# LOWER DOON LAND USE STUDY



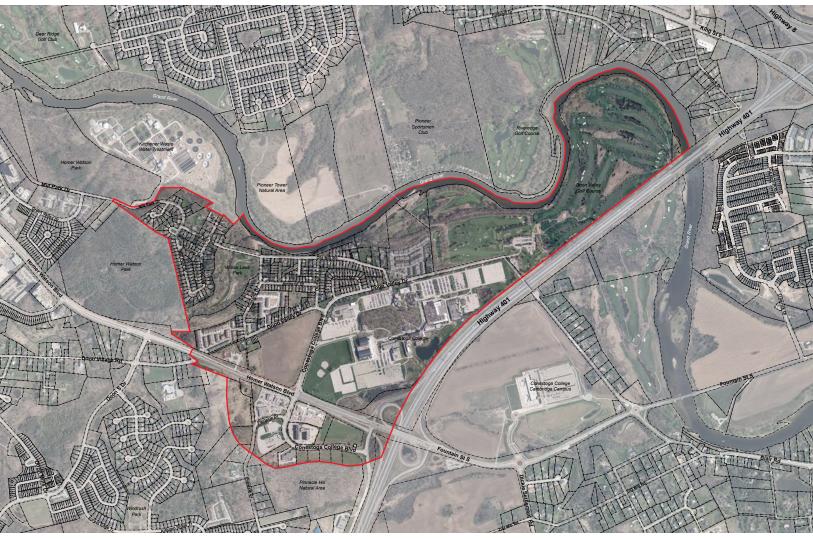
# What We Heard Report #2

October 2020



# **Contents**

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Study Area for the Lower Doon Land Use Study



# 1 Introduction

The objectives of the Lower Doon Land Use Study are to:

- Review current issues, zoning and land use designations and policies for the Lower Doon and Conestoga College Node area.
- Examine the planning structure, land use mix and intensity for the lands identified in the study area
- Make recommendations to update the Official Plan Policies, Zoning bylaw regulations and any other planning tools as needed for the lands identified in the study area.

The Study Area extends from the Grand River, along the north side of Highway 401, to the east side of Homer Watson Boulevard, north along the edge of Homer Watson Park to the south side of the Grand River. The entire area is approximately 233 ha, and includes the Doon Campus of Conestoga College, Doon Valley Golf Course, Willow Lake Park, and has approximately 540 houses with some office/commercial uses. In the portion

of the neighbourhood immediately adjacent to Conestoga College, there are 182 houses outside of the three existing townhouse developments that have 251 units.

The Planning Partnership team initiated the Study in October 2019 with a review of the City's background information, research on precedents of other near campus neighbourhoods in cities across Ontario, met with residents for one-on-one meetings, had a site walk with residents, city staff and the Councillor (November 13, 2019) and had meetings with representatives from Conestoga College (December 9, 2019) and the City's Staff Steering Committee (January 8, 2020).

The first What We Heard report summarizes the input received to date from approximately 20 one-on-one conversations s and the first public consultation event held on February 3, 2020.

This report summarizes the input received during the second round of consultation held on September 22, 2020.

# 2 Public Workshop

The second public consultation events was held on September 22, 2020. The community was notified of the event by:

- · Emails to all those on the project mailing list
- Posted notice of meeting on the project's webpage (www.kitchener.ca/en/cityservices/lower-doon.aspx)
- Direct mail to all houses in the Lower Doon Study Area

Given the current conditions of working during the Covid-19 pandemic, in person meetings were not permitted. The consultation event was organized as an on workshop using the GOTO meeting platform. Interested participants were asked to register for one of four time slots: 10:00, 1:00, 3:30 or 6:30. Each session was 1.5 hours in length and included a presentation describing what we heard in the first workshop and three options to consider for Lower Doon. Approximately 55 people attended the four sessions.

Each session began with a presentation (see Appendix) to provide an explanation of the three options to consider. Following the introduction of each option, attendees were invited to share their thoughts. Each of the workshops were recorded and posted to the project's web page at the City of Kitchener.

# PUBLIC CONSULTATION #2 Lower Doon and Conestoga College Node



#### **HAVE YOUR SAY**

on the future of Lower Doon and Conestoga College Node Area

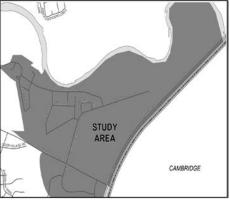
The City of Kitchener is seeking <u>input</u> on the future vision and objectives for the Lower Doon neighbourhood and the area surrounding the Conestoga College-Doon campus.

