

Staff Report



Development Services Department

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REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: April 3, 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: March 7, 2023

REPORT NO.: DSD-2023-120

SUBJECT: 7 Morrison Road
Official Plan Amendment Application OPA22/013/M/BB
Zoning By-law Amendment Application ZBA22/024/M/BB
Klondike Homes Ltd.

RECOMMENDATION:

That Official Plan Amendment Application OPA22/013/M/BB for Klondike Homes Ltd. 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", and accordingly forwarded to the Region of Waterloo for approval and;

That Zoning By-law Amendment Application ZBA22/024/M/BB requesting to amend Zoning By-law 2019-051, for Klondike Homes Ltd. be approved in the form shown in the Proposed 'Proposed By-law', and 'Map No. 1' as Appendix 'B'; and further

That the Urban Design Brief, prepared by MHBC and attached as Appendix "C", be adopted, and that staff be directed to apply the Urban Design Report through the Site Plan Approval process.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding Official Plan and Zoning By-law Amendment Applications for the property located at 7 Morrison Road.
- It is Planning staff's recommendation that these applications be approved. The proposed applications represent an opportunity to intensify land that addresses a need regarding a shortage of housing in our community.
- Community engagement included:
 - circulation of a preliminary notice to property owners within 240 metres of the subject site;
 - installation of a large billboard notice sign on the property;
 - a neighbourhood meeting held on November 29, 2022;
 - follow up one-on-one correspondence with members of the public who responded to the circulation or saw the billboard sign;

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

- notice advising of the statutory public meeting was circulated to all property owners within 240 metres of the subject site, and those who responded to the preliminary circulation, and
- notice of the public meeting was published in The Record on March 10, 2023.

This report supports the delivery of core services.

EXECUTIVE SUMMARY:

Klondike Homes Ltd. is seeking Official Plan and Zoning By-law Amendments to permit the development of multiple dwellings (stacked townhomes) containing 32 residential units. Staff recommends that the applications be approved. The subject property is identified as 'Community Areas' on the City's Urban Structure (Map 2 - City of Kitchener Official Plan) and designated as 'Low Rise Residential' (Map 3 - City of Kitchener Official Plan). The subject is zoned 'Low Rise Residential Five (RES-5)' in Zoning By-law 2019-051.

REPORT:

The subject lands are located within the Centreville Chicopee neighbourhood adjacent to the Grand River Hospital – Freeport Health Centre and at the intersection of King Street East and Morrison Road. The site is bounded by a residential property to the north, the Grand River Hospital – Freeport Health Centre to the east, King Street East and rail corridor to the south, and Morrison Road to the west, as illustrated on Figure 1. The subject lands are approximately 0.35 hectares (3,500 square metres) in area with approximately 35 metres of frontage on Morrison Road. The subject lands abut a Canada Pacific Railway right-of-way to the south, sharing a lot line of approximately 85.4 metres.

Currently, there is a single detached dwelling and a detached garage on the subject lands – see Figure 2. The residential building is currently vacant. These structures would be demolished as part of the proposed redevelopment.

The lands on the opposite side of Morrison Road have been recently redeveloped with a stacked townhouse development. Access to the site is currently obtained via a driveway extending onto the property from Morrison Road. The surrounding neighbourhood includes a mix of land uses such as low rise residential, institutional, and open space.

The development proposal provides for the establishment of two (2) stacked townhouse buildings on the subject lands. Each building would contain sixteen (16) dwelling units for a total of thirty-two (32) dwelling units on the site. Access to the property is proposed by a private road extending from Morrison Road. Parking is provided at a rate of 1.2 parking spaces per dwelling unit for a total of 39 parking spaces. Secure bicycle parking spaces are to be provided indoors, and adjacent to the common amenity area. A preliminary site plan is shown below in Figure 3.

