

**REPORT TO:** Planning and Strategic Initiatives Committee

**DATE OF MEETING:** March 6, 2023

**SUBMITTED BY:** Garrett 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 9

**DATE OF REPORT:** February 3, 2023

**REPORT NO.:** DSD-2023-065

**SUBJECT:** Official Plan Amendment Application OPA22/10/C/BB and Zoning By-law Amendment Application ZBA22/17/C/BB, 45-53 Courtland Avenue East, Cantiro Courtland GP

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## RECOMMENDATION:

- A. That Official Plan Amendment Application OPA22/10/C/BB for Cantiro Courtland GP 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 attached to Report DSD-2023-065 as Appendix 'A' and 'A1', and accordingly forwarded to the Region of Waterloo for approval; and further
- B. That Zoning By-law Amendment Application ZBA22/17/C/BB for Cantiro Courtland GP be approved in the form shown in the "Proposed By-law" and "Map No. 1" attached to Report DSD-2023-065 as Appendix 'B' and 'B1'.

## 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 subject lands located at 45-53 Courtland Avenue East. It is Planning staff's recommendation that the applications be approved.
- The proposed Amendments support the development of mid-rise housing.
- Community engagement included:
  - circulation of a notice postcard to residents and property owners within 240m of the subject site;
  - installation of billboard notice sign on the property;
  - a City-led Neighbourhood Meeting (November 14, 2022);
  - discussions with interested members of the public;
  - a third notice of statutory public meeting postcard was circulated to all residents and property owners within 240 metres of the subject site, as well as those who responded to the preliminary circulation; and,
  - notice of the public meeting was given in The Record on February 10, 2023.

This report supports the delivery of core services.

### **EXECUTIVE SUMMARY:**

Cantiro Courtland GP is seeking Official Plan and Zoning By-law Amendments to build a 6 storey multiple dwelling containing 64 residential units and 52 parking spaces. Staff recommends that the applications be approved.

### **REPORT:**

The subject lands consist of three properties to be merged together, 45 Courtland Avenue East (the second lot east of the intersection of Benton Street and Courtland Ave. E.), 49 and 53 Courtland Avenue East. All three buildings were former single detached residential uses. The buildings had been vacant for years. There was a building fire early in January of 2022 and as a result, the buildings have been demolished. The subject lands are approximately 0.26 ha (0.64 acres) in size.

The subject lands are in proximity to Downtown Kitchener. The immediate surrounding area includes a mix of land uses including commercial, mixed use, residential and institutional.