You are invited to attend an online consultation workshop meeting on: <u>Tuesday</u>, <u>September 22</u>, <u>2020</u>

Register for <u>one of four</u> online workshops here: https://www.eventbrite.ca/e/lower-doon-land-usestudy-tickets-118195368529

Learn more about the Lower Doon Review and how you can become involved and provide input!

We look forward to working together on creating a plan for your neighbourhood.



Stay informed by visiting:

https://www.kitchener.ca/en/city-services/lower-doon.aspx

Meeting notice for Public Consultation #2

The following is a summary of the conversations/questions raised during the four workshop sessions:

- regarding the suggestion that the College could list housing that substandard and housing that meets standards (slide 22), clarification required that the City would provide the information to the College, particularly if a Lodging House Licensing Strategy was implemented
- Homer Watson Boulevard and Conestoga College Boulevard is a bottleneck for traffic, in particular at the beginning of the semester for the College, will the Land Use Study make suggestions for road improvements
- could houses be torn down and replaced with townhouses or a small building? Will this result in fewer people living in the Lower Doon area or more? not necessarily promoting this, but recognizing it may happen with the required planning approvals required. Already will be allowed additional dwelling units within the existing buildings
- concern regarding exploration of options for development along the frontage of the golf course along Doon Valley Drive, no community support for this the last time it was considered
- interest in including lands west of the Tim Hortons south of Homer Watson Blvd in the exploration of future uses
- what is the demand for use re: growth in student population and City of Kitchener and how will this influence the options being considered
- can all three options be combined in the Study's recommendations?
- will cultural heritage be considered in a land use and design?
- will the heritage component in Lower Doon be maintained through recommendations in the Land Use Study?

- most landlords are more interested in converting houses to a legal duplex, will that be permitted?
- what's the difference between an additional unit and duplexing?
- owners should be allowed to convert to additional units, if they meet the City's regulations/requirements. Lower Doon is still excluded from the City's new Zoning By-law
- concern about the loss of parking on College owned lands through redevelopment
- concern about the increase in traffic as a result of new development
- concern about the location of the new bus stop on College lands and the amount of bus traffic
- lack of trails and sidewalks on Lower Doon streets, needs to be included and encouraged
- Lower Doon only has one way in and out, access needs to be considered in the land use and design scenarios
- why not apply the regulations for the rest of Kitchener regarding additional units to Lower Doon?
- any interest on the part of the City to partner in the development of student housing?
- any opportunity for the College to use their lands on the other side of Highway 410 for housing?
- has the College expressed interest in development on their parking lots?
- what is the timing anticipated for the study's recommendations? What can be done right away?

- will the City address houses that are already overpopulated
- have the landlords been involved in the Study
- what is the sequence of developing the licensing strategy relative to permitting lodging houses
- does the City decide on the rules and regulations for the licensing strategy
- may not have the same numbers of students in Lower Doon for a few years due to pandemic are there issues with student housing without as many students here. Does the City have short term strategies re: by-laws?
- how has new rental by Zehrs plaza factored into this study?
- clarification on the current height restrictions in the neighbourhood.
- has Comprehensive Review of the Zoning By-law been applied in Lower Doon?
- a Secondary Plan has not been completed for Lower Doon
- are 'granny suites" included in the consideration of permissions for "additional units"
- the City needs to clean up the streets in the neighbourhood - improved snow and ice clearing
- can the pedestrian bridge across Highway 401 be extended?
- can Doon Valley Drive be extended to Homer Watson Blvd?
- why is a bus hub being constructed at the end of Doon Valley Drive. Needs of permanent residents have meant nothing in consideration of the need for the bus hub

- need additional ways in and out of the neighbourhood
- concerned about the impact of increased bus service on air quality
- odd that we are considering new development without first planning for new roads
- significant congestion with students getting out of College parking lot
- lots of flexibility for development on lands by the existing student residence
- concerned about safety for the students
- hope that students will use transit more, if there was better public transit, perhaps would reduce traffic volume

Three options were discussed as the basis for a new land use strategy for the Lower Doon neighbourhood. The options are not mutually exclusive and could be combined.

