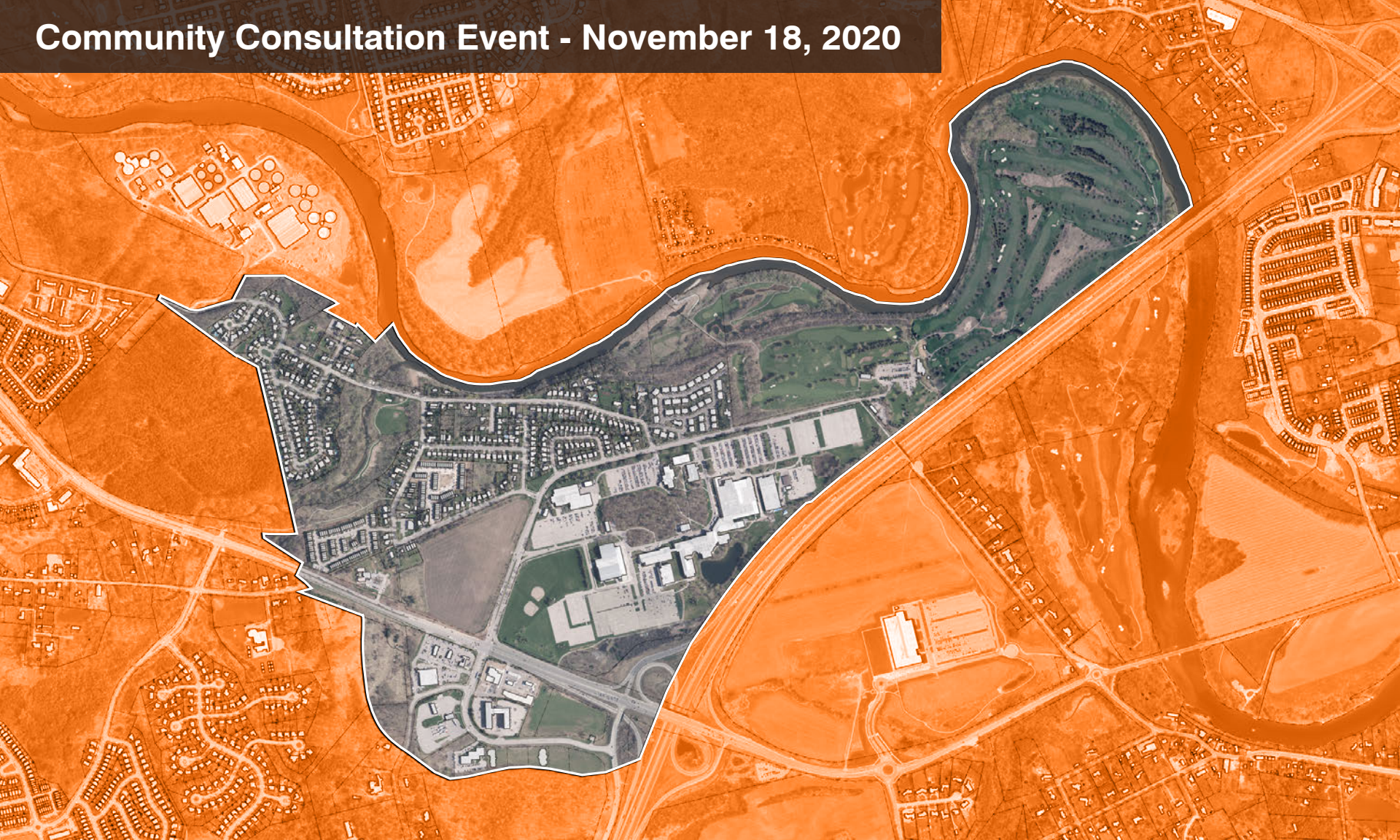


Community Consultation Event - November 18, 2020



LOWER DOON LAND USE STUDY

 The Planning
Partnership

Bray Heritage

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.

This workshop presents the draft recommendations.

Previous Workshops

Workshop 1 Understand the Issues

- Workshop 1 was held on February 3, 2020
- Two time slots for people to register at the time that best suited their schedule.
- Approximately 100 people attended the workshop.
- Began with a presentation to provide a full explanation of what the team had learned regarding who was doing what to provide and manage housing in the Lower Doon area, the issues, and the range of options that might be considered to address each issue.
- Following the presentation, attendees were invited to share their thoughts on options to address each one of the fifteen issues posted.



Workshop 2 Review Land Use/Design Options

- Workshop 2 was held on September 22, 2020.
- Given the conditions of working during the Covid-19 pandemic, in person meetings were not permitted.
- The consultation event was organized as an online workshop using the GoToMeeting platform.
- Interested participants were asked to register for one of four time slots.
- Approximately 55 people attended the four sessions.
- 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 - as is, change the Zoning By-law, and Release the Pressure
- 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.