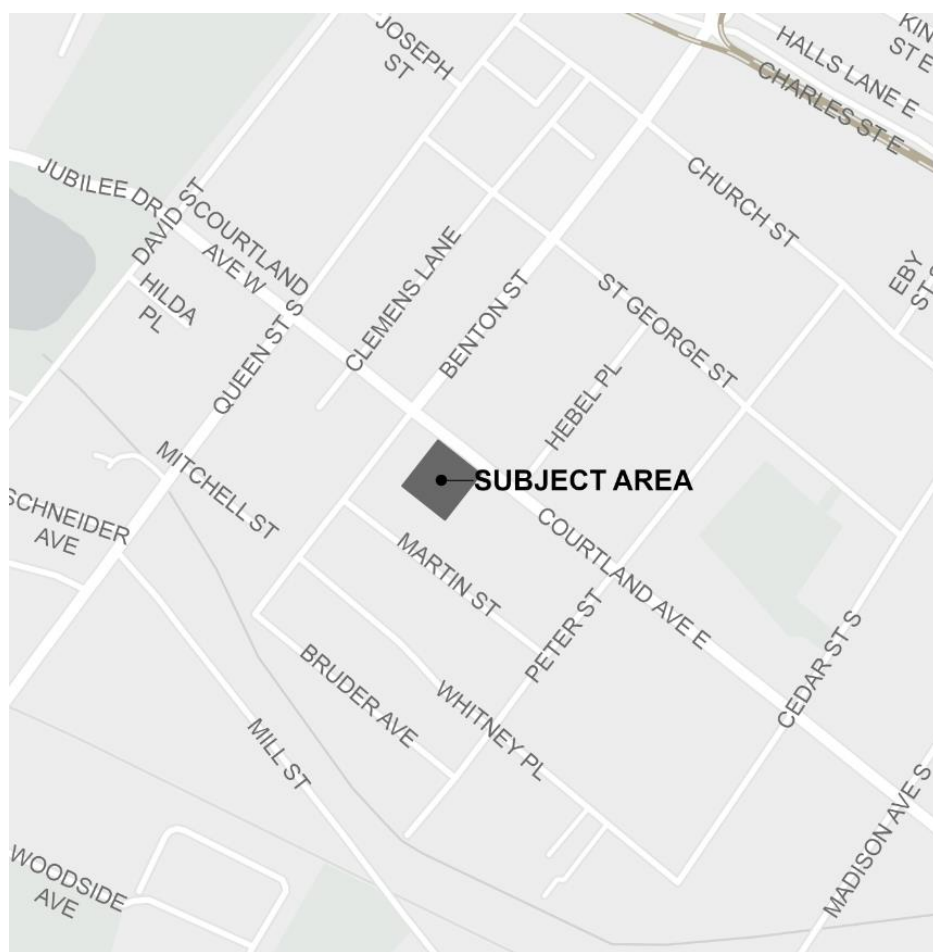


Figure 1 – Location Map

### Development Proposal:

The proposed development consists of a 6-storey multiple residential building. At the base of the building, there are 5 townhouse style units facing Courtland Avenue. The building is proposed to contain a mix of 1, 2 and 3 bedroom units for a total of 64 residential units. One level of structured parking below grade is proposed with a total of 52 parking spaces. In addition, 4 barrier-free and 3 visitor parking spaces are located at the rear of the building on a surface parking area.

The proposed building is rectangular in shape addressing the street along the Courtland Avenue frontage, thereby maintaining a consistent setback of 19.9 metres from the properties along Martin Street to the rear. The parking garage will have direct access from Courtland Avenue through a cantilevered structure design providing screening of the garage entrance from the street and the neighbouring property to the west. The gross floor area of the building is approximately 5,607.5 m<sup>2</sup> with a Floor Space Ratio of 2.4. The site plan and building renderings are shown below in Figures 2 and 3, respectively.

An indoor amenity area comprising 88 sq. m is provided and is located adjacent to the outdoor amenity area and a landscaped patio space thereby creating an indoor/outdoor combined amenity area at the rear of the building for the exclusive use of the building's residents. The entire rear yard will be screened from view or the rear yards along Martin Street through a combination of a solid fence and vegetation along the common property line.

