PIONEER

TOWER WEST

SERVICE COMMERCIAL

Secondary Plan

City of Kitchener

DEPARTMENT OF PLANNING & DEVELOPMENT

Kitchener Department of Planning & Development

Staff Report

PD169/86

PIONEER TOWER WEST SERVICE COMMERCIAL SECONDARY PLAN

Recommended by Committee of Council Dealing with Planning Matters:	January 19, 1987
Adopted by Kitchener Council:	January 26, 1987
Approved by Regional Council:	March 26, 1987

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KITCHENER DEPARTMENT OF PLANNING AND DEVELOPMENT

STAFF REPORT

PD 169/86
November 19, 1986

1. ***SUBJECT***

A Secondary Plan for the Service Commercial area in Pioneer Tower West between Baxter Place and Highway 401.

2. ***INTRODUCTION***

This Secondary Plan covers an area within the Pioneer Tower West planning area bounded by Baxter Place, King Street East, Ministry of Transportation owned land adjacent to Highway 401, and the rear of the properties fronting onto King Street East. The total land area is approximately seven (7) hectares with currently assessed properties ranging in size from 0.2 hectares to 0.8 hectares.

The Official Plan Land Use designation covering the subject area is Service Commercial, approved by the Ontario Municipal Board on February 20, 1986 after a lengthy planning process.

Specific Official Plan policies guiding development of the subject area include transportation policies IV.10xx) c), d), and e) and Specific Area Policies IV.11xlvii) a), h), i). These policies which, at least in part, find their origin in the Official Plan are detailed in the Secondary Plan, in policies 3.2.2 (part), 3.2.4, 3.2.5, 3.3.1, 3.3.2, 3.3.3, 3.3.4, and 3.4.4 (part).

The Regional Official Policies Plan designates the subject area as Settlement Pattern Policy Area B wherein higher intensity uses will be concentrated.

The Pioneer Tower West Service Commercial Secondary Plan is in conformity with both the City of Kitchener Official Plan and Regional Official Policies Plan.

3. ***RECOMMENDATIONS***

The following principles will guide the development of the Service Commercial area of Pioneer Tower West between Baxter Place and Highway 401.

3.1 Conformity, Interpretation and Implementation

3.1.1 That the Pioneer Tower West Service Commercial Secondary Plan shall, in all respects, conform to the Official Plan for the City of Kitchener. It shall also conform to and reflect all applicable development and implementation standards adopted by the City of Kitchener.

3.1.2 That where metric units are employed with imperial units given in parentheses, the metric units shall govern.

3.2 Transportation

3.2.1 That King Street East (Highway 8) be recognized as a Class 4 Provincial Highway whose prime function is to serve through traffic movements and as such, is designated as a "Primary Road".

3.2.2 That the prime function of King Street East noted in 3.2.1 be maintained by limiting the number of commercial access points onto King Street East. This will be accomplished by requiring mutual points of access, where possible, and encouraging the elimination of accesses through the consolidation of land into larger parcels where appropriate.

3.2.3 That a permit granting access onto King Street East (Highway 8) issued by the Ministry of Transportation and Communications is required as a condition of site plan approval for a commercial use on any of the properties within the subject area.

3.2.4 That access to King Street East from Service Commercial development on lands between Limerick Drive and Highway 401 require Ministry of Transportation and Communications approval as plans for future phases of the Highway 8 By-pass may have implications on access to this area. Insurance of approved access from M.T.C. will be accomplished through the application of holding provisions in the Zoning By-law which will be removed only following approval in writing from M.T.C. granting access to King Street East for commercial development.

3.2.5 That access to Baxter Place, Cressman Avenue, or Limerick Drive from Service Commercial uses be prohibited. Commercial accesses existing at the time of approval of this Secondary Plan will be permitted to continue to exist. Existing legal accesses to the above streets from residential properties may continue to serve the property until such time as site plan approval is given for a commercial use, at such time its closure will be required.

3.2.6 That where possible, subject to design constraints, the traffic signal at Tu Lane Street be utilized as a controlled access point serving some commercial properties between Cressman Avenue and Limerick Drive.

3.2.7 That widenings shall be required as a condition of site plan approval from any development abutting Limerick Drive in accordance with Section 40 of The Planning Act, 1983.

3.2.8 That public transit be recognized as a valuable service and as such, give consideration to the extension of public transit to this area in the future.

3.3 Service Commercial Land Use

3.3.1 That the existing commercial property located at the intersection of Baxter Place and King Street East known as 4391 King Street East be permitted the full range of Service Commercial uses, recognizing the existing Service Commercial zoning.