1

## As is

Second units + accessory units



Lot assembly/ intensification



Continued Infill Redevelopment



Continue to manage with By-law Enforcement and Fire

The Three Options

2

## Change By-law

Permit Lodging Houses



Lodging House License Strategy

Continue to manage housing with By-law Enforcement and Fire

3

# Release the pressure

Land use/design framework for Collegeowned lands

### and/or

Land use/design framework for City-owned lands

### and/or

Land use/design framework for private lands

## **Option 1: As Is**

#### **Secondary Units and Accessory Units**

Properties zoned R-3 (319 U) have been prohibited from being used as duplexes since 2001 – this is contrasted with the rest of the City where duplexes have been permitted in all low density residential zones (except R1) since 1994.

The Planning Act has required all municipalities to permit one additional unit in the main building or an accessory building since 2016 (through Bill 73) – this has for the most part already been implemented in Kitchener, except Lower Doon.

The Planning Act was again updated through Bill 108 to require municipalities to permit another additional unit – such that three can be permitted.

The City is updating its Zoning By-law to permit up to three units on a lot, provided all regulations are met and Ontario Building and Fire Codes can be satisfied.

The issue is primarily the number of people living in one unit, not the number of units.

# Continue to manage properties through Property Standards, Property Maintenance, Fire Code

#### City

- By-law officers go door to door every fall
- · Host a Welcome Back BBQ
- Property Standards Officers in Lower Doon at least 3 days a week, often every day
- Parking enforcement every day
- A member of the Town and Gown Committee
- Work with the College on the student union run information event on living off campus and offer inspection of housing for anyone who is interested
- Fire inspection all houses Lower Doon

#### Conestoga College

- College to list houses that are substandard on their housing webpage
- College to list housing that meets City standards
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- College to share stats on where Doon campus students live with City

#### **Continue to Manage Behaviour**

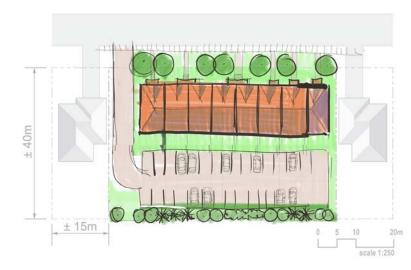
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- Prepare Code of Conduct/Good Neighbour Guide for students living off-campus to complement current College policies
- Member of Town and Gown Committee

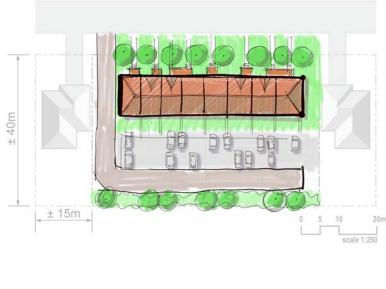
The following are the diagrams illustrated during each workshop recognizing that land could be assembled with plans for townhouses or small multi unit buildings. This type of redevelopment would be subject to the City's planning approvals. This type of development is not necessarily promoted, but the team recognizes this could occur.