23 Recommendations in 8 categories

- 6  **Protect Heritage**
- 4  **Enhance the Supply Of Housing**
- 2  **Enhance the Public Realm**
- 3  **Allow Lodging Houses**
- 2  **Prepare a Planning Framework**
- 2  **Role of the College**
- 3  **Manage Behaviour & Oversee Property Standards**
- 1  **Role of Lower Doon Residents**

Recommendation 1

Identify a Heritage Character Area extending north from the intersection of Pinnacle Drive and Amherst Drive.

Include a description of the Heritage Character Area in the area-specific policies in the Official Plan for the Lower Doon Neighbourhood.

- Village of Doon straddles Schneider Creek.
- In early 19th century, the Ferrie family of Scottish immigrants chose this location because the creek provided water to power their mills.
- The Village grew around the mills and, at its height in the late 19th century, supported a variety of industries as well as shops, schools, hotels, churches and a range of housing.
- The railway cut diagonally through Lower Doon in the 1850s and station was located at Pinnacle Drive and Amherst Drive.
- Local industries declined in the early 20th century and Lower Doon became a popular place to swim and cottage at Cluthe family's resort on Willow Lake.
- By the late 1960s, Lower Doon was becoming a bedroom suburb for the region, and the municipality converted the former lake into a public park, next to the ruins of the mill.
- The village also became famous for its associations with the 19th century artist Homer Watson, whose house and grounds in the village are now a public gallery.



Recommendation 2

Include a Statement of Cultural Heritage Value or Interest.

Include a Statement of the Cultural Heritage Value or Interest in the area specific policies of the Official Plan for the Lower Doon Neighbourhood.

- The Upper Pinnacle Drive Heritage Character Area has cultural heritage value because it includes built heritage and cultural heritage landscape resources that represent key characteristics and important periods in the village's evolution
- The Heritage Character Area includes the former mill pond and mill ruins
- The Area also includes largely unchanged portions of the Grand River shoreline that influenced Homer Watson's paintings.
- Adjacent properties on Pinnacle Drive provide surviving examples of a former high-quality hotel as well as examples of housing built for mill employees.
- Pinnacle Drive, Amherst Drive and Old Mill Road represent parts of the original village street network and alignments, and about the location of the former rail line and station.
- The area is associated with two important community members – the Ferrie and Cluthe families – the former for founding the community and milling operation, the latter for taking over the mill and for establishing a regional recreation complex on the former mill pond
- The area also is likely to have potential for both pre-contact and historical archaeological heritage resources (to be determined by further research).

Recommendation 3

Identify the Heritage Attributes.

Identify the Heritage Attributes in the area specific policies of the Official Plan for the Lower Doon Neighbourhood.

Prepare draft policies and high level guidelines for conservation and development, including historic views, for the Heritage Character Area.

- Former mill pond and Cluthe family recreation grounds (Willow Lake Park south of Old Mill Road)
- Ruins of the former mill complex (Willow Lake Park north of Old Mill Road)
- Surviving portions of the Grand River shoreline at the outlet of Schneider Creek
- Surviving examples of early housing (Nos. 10, 20 Pinnacle Drive, 6 Amherst Drive)
- Surviving example of an early hotel (No. 37 Pinnacle Drive)
- Original street alignment (Old Mill Road, Pinnacle Drive, Amherst Drive)
- Views north from Pinnacle Drive of the Grand River across Old Mill Road

Recommendation 4

Designate key properties.

Recommend designation of the following publicly-owned property as a Cultural Heritage Landscape under Section 29, Part IV of the *Ontario Heritage Act*:

- Willow Lake Park
- Following completion of the Lower Doon Land Use Options Report, conduct further research to determine the potential cultural heritage value of the following properties inventoried in the Cultural Heritage Landscape Evaluation Report (Stantec, 30 September 2019):
 - 55, 75 Pinnacle Drive (add the right-of-way of Pinnacle Drive as it extends south to Homer Watson Blvd.)
 - 500 Doon Valley Drive
 - 1751, 1754, 1763, 1765, 1857 Old Mill Road

Those currently listed on the Municipal Heritage Register should be evaluated for potential designation

Recommendation 5

Conserve properties on the municipal heritage register.

- Depending on the results of the inventory and evaluation of the potential cultural heritage resources listed above, recommend including the properties on the Municipal Heritage Register and consider designation under Section 29, Part IV of the OHA, as appropriate.
- Prior to considering any applications for alteration or demolition of the properties on the Register (listed or designated), require Heritage Impact Assessments (HIA) for such properties as part of a complete application (to be prepared by a qualified heritage consultant, at the applicant's expense), in accordance with current Official Plan heritage policies.
- The HIA should be based on evaluations of the properties under O. Reg. 9/06 of the Ontario Heritage Act with (depending upon the results of the evaluation), Statements of Cultural Heritage Value or Interest and lists of heritage attributes and must be prepared to the satisfaction of the municipality and subject to peer review.
- Any proposed project that does not conserve the heritage values and attributes of identified cultural heritage resources should be denied.