3.3.2 That, except for the properties described in 3.3.1 and 3.3.3, Service Commercial uses be limited to the following uses which will have a minimal impact on the abutting residential area, and on the function of King Street East (Highway 8): audio visual or medical laboratory; commercial recreation; decorating supply sales; craftsman shop; day care facility; educational establishment; financial establishment; garden centre and nursery; medical clinic; medical office; office; personal services; small printing establishment; religious institution; repair service; sale, rental, or service of business machines and office supplies; sale or rental of furniture and electric or electronic appliances or electric and electronic equipment; studio; veterinary services; warehouse; wholesale.

3.3.3 That, notwithstanding Policy 3.3.2, a gas bar be permitted to locate in that Service Commercial area between Limerick Drive and Highway 401 and may include convenience retail in conjunction with a gas bar.

3.3.4 That, notwithstanding the permitted uses outlined in Policy 3.3.2, the existing motel at 4521 King Street East shall be recognized as a permitted use. Redevelopment or expansion of the hotel use shall not include any outdoor commercial recreation as an accessory use.

3.3.5 That veterinary services and commercial recreation be permitted only within an enclosed building.

3.3.6 That retail uses accessory to warehouse or wholesale be prohibited.

3.3.7 That medical clinic, medical office, or office not exceed 25 percent of the gross floor area of a building used for other permitted uses.

3.4 Site Planning and Development

3.4.1 That site plan control be required to minimize the impact of commercial development on adjacent residential properties. Specifically, the impact on existing residential uses from new commercial development, including conversions considered "development", shall be

addressed through such site plan matters as building orientation; location of parking areas, outdoor lighting and waste disposal receptacles; and quality and design of landscaping and visual barriers. Consideration of mutual driveways shall be incorporated into the site plan approval process.

3.4.2 *That, subject to visibility constraints at the intersection, a visual barrier be required along the Limerick Drive flankage of the property municipally known as 4567 King Street East at such time as the property is occupied by a commercial use. The visual barrier is required as a buffer between residential properties on Helen Avenue and Limerick Road and commercial development between Limerick Road and Highway 401. The visual barrier shall be constructed to a minimum height of 1.8 metres and shall consist of one or more of the following: solid wall, solid fence; continuous unpierced planting of suitable trees or shrubs together with a reserved width of planting area for healthy plant growth; earth berms.*

3.4.3 *That, in recognition of the depth of the property municipally known as 4441 King Street East which is designated both Service Commercial on the King Street frontage, and Low Density Residential oriented to Edgehill Drive, encourage the severance of the property where the split in designation occurs, as shown on Map A.*

3.4.4 *That in recognition of the considerable depth of the property municipally known as 4511-4515 King Street East and the potential impact on the residential area, encourage the severance and development of the rear of the property for residential use in accordance with the existing residential zoning through consolidation with the existing property fronting onto Edgehill Drive.*

Should the property known as 4511-4515 King Street East not be severed, but developed as one Service Commercial property, no buildings or structures shall be permitted in the area beyond 61 metres from the King Street East property line. Parking shall be permitted in accordance with the standard provisions of the implementing Zoning By-law.

3.4.5 *That due to the orientation of the residence at 42 Limerick Drive, recognize that it has more of a relationship with the surrounding residential properties than the commercial area. Accordingly, recommend the severance of the residence from the existing parcel, allowing commercial development on the remaining parcel fronting onto King Street East.*

3.4.6 *Should the severances recommended in 3.4.4, and 3.4.5 occur in accordance with the existing residential zoning, revisions to Map "A" of this Plan would be required to amend the boundaries of the Service Commercial area. Once the properties are rezoned to implement the Service Commercial designation, any intention to sever a lot for residential use would require an Official Plan Amendment as well as a revision to Map "A" of this Plan.*

3.5 *Stormwater Management, Utilities and Servicing*

3.5.1 *That the comprehensive "Urban Drainage Policies" adopted by Kitchener Council on August 13, 1976, specifically, Section 6 - "Storm Drainage Policies" and Section 7 - "Implementation" be applied to this area.*

Specifically, that a stormwater drainage system be constructed which takes advantage of the natural drainage system.

3.5.2 *That Municipal water may be extended to service this area through Local Improvement from the Baxter Place/King Street East intersection.*

In the absence of Municipal water, private water reservoirs or other means may be utilized for commercial development provided it meets Ontario Fire Code and Ontario Building Code requirements for fire protection.