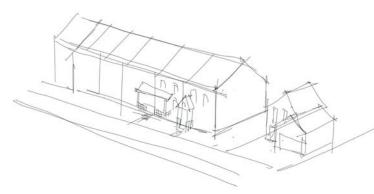


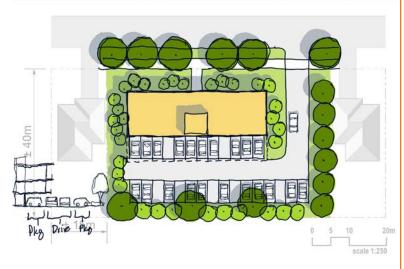




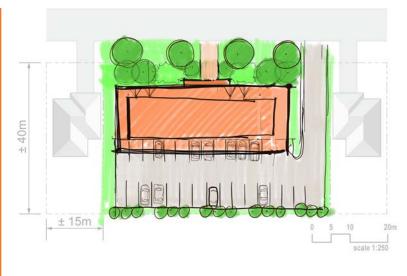
Diagrams produced during Session 1



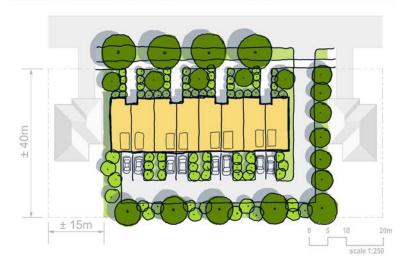




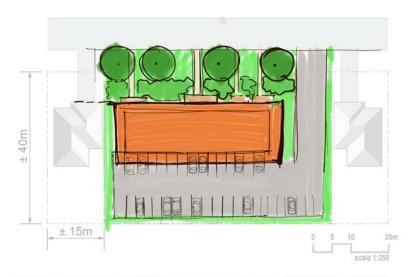
Diagrams produced during Session 2







Diagrams produced during Session 3







Diagrams produced during Session 4

## **Option 2: Change By-law**

#### What the Zoning By-Law Does & Does Not Do



Regulate housing type

Define locations for dwelling types and scales

Define the amount of amenity space

Define parking

Define the number of permitted bedrooms



Cannot regulate occupancy (the number of people or the relationship to one another)

Cannot regulate tenure

Concern that specifying bedrooms, amenity requirements, unit sizes could impact housing for "protected groups"

Challenge to monitor

Lodging houses are not permitted in R-3 Zone, unless specifically authorized on a property.

Lodging houses permitted in the R-6 Zone in most parts of the City, except Lower Doon.

Zoning allows City to license, regulate and govern businesses operating within a municipality.

Licensing is also used to require the owner to comply with the Zoning By-law, property standards by-laws, the Building Code and Fire Codes.

#### **Proposed Definition in Kitchener By-law**

"Lodging House – means a dwelling unit where five or more persons, not including a resident owner of the property, may rent a lodging unit and where the kitchen and other areas of the dwelling unit are shared amongst the persons occupying the dwelling unit. Lodging house can include student residences and convents but shall not include a group home; hospital; any small residential care facility or large residential care facility licensed, approved, or supervised under any general or specific Act; or a hotel"...

Prohibiting Lodging Houses has not addressed the issue of limiting the number of people living in one unit. Permitting Lodging Houses enables licensing for better oversight.

#### The Municipal Act – Licensing lodging houses

- 1. Define a specific geographic area
- 2. Limits to the number of bedrooms
  - the cap should be based on the original floor plan of the house, or the existing floor plan if alterations were done with municipal approval, and/or are consistent with other housing in the area.
  - allow for variances for houses that were originally constructed to have more bedrooms than the cap allows, and to ensure that the licensing regulations do not exclude large families with children or extended families.
- 3. Minimum amenity area requirements
- 4. Minimum distance separations are not appropriate or defensible for any form of housing (i.e. lodging or rooming housing) as they can be considered a form of 'people zoning' should there be concerns regarding the concentration of certain types of housing in specific neighbourhoods, consider incentives for developing such housing in other locations should be used
- **5.** Provisions relating to garbage and snow removal, maintenance, health and safety standards and parking.

- onus on landlords to manage their properties in conformity with municipal standards and provides the right for by-law enforcement officers to enter properties for inspections
- without such powers, by-law enforcement officers may only enter a property/unit if the landlord or tenant gives their consent
- **6.** Creates additional operation/enforcement responsibilities for the municipality, which frequently requires additional staffing.
- Design the licensing program to ensure that it does not dissuade participation. Establish an effective enforcement and/or incentive program.
  - partnering with Conestoga who would only advertise landlords who met the municipality's licensing requirements
  - Oshawa has implemented a demerit points system to manage properties which fail to keep up all of the licensing requirements.
     Amassing a defined number of points can result in a warning, and then the risk of loosing the license to operate.

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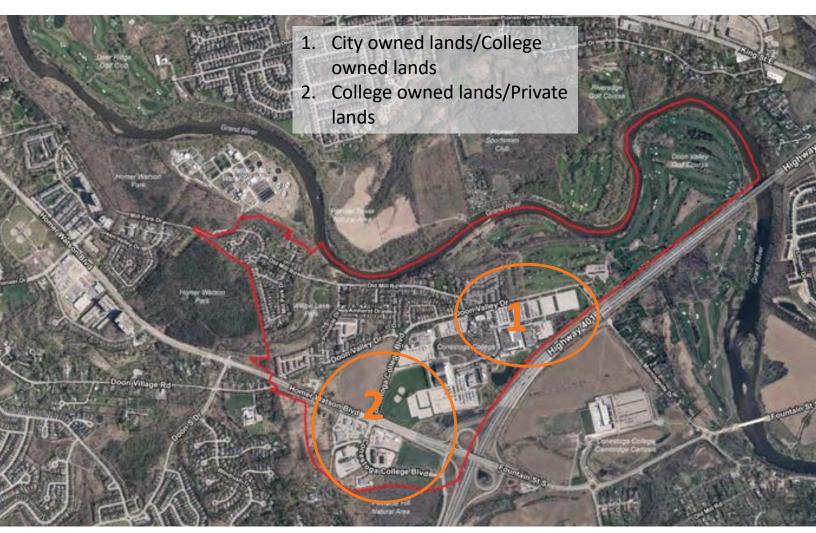
## **Option 3: Release the Pressure**