Over the course of the application, the plan has been modified to address technical comments from staff. The modified plan is shown in Figure 4. Revisions include increased interior side and rear yard setbacks and a decrease in overall number of parking spaces provided. The primary change is to increase the interior side yard setback from 3.0 metres to 4.8 metres along the northerly property limit to improve compatibility and to increase the amount of area for tree plantings.

Building renderings are illustrated in Figure 5.



Figure 1 – Aerial Photo of Subject & Surrounding Lands (MHBC)

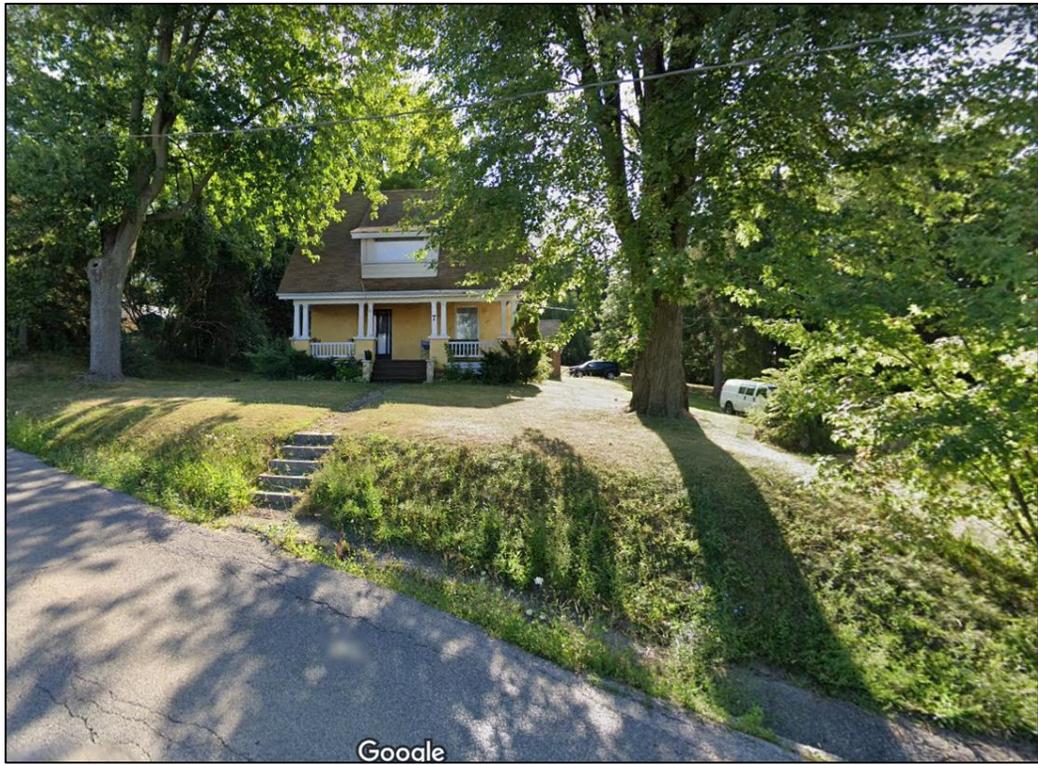


Figure 2 – Existing Single Detached Dwelling 7 Morrison Road (Google Streetview)



Figure 5 – Proposed Rendering (MHBC)

Planning Analysis:

Proposed Official Plan Amendment

To accommodate the proposed development, an amendment to the Official Plan is requested to increase the permitted Floor Space Ratio (FSR) in the Low-Rise Residential land use designation. In this designation, the City's Official Plan states that the maximum permitted FSR is 0.6. Policy 15.D.3.11 states that site-specific increases to allow up to a maximum FSR of 0.75 may be considered without the need for an OPA, where it can be demonstrated that the increase is compatible and meets the general intent of the policies of the Official Plan. Given the sloping lands and grade change across the site, the redevelopment of the subject lands proposes a FSR of 0.9, thus an OPA is required. It is important to note here that the OPA is not requesting a change of land use but rather seeking a site-specific policy area to the existing Low Rise Residential designation to permit an increase in FSR to 0.9 from 0.6.