Recommendation 6

Design and implement heritage interpretation in the neighbourhood.

As part of ongoing research into local history and using as a basis the descriptions of cultural heritage resources found in these recommendations, prepare an interpretive strategy for Lower Doon. Components of that strategy could include, but not be limited to:

- Interpretive panels located in the public realm of the Heritage Character Area illustrating and describing the former rail line and station, the former Red Lion Inn, the early streetscape of Upper Pinnacle Drive, and former housing and institutional buildings as well as the former industrial landscape, buildings and structures of the Ferrie mill complex and Willow Lake resort.
- An interpretive panel at the outlet of Schneider Creek describing and illustrating the work and paintings of Homer Watson
- An interpretive panel and lookout located in the public realm at the intersection of Old Mill Road and Pinnacle Drive to interpret the view of the Grand River valley

Consider options for other interpretive media, such as guided walking tours and podcasts.

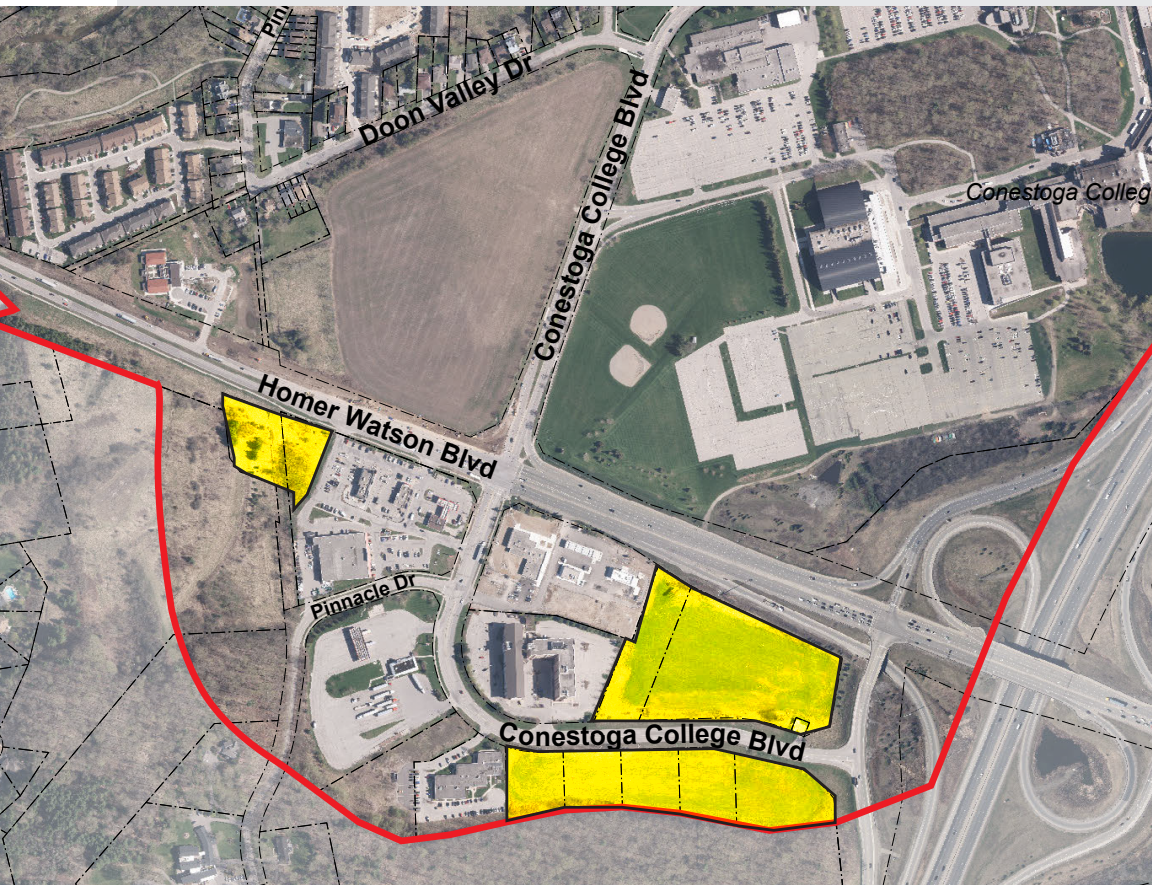
Recommendation 7

Promote the development of purpose-built student housing on lands owned by Conestoga College by the College



Recommendation 8

Promote the development of higher density housing and/or mixed use on vacant lands south of Homer Watson through Official Plan amendments and zoning.