Two areas were used to illustrate the possibilities for new mixed use development in order to "take the pressure" off the existing housing in the Lower Doon neighbourhood to provide for all of the housing in demand in this area. The explorations are founded on important principles:

- to include parks, parkettes, natural areas and community facilities as key components of newly developed areas
- to provide for a variety of ways to move about with pedestrian trails, cycling connections, enhanced transit and new roads
- to provide a variety of building types with compatible height, character and form



Example of parks, parkettes and community facilities



Map showing two areas used to illustrate development possibilities



Example of parks, parkettes and community facilities



Example of approaches to transit, walking, cycling driving



Example of approaches to transit, walking, cycling driving



Example of approaches to transit, walking, cycling driving



Example of approaches to transit, walking, cycling driving



Example of approaches to use, height, form building character



Example of approaches to use, height, form building character

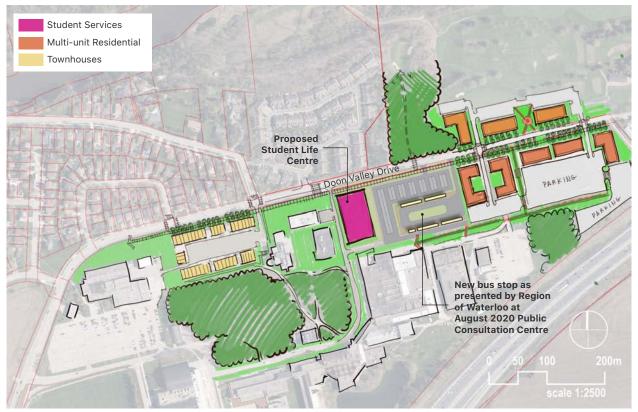


Example of approaches to use, height, form building character



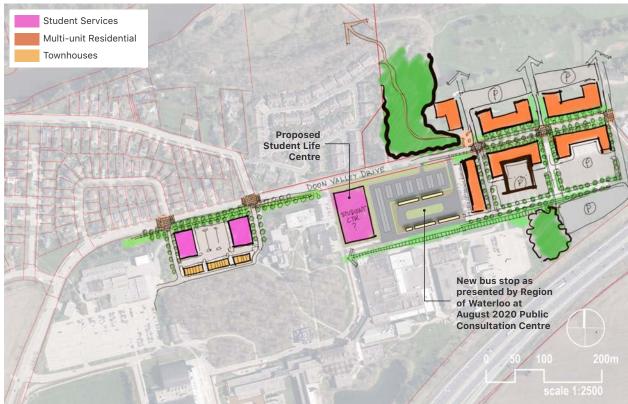
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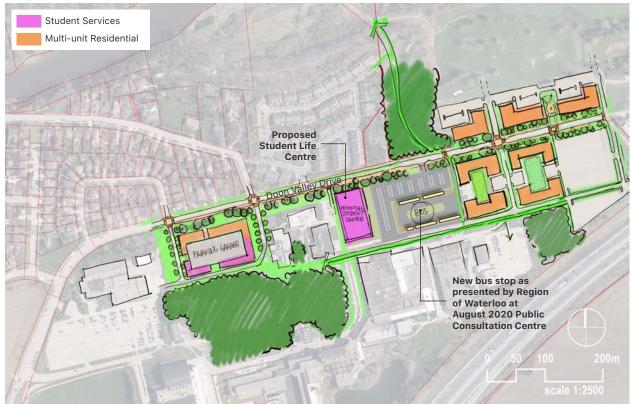
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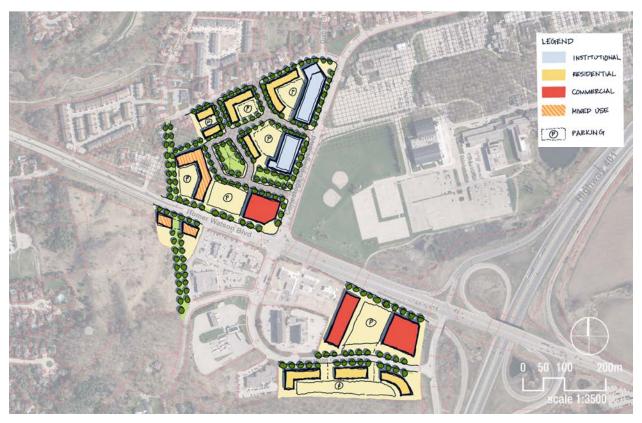