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 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 with adequate servicing capacity, road network capacity, and other required infrastructure and therefore represents a cost-effective infill project that minimizes land consumption

and servicing costs. There are a variety of low-rise residential uses throughout the immediate areas. 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) Municipalities will 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(c) This plan will support the achievement to provide a diverse range and mix of housing options within the city.

The proposed multiple dwelling residential development will provide a greater mix of housing types in the neighbourhood and. Planning staff is of the opinion that the development proposal conforms to the Growth Plan.

Regional Official Plan (ROP), 2010:

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 (Attachment 'E'). 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 a '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.

Land Use Designation

The subject lands are designated 'Low Rise Residential' in the City's Official Plan (Map 3). Low Rise Residential areas are intended to accommodate a full range of low-density housing types including single detached, semi-detached, townhouse, and low-rise multiple dwellings. The Low-Rise Residential designation states that the City will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a low-rise built form. No buildings shall exceed 3 storeys or 11 metres in height. However, policy 15D.3.12 does support an increase in building height due to unusual slopes providing it is compatible with surrounding lands. An Official Plan amendment is required to increase the permitted FSR from 0.75 to 0.9.

The proposed development intends to develop a low-rise multiple dwelling building which is permitted in the Low-Rise Residential designation. and an FSR of 0.9. Moreover, the design, massing, and scale of the development is consistent with adjacent multiple dwelling and townhouse developments. Scale and massing comparisons can be made between the proposed development and similar projects on Grand River Boulevard, Morgan Avenue, the Chicopee Terrace development at 15 Hofstetter Avenue, and the Morrison Woods Development at 24 Morrison Road. The increase in FSR is attributed more to the fact that the subject lands are sloped thus exposing partially below grade ground floor area which must be calculated in the FSR calculation. If the subject lands were flat, then FSR would be closer to 0.6. The slope of the subject land exposing more floor area is a technical consideration and therefore any impact is considered negligible.

As such, Planning staff is of the opinion that the requested Official Plan Amendment proposing an increase in FSR will facilitate a housing form that conforms with the Low-Rise Residential land use designation in the City's Official Plan for the reasons stated above.

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.

In regard to 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 shall promote and encourage 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 access to Grand River Transit Route 27 and iExpress Route 206. 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 considers the functionality and compatibility of development as a means of strengthening complete communities.

Urban Design policies in the 2014 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 requires a high-quality urban design of development applications. The subject lands have been designed in accordance with the policies in the Official Plan and with the principles of the Urban Design Manual. These are outlined in the attached Urban Design Brief and will be used to direct the development through a future site plan application. Some of the key highlights are high quality design and construction, transit supportive development, positive streetscape edge and enhanced landscape design. The proposed development requires site plan approval and will be subject to further review.

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 low-rise multiple dwelling proposal is a "missing middle" housing type and provides an option that bridges the gap between high density residential towers and single detached dwellings. The proposed housing type is an important segment in Kitchener's housing continuum.

Policy 4.C.1.8 states that where special zoning regulations are requested, proposed, or required to facilitate residential intensification or a redevelopment of lands, the overall impact of the special zoning regulations will be reviewed, but not limited to the following to ensure, that:

- a) Any new buildings and any additions and/or modifications to existing buildings are appropriate in massing and scale and are compatible with the built form and the community character of the established neighbourhood.
- b) Where front yard setback reductions are proposed for new buildings in established neighbourhoods, the requested front yard setback should be similar to adjacent properties and supports and maintain the character of the streetscape and the neighbourhood.
- c) New additions and modifications to existing buildings are to be directed to the rear yard and are to be discouraged in the front yard and side yard abutting a street, except where it can be demonstrated that the addition and/or modification is compatible in scale, massing, design, and character of adjacent properties and is in keeping with the character of the streetscape.
- d) New buildings, additions, modifications, and conversions are sensitive to the exterior areas of adjacent properties and that the appropriate screening and/or buffering is provided to mitigate any adverse impacts, particularly with respect to privacy.
- e) The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the site.