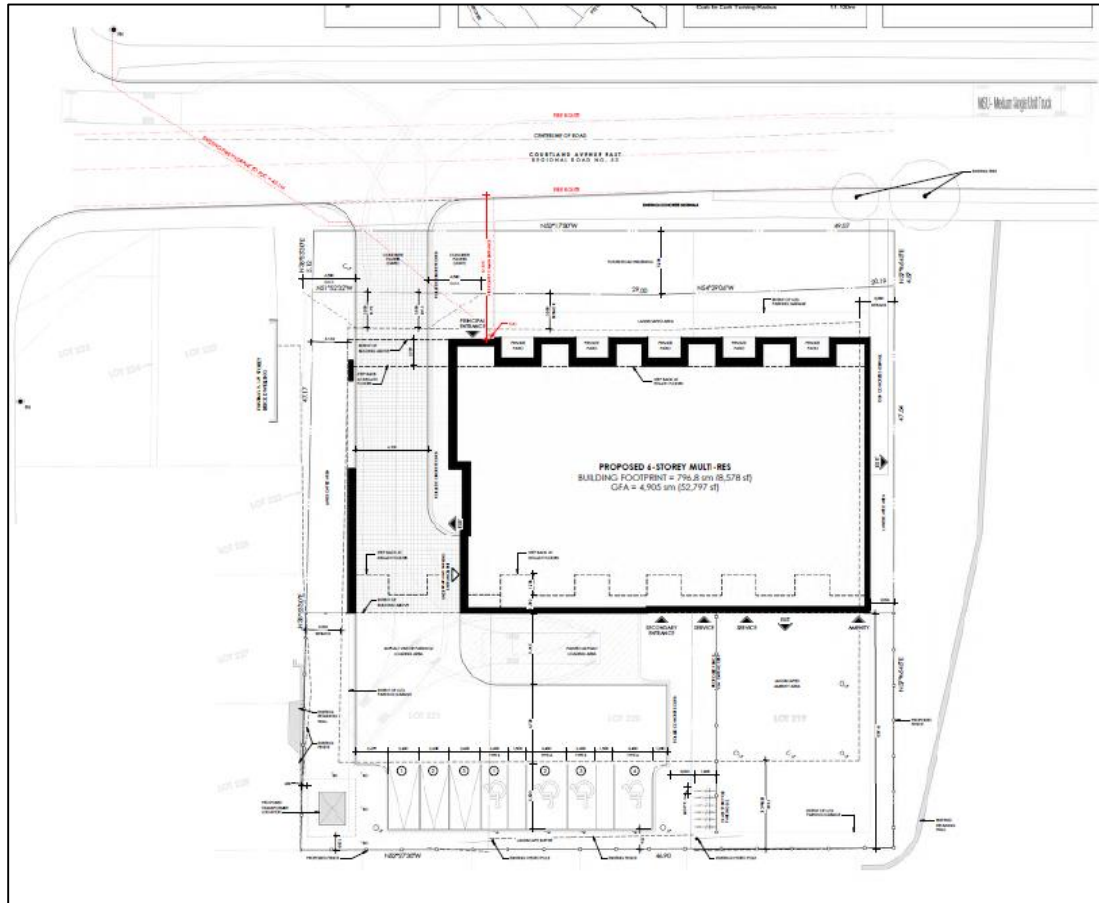


Figure 2 - Proposed Site Plan (Edge Architects)



Figure 3– Renderings (Edge Architects)

### **Proposed Official Plan Amendment and Zoning By-law Amendment Applications:**

To implement the proposed development both an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) are required.

The purpose of the OPA is to add a special policy area to Map 12, the Mill Courtland Woodside Park Neighbourhood Land Use Plan. The Official Plan Amendment relates to policy 13.4.1.7 and 13.4.4.6 of the Mill Courtland Woodside Park Neighbourhood Secondary Plan which limits density to a Floor Space Ratio (FSR) to 1.0 for 43 and 49 Courtland and to 1.5 for 53 Courtland Avenue. The Secondary Plan also limits the maximum height on 53 Courtland Avenue to 11.5 metres. The Official Plan Amendment is requesting that the subject lands be permitted a maximum Floor Space Ratio of 2.4, a maximum building height of 21 metres, and a minimum rear yard setback of 19 metres.

In addition to the Official Plan Amendment, the applicant will require a Zoning By-law Amendment. The subject lands are zoned 'Commercial Residential One Zone (CR-1)' and 'Commercial Residential One Zone (CR-1) with Special Regulation Provision 130R' as per Schedule 85 of Zoning By-law 85-1. The ZBA will be requesting the following:

1. A Floor Space Ratio (FSR) of 2.4, whereas an FSR of 1.0 is permitted.
2. A side yard setback from eastern property line of 2.0 metres, whereas 3.0 m is required.

3. A maximum building height of 21 m, whereas 18 m is permitted.
4. A minimum rear yard setback of 19 metres.
5. A rate of 0.81 per unit for Multiple Dwelling Units, greater than 51.0 sq.m. in size whereas 1.25 spaces per dwelling unit is required for a total of 52 spaces.
6. Seeking permission to amend Section 6.2.1 b) vi) B) to permit Visitor Parking at a rate of 13% of required parking whereas a 20% is required (i.e., 7 Visitor Parking spaces whereas 11 are required).

### **Planning Analysis:**

#### **Provincial Policy Statement, 2020**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS 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 an appropriate mix of housing types within the context of the surrounding neighbourhood. The subject lands are within an existing neighbourhood in a Transit Station Area 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. Policies of the Growth Plan promotes growth within strategic growth areas including major transit station areas, to provide a focus for investments in transit and other types of infrastructure. The Growth Plan supports planning for a range and mix of housing options and higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities.

The subject lands are located within the City's delineated built-up area, within a Major Transit Station Area and on a Regional Roadway. The proposed development represents intensification and will help the City achieve density targets. 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. The multiple dwelling is also proposed to include a range of 1, 2 and 3 bedroom apartment units, with direct access to Courtland Avenue, increasing the variety of housing options for future residents.