Recommendation 9

Permit Additional Dwelling Units, provided all relevant planning policies and regulations of the City are met, and that the relevant requirements of the Ontario Building and Fire Codes can be satisfied.

- The Planning Act has required all municipalities to permit one Additional Dwelling Unit within the main building, or within a detached accessory building since 2016 (through Bill 73) - this has, for the most part, been implemented throughout the City of Kitchener, except in Lower Doon.
- Recent changes to the Planning Act (Bill 197) now require municipalities to permit both an Additional Dwelling Unit within the main building AND an Additional Dwelling Unit in a detached accessory building - such that a total of **three dwelling units can be permitted on a lot**.
- The new legislation in the Planning Act **does not facilitate individual or area-wide exemptions to the permissions** for Additional Dwelling Units, but does allow the municipality to establish regulations for Additional Dwelling Units through the Zoning By-law.
- The City of Kitchener Zoning By-law 2019 identifies the regulations for one Additional Dwelling Unit (Attached) in Section 4.12.1 and for an Additional Dwelling Unit (Detached) in Section 4.12.3, and Section 4.12.3.1. **The provisions for Additional Dwelling Units in those identified Sections of the Zoning By-law are appropriate for application within Lower Doon.**

Recommendation 10

Delete Section 15.D.12.16 of the Official Plan.

Currently the Official Plan for the City of Kitchener includes policy 15.D.12.16 that states: *"Notwithstanding the Low Rise Residential land use designation on the lands located in Lower Doon, duplex dwellings and second dwelling units in semi-detached dwellings will not be permitted."* This policy has two key parts:

- **First**, the prohibition of duplex dwellings. A duplex dwelling is typically defined as a house divided into two dwelling units, with a separate external entrance for each. The issue of the separate entrance is a built form issue such that a permitted Additional Dwelling Unit (Attached) would require an entrance internal to the building envelope. This would preclude an external side entrance, which may, in fact, be an appropriate built form response.

In addition, an Additional Dwelling Unit (Detached) will, by definition, require a separate entrance. It is important to note that the issue of external entrances is appropriately regulated in Section 4.12.2, subsection b) of the City of Kitchener Zoning By-law 2019 which states: "a maximum of one pedestrian entrance to the principal building shall be located on each street line;"

- **Second**, the prohibition of Additional Dwelling Units (either Attached or Detached) in semi-detached dwellings. **This restrictive policy would not conform to the permissions provided for Additional Dwelling Units in the Planning Act** that identifies broad permissions for Additional Dwelling Units within, and on lots that accommodate single-detached dwellings, semi-detached dwellings and street townhouse dwellings.

It is recommended that the identified existing policy found in Section 15.D.12.16 of the Official Plan be deleted.