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 encourages 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.

Staff is of the opinion that the development proposal is functional and at a scale and massing consistent with surrounding lands. Appropriate buffers to the adjacent property have been established and impacts associated with proposed special regulations for rear yard, height and FSR are considered minimal.

Cultural Heritage Resources

This property is located immediately adjacent to Freeport Hospital, which is considered a Cultural Heritage Resource. As such, in accordance with policy 12.C.1.23, a Heritage Impact Assessment (HIA) is required. An HIA has been submitted, reviewed, and accepted by Heritage Staff.

Policy Conclusion

Planning staff are of the opinion that the proposed Official Plan/Zoning By-law 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 'Low Rise Residential Five Zone (RES-5)' in Zoning By-law 2019-051. This zone permits the use of a multiple dwelling subject to meeting zoning and parking regulations. The applicant has requested to change the zoning from 'Low Rise Residential Five Zone (RES-5)' to 'Low Rise Residential Five Zone (RES-5) with Site Specific Provision (361)' in Zoning By-law 2019-051. The table below illustrates the zoning, parking, and bicycle regulations and whether or not the proposal complies. Justification is provided where a regulation is not being met and why. These are highlighted in bold.

Provision	RES-5	Proposed	Justification
Minimum Lot Area	495 m ²	3,522 m ²	Complies
Minimum Lot Width	19.0 m	35.6 m	Complies
Minimum Front Yard Setback	4.5 m	6.4 m	Complies
Minimum Interior Side Yard Setbacks	3.0 m	4.8 m/20m	Complies
Minimum Rear Yard Setback	7.5 m	6.0 m	The rear yard backs onto a treed portion of Freeport Hospital lands. Impacts are negligible.
Maximum Height	11.0m	11.0 to 11.5m from the highest grade and 13.5 m to the lowest grade	Due to the slope of the lands and how height is measured. This complies with policy 15.D. 3.12 of the OP that supports relief in height due unusual grade conditions.
Maximum Floor Space Ratio	0.6	0.9	Due to slope of lands and how FSR is measured. Notwithstanding, the scale and massing is consistent with adjacent multiple dwellings

Maximum Number of Storeys	3	3	Complies
Minimum Landscaped Area	20%	41.4%	Complies
Private Patio Area	8	8	Complies
Minimum Parking Rate	1.0 / unit	1 / unit	Complies
Maximum Parking Rate	1.4 / unit	1.4 / unit	Complies
Total Parking Required	32-45 spaces	39 spaces	Complies
Visitor Parking Rate	0.15/unit	0.15/unit	Complies
Visitor Parking Requirements	5 spaces	5 spaces	Complies
Barrier Free Parking Rate	2 spaces	2 spaces	Complies
Class A Bicycle Parking Requirement	13 spaces	16 spaces (incl. 8 garage)	Complies
Class B Bicycle Parking Requirement	6	6	Complies

WHAT WE HEARD



2 people provided comments



1 Neighbourhood Meetings held



270 households circulated and notified

Department and Agency Comments:

Preliminary circulation of the Zoning By-law Amendment was undertaken in October 2022 to applicable City departments and other review authorities. No major concerns were identified by any commenting City department or agency. Copies of the comments are found in Attachment “E” of this report.

The following reports and studies were considered as part of this proposed Official Plan and Zoning By-law Amendments:

- Planning Justification Report;
- Urban Design Report;
- Tree Management Report;
- Preliminary Building Elevation Drawings;
- Preliminary Floor Plans;
- Preliminary Grading Plan;
- Functional Servicing Report;
- Water Distribution Report;
- Functional Stormwater Report;
- Environmental Noise Study;
- Truck Turning Templates;
- Scoped TIS; and
- Sustainability Statement

Community Input and Staff Response:

Staff received written responses from two (2) residents with respect to the proposed development. These can be found in Attachment 'F'. A summary of what we heard, and staff responses are noted below.