### **City of Kitchener Official Plan:**

#### **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. Staff are of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment will support a development that complies with the policies for a Major Transit Station Area.

The proposed development addresses the Major Transit Station Development Criteria from Section 3.C.2.22 of the City of Kitchener Official Plan as follows:

- The proposed development conforms to the Regional Official Plan as discussed in Section 5.0 of this report.
- The development also meets the intent of the Transit-Oriented Development Policies of Section 13.C.3 as it plans for a development that is a medium density - compact urban form that is within 5 minutes to a transit stop, provides multiple residential use that contributes to the mix of uses in this evolving transit station area along Courtland Avenue.
- A singular vehicular access point off of Courtland Avenue is planned for the site

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

Policy 4.C.1.9. 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. notes that 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. 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.

The subject lands provide an opportunity for intensification within a Major Station Transit Area (MTSA) on lands that are currently underutilized. The proposed building is planned as medium density multiple residential development. The density proposed provides for a transit supportive/transit-oriented development. The variety of unit types (one, two and three bedroom(s)) have been planned to provide more attainable housing options to future residents to accommodate various housing needs within the MTSA and along the transit corridor. The proposed built form compliments the existing scale of develop in this area while providing modest intensification.

Despite the increase in height and Floor Space Ratio for the proposed development, the six-storey height only slightly exceeds the maximum height permitted by the proposed zoning that is being advanced as part of the Neighbourhood Planning Review (NPR) which is recommending 16 metres or 5 stories and the proposed building is 6 storeys with a height of 21 metres. The proposed building is in closer alignment with the regulations and direction in By-law- 2019-051, however, is not in effect yet for these lands as the completion of the NPR is pending. The proposed regulations for implementation in By-law 2019-051 do not apply to the lands yet. The current zoning By-law 85-1 did not contemplate intensification corridors as MTSA's did not exist in 1985, and as such the zoning regulations do not reflect the current direction for height, massing, and density associated with today's intensification objectives along the LRT and within the City's MTSA's.

The additional density and multiple residential housing will support the development of complete communities by contributing the residential component of a mix of uses that are forming along Courtland Avenue. The density of the units also contributes to energy conservation, using less materials for more housing, and sharing of heating and cooling resources for smaller space. The density will contribute to the ridership which supports municipal infrastructure and connects to existing municipal services. Lastly, there are no natural heritage or cultural heritage features located on the site.

#### Mill Courtland Woodside Park Secondary Plan

The subject lands are designated as a Low Density Commercial Residential. The intent of the Low Density Commercial Residential designation is to recognize existing areas of small scale commercial and residential development as well as to allow for the low rise, lower density redevelopment of such areas with commercial institutional and residential uses. Lands within this designation are intended to create transitional or buffer areas between some industrial and surrounding residential areas and as such the maximum residential density shall be limited to 100 units per hectare with a Floor Space Ratio (FSR) of 1.0. One of the three properties (53 Courtland) contains site-specific regulation 130R that permits a FSR of 1.5 and restricts the building height to 10.5 metres within 30 metres of Martin Street.

The Secondary Plans were established prior to a final determination of the LRT route and prior to the establishment of MTSA's. As such, MTSA policies in the Official Plan need to be considered as they provide a framework to guide new development within Secondary Plan areas.

The proposed 6 storey mid-rise pedestrian-scaled development is at an appropriate density for supporting a MTSA while remaining compatible with the low rise development in this neighbourhood. Both height and massing of the building is directed towards Courtland Avenue and away from existing low rise residential properties along Martin Street. Given the proposed height of 21 metres and a proposed rear yard setback of 19 metres, the building height to separation distance is almost at a ratio of 1:1. From an urban design perspective, a 1:1 ratio demonstrates a positive relationship from a privacy and shadow impact perspective.

The main entrance to the building has direct access to the street and is a five minute walk to the Queen ION station, with bus transit directly on Courtland Avenue and Benton Street. Resident vehicle parking is located within underground parking and will be screened from the street frontage and adjacent lands through building design and on-site fencing. Seven (7) surface parking spaces are located at the rear of the building for barrier free and visitors and will be shielded through the fencing along the rear property line. Bicycle parking will be proposed for use by residents through secure bicycle storage provided internal to the building and outdoor visitor bicycle storage. A bicycle maintenance room is also proposed on the ground floor of the building for residents' usage. Spaces have also been provided for cargo and oversized bikes.