Diagrams produced during Session 2





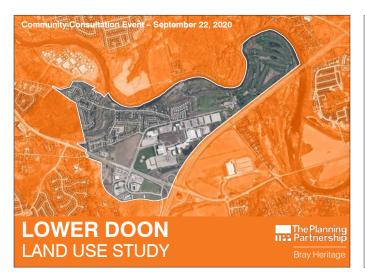
Diagrams produced during Session 3





Diagrams produced during Session 4

# **APPENDIX Workshop 2 Presentation**





#### Our approach

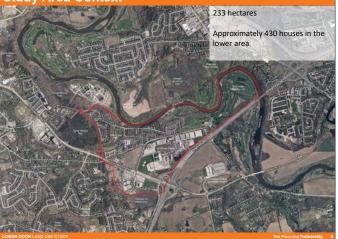
#### Our approach to working with all of the stakeholders is founded on this:

- · Honest and truthful conversations
- · Commitment to share accurate information as the basis for a
- · Commitment to update information to ensure it's an accurate foundation for the Lower Doon Land Use Study
- · We believe people have the will and capacity to work together to identify options if they have access to all of the information
- · Imperative to clarify the consequences of choices in working towards preferred option(s)
- · Imperative to clarify the many inputs to decision-making

INFORMED INPUT RESULTS IN SUPPORTABLE AND SUSTAINABLE SOLUTIONS

#### Today's Workshop: agenda

- 1. Overview of what we heard from the first workshop held on February 4th 2020
- 2. Introduce three options to be considered at today's workshop
- 3. Discuss Option 1: Leave planning framework and management
- 4. Discuss Option 2: Change the Zoning By-law
- 5. Discuss Option 3: Release the pressure
- 6. Wrap up and next steps



#### Workshop #1 – 100 people, 15 issues/4 topics

#### Property

- Rental units for students are not safe or legal
- Too many cars parked on driveways. Driveways are often widened too much
- Poor maintenance of houses used for student rental: garbage left out, lawns not mowed, sidewalks not shoveled

- Poor behaviour of students disrupt the neighbourhood (noise from parties, vandalism)
- Unethical and greedy landlords threaten students who complain about conditions
- Students retaliate to those who lodge complaints against them



#### Workshop #1 - 100 people, 15 issues/4 topics

#### Neighbourhood

- Too many buses and cars clogs Conestoga College Boulevard and Doon Valley
- Heritage attributes/character of the neighbourhood is being affected by high number of student rental houses
- Addition of sidewalks will impact trees that contribute to the character of the neighbourhood
- 10 Students are taking up all of the street parking
- Too many houses are used for student rental, there's no balance with owner occupied houses





#### Workshop #1 – 100 people, 15 issues/4 topics

#### Managing student housing

- 12. Not permitted to duplex houses or have lodging houses
- Conestoga should take more responsibility for off-campus housing
- 14. City should take more control to manage off-campus housing
- 15 It's too much work for owners who live in the neighbourhood to manage the issues of student





#### Workshop #1 - many many suggestions

- Allow legal lodging houses; regulate number of people in a house
- College to provide more purpose-built student housing
- Make landlords more accountable
- Permit higher densities
- Prohibit on street parking
- Establish higher standards for rental units
- Traffic calming
- Create design principles for new buildings
- More frequent bus service
- Reduce speed limit on Homer Watson
- Parking structure
- Reduce impact of bus and vehicle traffic on neighbourhood

- Provide more shops and services in the neighbourhood
- More trees on streets
- Protect existing character of Lower
- · Interpretation of history
- Purchase property at end of Durham Street for open space
- Build sidewalks without disturbing mature trees
- · Maintain green space
- · License duplexes and third units
- · Use part of golf course for housing
- Incentives to support construction of new housing
- · College to enforce their code of conduct

#### What is the overarching issue

The issue is not necessarily the number of units, it's the number of people living in one unit, creating unsafe living conditions.