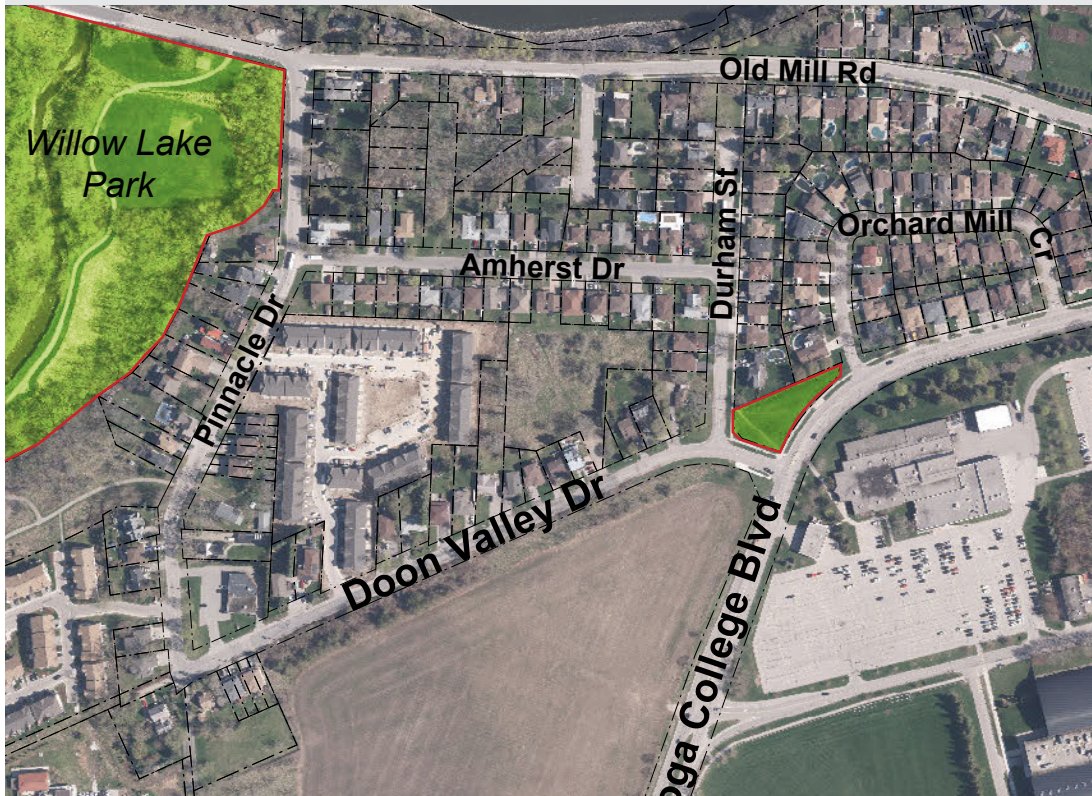
Recommendation 11

Implement additional sidewalks as per the City's ongoing work, ensuring that existing street trees are protected

Recommendation 12

Enhance the public space.

A neighbourhood design exercise should be initiated for the park at Conestoga College Boulevard and Doon Valley Drive. Enhanced landscape planting, additional seating, information kiosk and interpretive signage should be considered in design

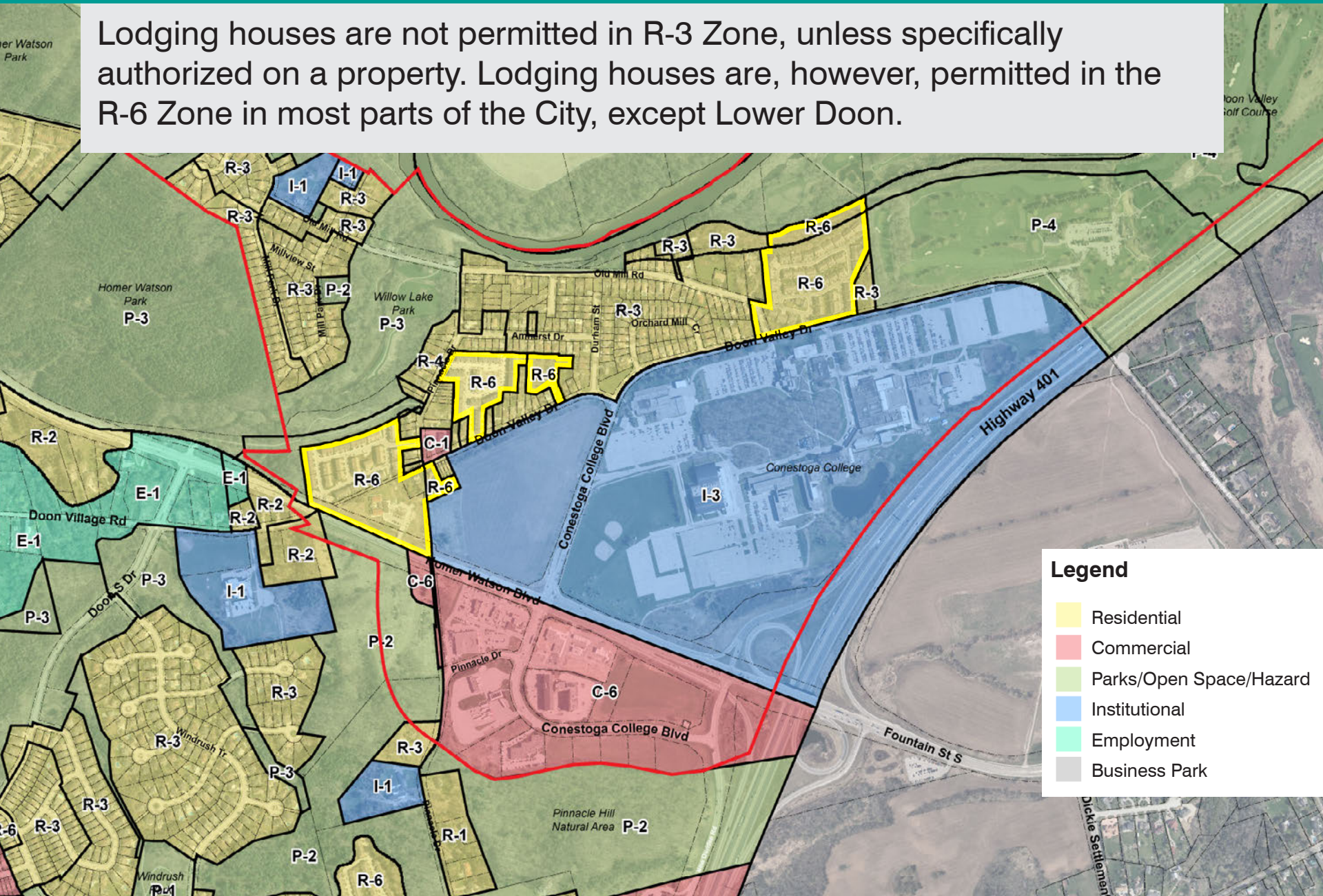


Enhance Willow Lake Park and area:

- Heritage Lookout Park
- Park Signage
- Heritage plaque telling the story of Lower Doon

Allow Lodging Houses - currently permitted in R-6

Lodging houses are not permitted in R-3 Zone, unless specifically authorized on a property. Lodging houses are, however, permitted in the R-6 Zone in most parts of the City, except Lower Doon.