#### Urban Design

Section 11 of the City's OP outlines policies with respect to urban design. To address these policies, the applicant has submitted an Urban Design Brief, and conceptual site plans, elevations, and renderings. This documentation has been reviewed by City Urban Design staff and will be implemented through the subsequent Site Plan Review process. In accordance with Urban Design Policies, staff is of the opinion that the site design provides for a high-quality public realm, safe site circulation for all modes of transportation, and that site servicing components are functional and screened from view from the public realm. The development will enhance pedestrian usability, respect, and reinforce human scale, create an attractive streetscape, and complements and contributes to the character of the Cedar Hill neighbourhood. Through the detailed site plan review process, staff will ensure that appropriate landscaping will be installed to enhance the building and streetscape, and lighting will be provided to maintain safe and appropriate light levels which minimize light spill onto neighbouring properties and are dark sky compliant. Staff will continue to work with the applicant to review the detailed elevations and materials, to ensure implementation of the proposed built form and high standard of building design.

#### Proposed Cedar Hill/Schneider Creek Secondary Plan

The City of Kitchener drafted updated Secondary Plan policies in 2019 as part of the Neighbourhood Planning Reviews (NPR) project. The Draft Cedar Hill and Schneider Creek Secondary Plan proposes a Mixed-Use Low-Rise designation for the subject lands. Since that time, the Region of Waterloo has recently undertaken a review of their Official Plan, including the delineation of Major Transit Station Area boundaries. The Region has delineated the MTSA boundaries, and the subject lands continue to be located within a MTSA. The Region's Official Plan review will inform the City of Kitchener's MTSA implementation work, including updates to the Secondary Plans.

#### **Policy Conclusion**

Planning staff is of the opinion that the proposed Official Plan 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 zoned Commercial Residential One Zone (CR-1) and CR-1 with Special Regulation Provision 130 as per Schedule 85 of Zoning By-law 85-1.

Area 1: From Commercial Residential One Zone (CR-1) in Zoning By-law 85-1 to Commercial Residential One Zone (CR-1) with Special Regulation Provision 786R and Holding Provision 98H in Zoning By-law 85-1.

Area 2: From Commercial Residential One Zone (CR-1) with Special Regulation Provision 130R in Zoning By-law 85-1 to Commercial Residential One Zone (CR-1) with Special Regulation Provision 786R and Holding Provision 98H in Zoning By-law 85-1.

Official Plan policies in section 4.C.1.8. indicate that where special zoning regulations are requested for residential intensification or a redevelopment of lands, the overall impact of the site specific zoning regulations will consider compatibility with existing built form; appropriate massing and setbacks that support and maintain streetscape and community character; appropriate buffering to mitigate adverse impacts, particularly with respect to privacy; avoidance of unacceptable adverse impacts by providing appropriate number of parking spaces and an appropriate landscaped/amenity area.

Staff offer the following comments with respect to the proposed Special Regulation Provision 786R and Holding Provision 98H.

1. Seeking permission to amend Section 44.3.1 of Zoning By-law 85-1 to permit a Floor Space Ratio (FSR) of 2.4, whereas an FSR of 1.0 is permitted.



Floor Space Ratio (FSR) regulates the amount of building massing permitted to be developed on the property based on lot size to ensure site development is at an appropriate scale for the neighbourhood. The intent of the FSR that currently applies to the subject lands is to maintain a relatively lower rise-built form in this area. The proposal is to increase the FSR from 1.0/1.5 to 2.4. Through design considerations (i.e., increased rear yard setbacks, building stepbacks), the applicant has demonstrated that any potential impacts (ie. shadow, privacy) associated with the increased FSR can be mitigated. As such, it is the opinion of staff an appropriate balance has been achieved that allows for intensification yet is sensitive to adjacent low-rise development.

2. Seeking permission to amend Section 44.3.6 b) of Zoning By-law 85-1 to permit a side yard setback from eastern property line of 2.0 metres, whereas 3.0 metres is required.