#### **Three Options**

## 1

#### As is

Second units + accessory units

Lot assembly/ intensification

Continued Infill Redevelopment

Continue to manage with By-law **Enforcement and Fire** 

## 2

#### Change By-law

Permit Lodging Houses



Lodging House Strategy

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#### 3

#### Release the pressure

Land use/design framework for Collegeowned lands

#### and/or

Land use/design framework for City-owned lands

Land use/design framework for private lands

#### Option 1: As is

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The City is updating its Zoning By-law to permit up to three units on a lot, provided all regulations are met and Ontario Building and Fire Codes can be

The issue is primarily the number of people living in one unit, not the number of units.

#### Option 1 - As is

Lot assembly and redevelopment with higher density uses, such as townhouses What could that look like?



#### Option 1 - As is

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Three Options 1

# 2

Permit Lodging



Lot assembly/ intensification

Second units +

accessory units

As is

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## Change By-law

Houses



Lodging House License Strategy

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pressure

Land use/design framework for Collegeowned lands

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Land use/design framework for private lands

#### Option 2: Change By-law

#### What the Zoning By-law does and does not do



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Define locations for dwelling types and scales

Define the amount of amenity space

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Cannot regulate occupancy (the number of people or the relationship to one another)

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Challenge to monitor

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Proposed definition in Kitchener By-law:

"Lodging House - means a dwelling unit where five or more persons, not including a resident owner of the property, may rent a lodging unit and where the kitchen and other areas of the dwelling unit are shared amongst the persons occupying the dwelling unit. Lodging house can include student residences and convents but shall not include a group home; hospital; any small residential care facility or large residential care facility licensed, approved, or supervised under any general or specific Act; or a hotel"...

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#### Continue to Manage Behaviour

#### City

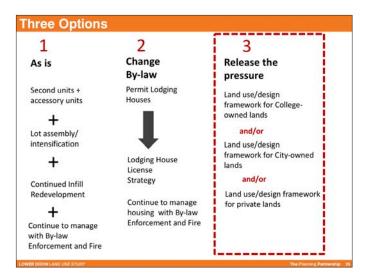
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- Host a Welcome Back BBQ
- · Member of Town and Gown Committee
- · Attend College information event on living off-campus

- · Prepare Code of Conduct/Good Neighbour Guide for students living off-campus to complement current College policies
- Member of Town and Gown Committee

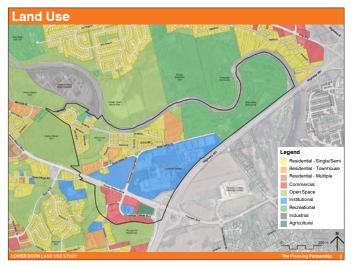
#### Option 2 - Change By-law

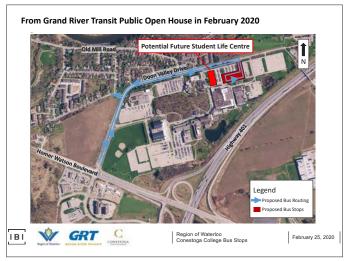
#### Permit lodging houses and Implement licensing

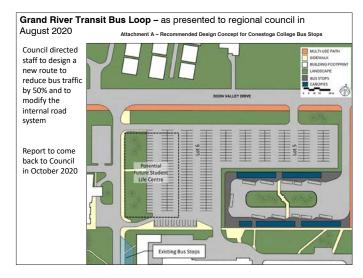
- 1. Permit Lodging Houses in Lower Doon
- 2. Implement Lodging House Rental Licensing
- 3. Finalize rules for second/accessory unit
- 4. Prepare design guidelines for infill and intensification
- 5. Continue to manage housing









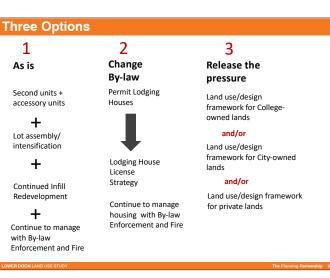


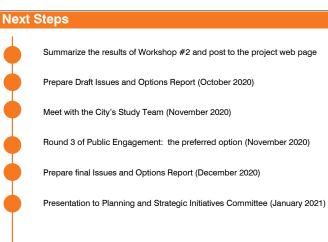












# LOWER DOON LAND USE STUDY



