staff comment that purpose built rental dwellings will help increase the overall supply of rental housing and assist in addressing the City's housing crisis.

Tree Loss

A Vegetation Management Plan was submitted by the applicant and reviewed and accepted by Environmental Planning staff. Staff acknowledge there will be on-site removal of vegetation due to construction impacts but that trees located adjacent to the subject property are to be retained. Landscaping is proposed to screen parking proposed in the front yard.

Population and Density Increasing Beyond Sustainable Levels

A resident raised a concern that this development proposal along with others may be causing population and densities to increase beyond sustainable levels for the city and general area. The City's vision is to encourage higher density development within the Urban Growth Centre, Transit Station areas and Nodes and Corridors of City's Built-up Area to support and increase public transit usage and make better use of our existing infrastructure. Although this proposal is within the Community Area, the site is located immediately adjacent to a Community Node within a Mixed-use Corridor at Weber Street and Fergus Avenue. The City's Official Plan encourages increased residential densities adjacent to Nodes to support and enhance commercial activities and public transportation.

The City's Growth Management Monitoring Plan is an action item of the 2009 Kitchener Growth Management Strategy (KGMS), which requires tracking of the general supply of land and the achievement of intensification and density targets on an annual basis. The KGMS provides a long-term framework for planning where and how future residential and employment growth should occur in Kitchener. To ensure that growth contributes positively to quality of life, the KGMS coordinates the provision of infrastructure and services with new development. As such, according to the 2022 Monitoring Report, given the number of recent developments, Kitchener has the potential to accommodate its current allocated population and employment growth within its urban area indicating that Kitchener is growing at a sustainable level.

Planning Conclusions

In considering the foregoing, staff are supportive of the proposed Official Plan Amendment and Zoning By-law Amendment to permit 142-146 Fergus Avenue to be redeveloped with a multiple dwelling. Staff is of the opinion that the subject applications are consistent with policies of the Provincial Policy Statement (2020), conform to the 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 February 2022. Notice of the Public Meeting was posted in The Record on January 20, 2023.

CONSULT – The proposed applications were originally circulated to property owners within 240 metres of the subject lands in February 2022. In response to this circulation, staff received 8 written responses. A Neighbourhood Meeting was held on May 25, 2023.

PREVIOUS REPORTS/AUTHORITIES:

- Planning Act, R.S.O. 1990, c. P.13
- Provincial Policy Statement, 2020
- A Place to Grow Growth Plan, 2020
- Regional Official Plan
- City of Kitchener Official Plan, 2014
- City of Kitchener Zoning By-law 2019-051

REVIEWED BY: Tina Malone-Wright, – Interim Manager of Development Review, Planning Division

APPROVED BY: Justin Readman - General Manager, Development Services

ATTACHMENTS:

- Attachment A - Proposed Official Plan Amendment and Maps
- Attachment B - Proposed Zoning By-law Amendment and Zoning Map
- Attachment C - Urban Design Brief, GSP
- Attachment D - Newspaper Notice
- Attachment E - Department and Agency Comment
- Attachment F - Resident Comments