What the Zoning By-law does and 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

Recommendation 13

Permit Lodging Houses.

Lodging houses are not permitted in R-3 Zone, unless specifically authorized on a property. Lodging houses are, however, permitted in the R-6 Zone in most parts of the City, except Lower Doon.

The definition of a Lodging House in the City's By-law is as follows:

- *“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”...

- Zoning allows the 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.

It is recommended that Lodging Houses be permitted in the R-3 and R-6 Zone in Lower Doon to enable the City to implement a licensing program to regulate Lodging Houses.

Recommendation 14

Prepare a licensing program for Lodging Houses in the Lower Doon neighbourhood.

The Municipal Act enables municipalities to prepare licensing program for lodging houses. The licensing by-law would enable Kitchener to:

- Define a specific geographic area
- Ensure compliance with the Ontario Building and Fire Codes
- Limit 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
- Define minimum amenity area requirements inside the house and on the property
- Minimum distance separations are not appropriate or defensible for any form of housing as they can be considered a form of 'people zoning'
- Identify provisions relating to garbage and snow removal, maintenance, health and safety standards and parking
- Onus on landlords to manage their properties in conformity with 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
- Implement a demerit points system to manage properties which fail to keep up with the licensing requirements.

EXAMPLE Oshawa's demerit point system for licensed properties

At **7 points** the property owner will receive a warning letter and must attend a meeting with the Director, Municipal Law Enforcement and Licensing Standards to discuss the reasons for the chronic inability to comply with City by-laws and to discuss the possible impacts on their Licence. Failure to attend a meeting with the Director may result in referring the Licence to a Hearing.

At **15 points** the property owner's licence is referred to a Hearing for review. Any decision regarding an R.R.H. Licence is solely at the discretion of the Hearings Officer.

The licensing program should be designed to ensure that it does not dissuade participation and should be developed with an effective enforcement and/or incentive program.

Recommendation 15

Encourage landlords in the Lower Doon neighbourhood to participate in the licensing program

Recommendation 16

Prepare a planning framework for Lower Doon to identify the land use and design framework for vacant/underdeveloped lands in the area.

Prepare a land use and urban design framework for lands in the neighbourhood, in particular vacant lands south of Homer Watson Boulevard and west of Conestoga College Boulevard.

The planning frameworks would address heritage, land use, built form, green space, transportation and servicing. In particular, a description of the Heritage Character Area, a Statement of Cultural Heritage Value or Interest, identification of the heritage attributes and policies for the conservation of cultural heritage resources should be included.

Recommendation 17

Prepare urban design guidelines for the Lower Doon neighbourhood to ensure compatible development.

- Guidelines are a tool used to help direct the appropriate form and character of new development in a particular area. Guidelines are recommended for the Lower Doon neighbourhood to ensure new development is compatible with the nature and character of the area. Compatible does not necessarily mean the same as what exists today.
- Guidelines would define the nature and character of the neighbourhood based on the pattern of lots, streetscape conditions, building form/style and cultural heritage.
- When considering new development, guidelines identify the appropriate area in its vicinity to determine compatibility. The appropriate area depends on the scale of development being contemplated: large scale development requiring land assembly for intensification, demolition and/or redevelopment of an existing house or modifications to an existing house.
- Guidelines provide direction for placement of a building on a lot, building height and massing, landscape treatment, size of front and rear yards, location for driveway access and parking, based on the conditions in the vicinity of the development being contemplated.
- Guidelines determine the criteria for determining compatible development and inform the zoning by-law provisions and site plan approval. Guidelines will assist City staff in the evaluation of development applications.



Landscape/Streetscape Treatment

Much of the landscape character in all four neighbourhoods is determined by the treatment of the front yards. Many of them feature lawns and extensive gardens with mature trees to provide a continuous canopy over the street.

The objectives of the Guidelines with respect to landscape are to:

- Maintain the green landscape character of the neighbourhood;
- Screen views to rear yard parking; and,
- Preserve mature trees.