What We Heard	Staff Comment
Traffic on Morrison Road is busy, this development will make it worse	A Traffic Study was submitted and reviewed by staff. The development will generate twelve am and twelve pm peak hour trips which are considered minimal. Under the forecasted 2028 Future Total Traffic Volumes, Morrison Road at the site access point is operating with sufficient vehicle capacity, vehicle delays not exceeding criteria and no vehicle queueing concerns in either the AM or PM peak hours. Also, there are no recommendations to provide additional physical capacity near this access in response to the site generated traffic. The proposed site access location provides sufficient stopping sight distance for oncoming vehicles along Morrison Road. Also, the traffic generated by this development will have minimal impact on the surround road network.
Safety Concerns	As mentioned above, the site access location was assessed and deemed acceptable from a site visibility standpoint. With respect to the railway tracks, CP Railway was notified of the proposal, and it advised staff that it has no concerns (see Attachment E). A Noise and Vibration Study was prepared, and it has been reviewed and approved by the Region of Waterloo. Any design mitigation measures, and warning clauses will be implemented through the site plan and condominium approval processes, respectively.
Impacts to Property Values	Assessing the impacts to property values is not a planning consideration. Planning applications are reviewed based on the principles of 'good planning' in the public interest which includes policy direction, serviceability, and functionality of the proposal.
Future Development Plans	Like the subject property, the adjacent lands addressed as 25, 33 and 41 Morrison Road, are zoned RES-5 which permits the development of single and semi-detached dwellings and low-rise multiple dwelling forms of housing such as apartments and townhomes either rental or condominium tenure.
Criteria for Approval/Rejection of an Application	Staff makes a professional planning recommendation in the form of a staff report to PSIC Committee, and a decision is rendered by the Committee/Council to either recommend approval or refusal of the application to Council. Council's decision is subject to an appeal process to the Ontario Land Tribunal.
Sidewalks	Presently, there are no sidewalks along this section of Morrison Road. However, the plan is to have sidewalk

	installed for 7 Morrison Road at the time of construction. The City will evaluate future sidewalks through the Sidewalk Infill Policy and workplan.
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Planning Conclusions:

In considering the foregoing, staff are supportive of the Zoning By-law amendment. Staff is of the opinion that the subject application is consistent with policies of the Provincial Policy Statement, conform to 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 Zoning By-law Amendment application be approved. The proposed application represents an opportunity to provide 'missing middle' housing that addresses a need in our community.

STRATEGIC PLAN ALIGNMENT:

The recommendation of this report supports the achievement of the City's strategic vision through the delivery of core service.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this recommendation.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the Council / Committee meeting. A large billboard notice sign was posted on the property and information regarding the application was posted to the City's website. Following the initial circulation referenced below, an additional courtesy notice of the public meeting was circulated to all property owners within 240 metres of the subject lands, those responding to the preliminary circulation and Notice of the Public Meeting was posted in the Waterloo Region Record on March 10, 2023 (a copy of the Notice may be found in Attachment 'D').

CONSULT – The proposed Zoning By-law Amendment was originally circulated to property owners within 240 metres of the subject lands on October 25, 2022. In response to this circulation, staff received written responses from 2 residents, which are included in Attachment 'E'. A Neighbourhood Meeting was held on November 29, 2022, and attended by approximately 3 residents.

PREVIOUS REPORTS/AUTHORITIES:

- Zoning By-law 2019-051
- Official Plan, 2014
- Regional Official Plan, 2010
- Provincial Policy Statement, 2020
- Planning Act, 1990
- A Place to Grow Growth Plan, 2020

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
- Attachment B – Proposed Zoning By-law Amendment
- Attachment C – Urban Design Brief
- Attachment D – Newspaper Ad
- Attachment E – Department & Agency Comments
- Attachment F – Community Consultation Comments