

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

**CITY OF KITCHENER
45-53 Courtland Avenue East**

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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. This amendment is comprised of Sections 1 to 4 inclusive and Schedule 'A'.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of this amendment is to amend Special Policy 13.4.4.6 in the Mill Courtland Woodside Park Secondary Plan to increase the maximum permitted Floor Space Ratio and density on the subject lands and to amend the boundary of Special Policy Area No. 6 on Map 12 – Mill Courtland Woodside Park Secondary Plan.

SECTION 3 – BASIS OF THE AMENDMENT

The subject lands are located at 45-53 Courtland Avenue East. The subject lands are designated Low Density Commercial Residential in the Mill Courtland Woodside Park Secondary Plan, which forms part of the 1994 Official Plan. The Low Density Commercial Residential designation in the Mill Courtland Woodside Park Secondary Plan recognizes existing small scale commercial and residential development and allows low density redevelopment with commercial, residential and institutional uses to a maximum Floor Space Ratio (FSR) of 1.0 and a maximum density of 100 units per hectare per lot, provided the maximum FSR is not exceeded. The subject lands are also located within a Major Transit Station Area (MTSA) which is considered a primary intensification area.

An Official Plan Amendment is required to add a Special Policy to permit a maximum Floor Space Ratio (FSR) of 2.4 and a maximum residential density of 251 units per hectare prior to any development occurring on the lands.

Since the adoption of the 1994 Plan and the associated Secondary Plans the City has adopted a new Official Plan in 2014 and is currently in the process of reviewing the Secondary Plan Areas as part of a Neighbourhood Planning Review (NPR) which is ongoing. The preliminary indicators of the NPR propose a reorganization and delineation of the Secondary Planning Areas including these lands, which will be included in the future Cedar Hill and Schneider Creek with a proposed designation of Mixed Use Low Rise. The Mixed Use Low Rise designation proposes a maximum Floor Space Ratio of 2.0 and a 4 storey or 14 metres height for buildings. However, it is important to note that this policy direction is not yet in effect, but it demonstrates a commitment to slightly higher FSR and a mid-rise built form for development, which is consistent with the proposed mid-rise 6 storey multiple residential development, and

that these properties are an appropriate location for intensification and enhanced built form along Courtland Avenue. This would also provide transition in the built form massing, scale and density from the downtown and MTSA and the stable neighbourhood along Martin Street.

The subject lands are located minutes from the Urban Growth Centre (UGC) and are within 400 metres of the Queen Street LRT Stop and are identified in the 2014 Official Plan as being within a Major Transit Station Area (MTSA). The proposed development includes a medium intensity multiple residential development at a density to support both transit usage and active transportation. The site will include a variety of transportation demand management measures in order to encourage the use of alternative modes of transportation including public transit.

The proposed development will implement the vision as set out in the Official Plan for lands within a MTSA as being a compact, dense and transit supportive site. The subject lands are strategically located within the Queen Street Major Transit Station Area, within a Mixed Use Corridor just minutes from the UGC and directly along the light rail transit route. Its prominent location makes it ideal for the density proposed.

The maximum floor space ratio, building height, density, front and side yard setbacks for the building, as well as on-site parking will be regulated in the site-specific amending zoning by-law to ensure urban design elements are implemented and onsite constraints are addressed.

The proposal is consistent with the Provincial Policy Statement, conforms to the Growth Plan and complies with the Regional Official Plan, as it promotes walkability, is transit-supportive, maximizes the use of existing and new infrastructure, and assists in development of this area as a compact and complete community through the broad range of uses. The proposed development implements the redevelopment vision for the Major Transit Station Area as prescribed in both the current and newly adopted Official Plan and is, therefore, good planning.

SECTION 4 – THE AMENDMENT

1. The 1994 City of Kitchener Official Plan is hereby amended as follows:
 - a) Part 3, Section 13.4.4. Special Policies, Policy 13.4.4.16 is added as follows:

“13.4.4.16. Notwithstanding the Low Density Commercial Residential land use designation and policies for the lands municipally addressed as 45-53 Courtland Avenue East:

 - i) the maximum permitted Floor Space Ratio shall be 2.4.
 - ii) the minimum rear yard setback shall be 19 metres;
 - iii) the maximum building height shall be 21 metres;
 - iv) a Holding provision pursuant to Section 17.E.13 of the Official Plan (2014) 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 and Record of Site Condition has been acknowledged by the Province and a release has been issued by the Region.

- b) Map 12 – Mill Courtland Woodside Park Neighbourhood Plan for Land Use is amended by revising the boundary of Special Policy Area No. 6 to remove it from the lands municipally known as 53 Courtland Avenue East, as shown on the attached Schedule 'A'.
- c) Map 12 – Mill Courtland Woodside Park Neighbourhood Plan for Land use is amended to add Special Policy Area No. 16 to the lands municipally known as 45-53 Courtland Avenue East, as shown on the attached Schedule 'A'.