Design Guidelines

- 22 Protect mature trees and encourage planting new trees.
- 23 Where possible, maintain existing slopes.
- 24 Permeable paving for new walkways and driveways is encouraged to reduce run-off to storm sewers and soften the streetscape appearance. Limit hard surface landscaping in front yards to walkways and driveways only.
- 25 A walkway from the front door to the sidewalk is encouraged where they are predominant in a neighbourhood.
- 26 Front yard hedges should be a maximum of 1.2m high to ensure "eyes to the street" and avoid blocked views from the house to the sidewalk.
- 27 Avoid privacy fencing at the front of the house.
 - a) Maximum height for corner lot fencing is 1.8m;
 - b) Materials for corner lot fencing should be consistent with the surrounding neighbourhood; and,
 - c) Side yard fencing should be avoided unless set back from the front wall of the dwelling.
- 28 Use natural stone finishes for retaining walls.



Hard surface landscaping limited to walkway and driveway.



Low front yard fencing.



Mature trees are retained.



Building Height & Massing

The height of buildings in the four neighbourhoods range from 1 to 2.5 storeys with an eclectic mix of architectural styles ranging from historic to 21st century homes. The overall objective of the Town is to ensure that new houses are compatible with existing built-form and that a transition from one building to the next is appropriate. New homes should be neither too tall nor too small.

On blocks where single storey or 1.5 storey homes are predominant, second storey additions or new 2 storey homes may require particular attention to ensure sensitive transitions to adjacent properties.

The objectives of the Design Guidelines in directing the relationship of the building scale along the street are to:

- Ensure a scale, massing, roof line and building orientation that is commonly found in the neighbourhood; and,
- Ensure a sensitive transition to adjacent residential dwellings.

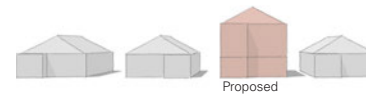
Design Guidelines

- 1 Where possible, maintain the existing lot grading and the neighbourhood's characteristic first floor height.
- 2 Rooflines should reflect those of the existing neighbourhood:
 - a) Steeper pitches and more complex rooflines in Town Park and Temperance Street Neighbourhoods.
 - b) Shallower pitch roofs in Aurora Heights and Regency Acres.
- 3 Slope the new roof back from adjacent houses. One approach for promoting a smooth transition is the use of an angular plane. Where appropriate the Town may consider applying an angular plane of 45 degrees, measured from 3.0 metres above any interior side yard. Where an angular plane is utilized, no development shall be permitted to encroach within the defined angular plane. This Guideline should be applied where taller dwellings are proposed abutting single storey built forms.

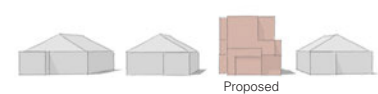
Zoning By-law Amendments

- 1 The maximum building height is 9.0 metres (measured as per the existing Zoning By-law).

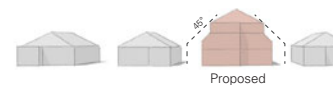
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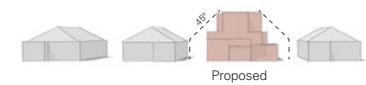
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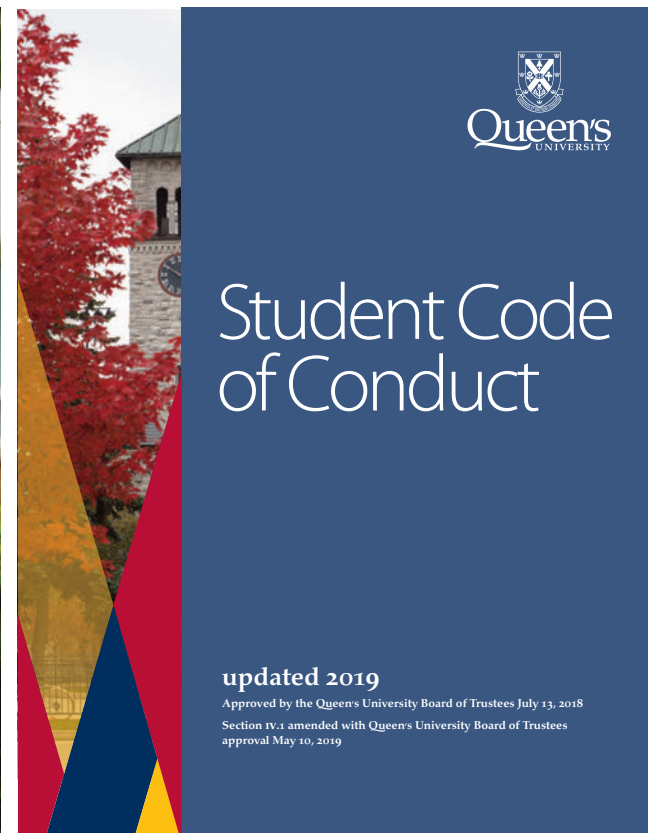
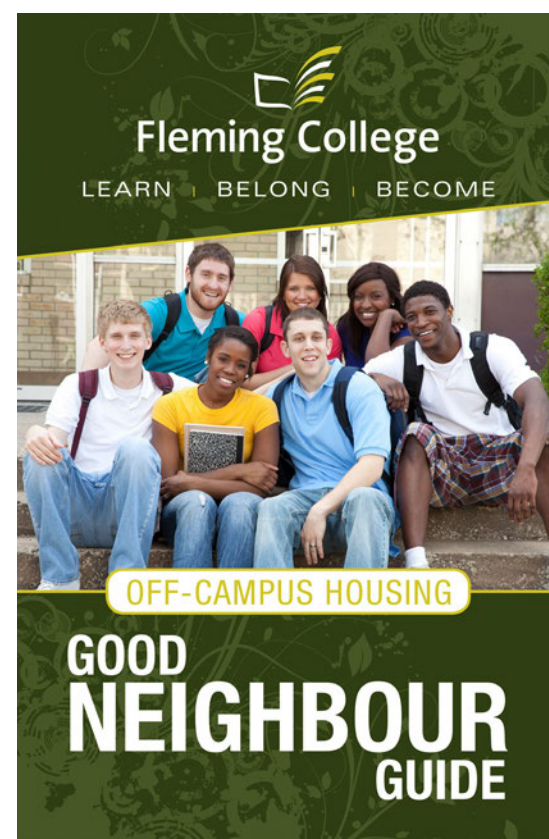
Recommendation 18