To improve compatibility and minimize impacts, the proposed building was shifted further away from existing residences located to the west. This has resulted in the proposed building positioned 2.0 metres from the eastern property limit instead of 3.0 metres required under the by-law. A reduced easterly side yard is supportable in this instance given that it is located next to a commercial building. To achieve compatibility with existing low-rise residences, this is an appropriate positioning of the building.

3. Seeking permission to amend Section 44.3.6 of Zoning By-law 85-1 to require a minimum rear yard setback of 19 metres, whereas 7.5 metres or one half the building height, whichever is greater is required.

Again, to improve compatibility and minimize impacts, the proposed building was shifted further away from existing residences located to the south along Martin Street. This has resulted in the proposed building positioned being 19+/- metres from the rear property limits instead of 7.5 metres required under the by-law. This regulation ensures this larger setback is maintained through the site plan process.

4. Seeking permission to amend Section 44.3.6 of Zoning By-law 85-1 to permit a maximum building height of 21 metres, whereas 18 metres is permitted.

An increase in the building is being sought that in effect, would allow for an additional storey being added to the proposed multiple dwelling. Given the height and massing have been situated closer to Courtland Avenue and further away from the Martin Street dwelling units, shadow impacts are negligible, and privacy is maintained. Staff has no concern with increasing the building height from 18 metres allowed through Zoning By-law 85-1 to 21 metres.

5. Seeking permission to amend Section 6.2.1 a) to permit parking at a rate of 0.81 per unit for Multiple Dwelling Units, greater than 51.0 sq.m. in size whereas 1.25 parking spaces per dwelling unit is required for a total of 52 spaces.
6. Seeking permission to amend Section 6.2.1 b) vi) B) to require that 13% of the required parking be in the form of Visitor Parking, whereas 20% is required.

The subject lands are located within a Major Transit Station Area (MTSA). Official Plan policies regarding lands within a MTSA contemplate parking reductions for sites well served by transit. A parking rate of 0.81 spaces per unit is being proposed resulting in a total of 52 spaces. The site is within a 5 minute walk to an LRT station stop, 10 minutes to the downtown and is situated on a regular transit route, which provide the visitors and residents a choice for alternative modes of transportation. Additionally, the applicant has submitted a Planning Justification Report that included justification about a decrease in the required parking supply. It also recommends a number of Transportation Demand Management measures aimed at reducing vehicle usage and to promote

alternative modes of transportation (ie. public transit, bicycles, etc.). Staff has reviewed the study and is supportive of its findings and recommendations.

#### 7. Holding Provision 98H

The Region of Waterloo is requesting that a holding provision be applied to these lands until such time as a Record of Site of Condition and a detailed Stationary Noise study have been approved.

#### **Proposed Zoning through Neighbourhood Planning Reviews**

Properties located within the central MTSA's are undergoing Neighbourhood Planning Reviews which includes updates to the Official Plan/Secondary Plans and to the proposed Zoning By-law. The City of Kitchener has recently updated their Zoning By-law (2019-051) but did not include lands within anticipated Major Transit Station Areas or within Secondary Plan areas. As part of the Neighbourhood Planning Review the City has prepared draft amendments to the Official Plan and Zoning By-law 2019-051, but these have not been formally approved by Council and are subject to change.

## WHAT WE HEARD



**17 people provided comments**



**1 Neighbourhood Meetings held**



**984 households circulated and notified**

#### **Department and Agency Comments:**

Preliminary circulation of the OPA and ZBA was undertaken on August 10, 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 'D' of this report.

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

1. Completed Application Form and Fees
2. Existing Conditions Plan
3. Conceptual Site Plan
4. 3D Massing Model
5. Planning Justification Report
6. Urban Design Score Card
7. Sustainability Statement
8. Conceptual Building Elevation Drawings
9. Conceptual Floor Plans
10. Environmental and Noise Report
11. Functional Servicing Report
12. Water Distribution and Storm Water Management Report
13. Parking Justification Brief

### **Neighbourhood Comments and Staff Response:**

Planning staff received 17 written submissions which are attached as Appendix “F”. Comments were received following the initial circulation in August 2022 and a Neighbourhood Meeting held on November 14, 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, 6 indicate general support for the proposed land use and development. Of those expressing concern and comments, most were in the following areas:

- Building Design
- Tree Removals
- Grading, Berm & Retaining Walls
- Tenure
- Units Sizes & Affordability
- Construction Hours
- Traffic & Site Access

### **Building Design**

In response to comments regarding the rear façade, including comments from residents living on Martin Street, significant improvements have been made to the rear building façade to better break up the massing. In addition, a setback has been added above the ground floor. Main rooftop mechanical equipment will be contained within a penthouse; any exposed mechanical systems on the rooftop will be set back and partially screened by the perimeter parapet.

### **Tree Removals**

Concerns were raised regarding the removal of trees and questions asked regarding the planting of new trees. Due to underground parking several trees will have to be removed. New trees will be planted as part of the development proposal and any street trees will be protected and if need be, replaced. This will be addressed through the Site Plan Approval process and submission of a Tree Management Plan.

### **Site Grading, Berm & Retaining Wall**

There were concerns raised regarding the existing berm and retaining wall and whether the new building would sit higher than surrounding properties. The berm will be removed resulting in a site that will be flat at its four corners and more in keeping with grades of surrounding properties. Detailed grading plans will be prepared through the site plan approval process. It is not anticipated that retaining walls will be required.

### **Tenure**

Questions were asked as to whether the project would be rental or condominium. According to the owner, tenure is yet to be determined at this point in time.

### **Unit Sizes, Types and Affordability**

There were multiple comments regarding the need to incorporate 3 bedroom units. Questions were asked as to the different types of units proposed and the affordability of the project. The current unit breakdown includes a mix of 1 bedroom; 1 bedroom + Den; 2 bedroom and 3 bedroom units. The project is not being planned as an affordable housing project, but rather a form of housing that is more attainable.

### **Construction Hours/Disruptions**

Construction work will occur during permitted hours as regulated by City By-laws. The intent is for construction activity to occur between 7:00am – 5:00pm during weekdays. Evening / overnight and

weekend work is not anticipated to be a regular occurrence. Any road closures will be communicated, and a construction strategy formalized with City/Regional Transportation staff.

### **Traffic and Site Access**

Courtland Ave. E. is a Regionally designated roadway and any development/re-development along this corridor is subject to a Regional Road Access permit. As such, access for the proposed re-development of 45-53 Courtland Ave. will be determined at the Site Plan Approval stage by the Region. This could potentially include a right-in/right-out traffic movement, according to Regional Transportation Planning staff.

Staff acknowledges there are several new developments which will create additional traffic at the intersection of Benton and Courtland and along Courtland Avenue. The proposed development at 45-53 Courtland Avenue E. is expected to generate approximately 23 trips during the AM Peak Hour (approximately 1 new trip every 3 minutes), and approximately 28 trips during the PM Peak Hour (approximately 1 new trip every 2 minutes). Although Courtland Ave in this area is only two (2) lanes, it is a Regional Arterial roadway and is designed to carry large amounts of vehicular traffic. Staff do not anticipate the expected site generated trips to have a significant impact on the existing traffic network.

The Region of Waterloo maintains a computerized model for the traffic network throughout the Region that includes all known development proposals that have been approved to ensure that they are addressing traffic impacts as needed. They Region also monitor signalized intersections to evaluate volume-to-capacity ratios, vehicle delay, and more to ensure that signal timing is optimized to reduce delay and help traffic flow as efficiently as possible.

### **Planning Conclusions**

In considering the foregoing, staff is supportive of the proposed Official Plan Amendment and Zoning By-law Amendment to permit 45 – 53 Courtland Avenue East to be developed 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 August of 2022. Following the initial circulation referenced below, an additional courtesy notice of the public meeting was circulated to all property owners and residents within 240 metres of the subject lands, and those responding in writing to the preliminary circulation or after the Neighbourhood Meeting, which was held on November 14, 2022, and Notice of the Public Meeting was posted in The Record on February 10, 2023 (a copy of the Notice may be found in Appendix C).

CONSULT – The OPA and ZBA were originally circulated to property owners and residents within 240 metres of the subject lands on August 10, 2022. In response to this circulation, staff received written responses from 17 households. A Neighbourhood Meeting was then held on November 14, 2022.

**PREVIOUS REPORTS/AUTHORITIES:**

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

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

**APPROVED BY:** Barry Cronkite - Acting General Manager, Development Services

**APPENDIX**

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