Request that Conestoga College play an active role in managing student rental in the Lower Doon neighbourhood

- Request that Conestoga College list houses available for student rental in the Lower Doon neighbourhood that are substandard (according to the City of Kitchener) on their housing webpage
- Request that Conestoga College list housing available for student rental in the Lower Doon neighbourhood that meets City standards
- Participate as a member of the Town and Gown Committee
- Continue to have the Student Union run event on living off campus
- Share statistics on where Doon campus students live with City

Recommendation 19

Request that Conestoga College prepare a Code of Conduct/Good Neighbour Guide for students living off-campus to complement current College policies



Recommendation 20

Continue to manage behaviour according to current protocols.

- Since 2009 Officers have been in Lower Doon every Friday and Saturday in the evening in September, October and April to deal with noise (and on days like St. Patrick's Day)
- Noise complaints have decreased over the past few years. There were 24 noise related calls in 2019.
- Officers have the authority to issue \$300 fines to each of the students in the house where excessive noise is occurring

Recommendation 21

Continue to manage properties by implementing the current protocols through Property Standards and Maintenance

Current proactive approach, not complaint based response:

- Since 2013, By-law officers have gone door to door every fall to introduce themselves to students and homeowners in Lower Doon to let them know what services are offered, make them aware of the by-law rules and provide the City's contact information
- Host a Welcome Back BBQ for the past 11 years
- A member of the Town and Gown Committee
- Since 2004, 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

Property standards

- There are 6 property standards officers for the entire city
- Since 2009, Officers are in Lower Doon at least 3 days a week, often every day

Parking

- Since 2004, parking enforcement every day

Recommendation 22

Continue to manage properties through current protocols for Fire Inspection

- Each of the City's four fire inspectors have been assigned 2 houses to inspect in Lower Doon.
- To put it in perspective, the City has 55,000 residential properties. There are 182 properties in Lower Doon (excluding the townhouse and condo developments)
- Each property requires research, preparation of the Order, appearance before the Fire Marshall and, if the decision is appealed, appearance before the Safety Commissioner.
- Once the properties go through the process with the Fire Marshall and decisions have been rendered, the next round of houses are assigned.

Orders to comply

- Orders have been issued for 16 houses to be converted back to their original approved design as set out in the building permit on file.
- Otherwise, all rules and regulations are required to be met.

Fire

- 20 houses have installed the Direct Detect Fire. Houses in the Lower Doon neighbourhood account for about 0.003% of the City's houses.
- Those 20 homes accounted for a call volume of 10% of approximately 1300 calls in 2019

Recommendation 23

Form a neighbourhood association in Lower Doon.

- The Lower Doon neighbourhood has co-existed with Conestoga College for over 50 years.
- The College has evolved over the decades with changes to the composition of its student population.
- The College has considerable lands that are underdeveloped and change should be anticipated
- The City of Kitchener is one of Ontario's fastest growing municipalities, where the population is anticipated to grow significantly.
- Change will continue to occur
- The neighbourhood may benefit from forming a neighbourhood association welcome to all: residents living in their own homes, residents renting and landlords.
- Residents could come together to plan neighbourhood events, to identify and implement improvement projects such as tree planting or interpretive signs and to discuss issues related to housing, transportation, community amenities, etc.

Next Steps

- 1 Prepare Issues and Options Report
- 2 Presentation to Planning and Strategic Initiatives Committee/Council January 11, 2021