3.5.3 *That sanitary services may become available through Local Improvement utilizing a proposed pumping station to be located east of King Street East. Use of the system may be possible through Local Improvement costs as well as payment of a share of costs for the pumping station, forcemain, and gravity sewer into Cambridge.*

Commercial development utilizing private sanitary systems shall be subject to Ministry of Environment regulations and Regional Medical Officer of Health approval.

4. ***DEPARTMENT OF PLANNING AND DEVELOPMENT COMMENTS***

Official Plan Amendment 28, approved by Kitchener Council on February 13, 1984 and by the Ontario Municipal Board on February 20, 1986 contains a schedule which adds this area to the Plan for Land use and a number of detailed and specific policies.

Since Amendment 28 contains more detail than most Official Plan policies, it has provided a comprehensive basis for the Secondary Plan policies.

The Secondary Plan for the Pioneer Tower West area is assigned a priority "D" in the "Planning Division Work Programme and Priorities Report - 1986-1988" approved by Kitchener Council on March 10, 1986 which is work to be started mid-1986. In April, 1986, Council was asked to consider granting temporary occupancy for a veterinary clinic within the subject area prior to approval of the necessary Zoning By-law. Council agreed with the staff position that a Secondary Plan, a requirement contained in the Official Plan policies covering this area, would have to be prepared and approved prior to consideration of any zone changes. Accordingly, it was recommended that the Pioneer Tower West Secondary Plan be completed in parts, with Plan covering the Service Commercial area proceeding at this time.

Two major Secondary Plan issues are addressed in this Secondary Plan: minimizing the impact of the Service Commercial area on the adjacent Low Density Residential area and ensuring that Highway 8 continues to operate at a safe level of service. It was determined in evidence before the Ontario Municipal Board that additional means of protecting the residential area were both desired by residential property owners and deemed from a planning perspective to be warranted in this location. The need to address means of minimizing the impact on the residential area is a product of the relative shallow lot depth of the properties (average 61 metres (200 feet)), the siting of residential buildings, and the orientation and configuration of some properties designated Service Commercial.

The Secondary Plan policies address the relationship of the Service Commercial area to the residential area through the elimination of certain Service Commercial uses with a known impact on residential areas due to hours of operation, attraction of considerable volumes of traffic, noise, emissions, or aesthetic appeal. Further, site plan control, landscaping requirements and restrictions on the location of commercial access points are incorporated into the Plan to enhance the compatability of land uses through eliminating physical or visual encroachment of the commercial strip into the residential area.

One attempt to address the compatability of land uses was through the consideration of closing Cressman Avenue at such time as rezoning of the commercial properties were to occur. Following through on a request by a resident attending a liaison committee meeting, staff pursued the implications with various City Departments and hosted a meeting of directly affected landowners. Staff foresee the merits of closing Cressman Avenue to eliminate the potential problems of commercial traffic using Cressman Avenue for parking or to recover from "missed driveways", "circling back" through Edgehill Drive and Baxter Place. Because opposition to the proposal was expressed primarily by one property owner in the Service Commercial area, the idea was not recommended in the Secondary Plan. It is highly likely that the suggestion may again come forward at a future date. Minutes of the meeting hosted to discuss this topic are attached in Appendix "B".

Specific areas where additional policies were required to mitigate the effects of commercial uses are dealt with through the prohibition of buildings in certain areas, the recommendation of property severances, and detailed visual barrier requirements. The two locations where severances and the redefinition of land use boundaries were recommended result from additional thought having been given to the land use boundary and the consequent relationship of properties to the residential area since definition of the Service Commercial area at the Ontario Municipal Board. It is recommended that the rear of 4511-4515 King Street East be severed and developed residentially and that the residence at 42 Limerick be severed from the remaining part of the property fronting onto King Street East. Either of these changes would require a revision to Map "A" of this Secondary Plan to change the boundary of the Service Commercial area.

A visual barrier is required by the implementing Service Commercial (C-6) Zone where the commercial zone abuts a residential zone. The barrier must be comprised of one or more of a 1.8 metre solid wall, solid fence, landscaped screen or berm. A policy was added to require the same visual barrier on commercial development flanking Limerick Drive, due to the depth of commercial lots and orientation of residential buildings.

The second major policy matter of the Pioneer Tower West Service Commercial Secondary Plan relates to the effect of changing the land use of properties directly accessing King Street East (Highway 8), from residential to a higher traffic generator, Service Commercial. Considerable discussion has taken place between planning and Ministry of Transportation and Communications staff since land use plans were first formulated for the entire Pioneer Tower area. The existing traffic functioning problems of this section of Highway 8 have been recognized and addressed specifically through access and commercial use restriction policies.

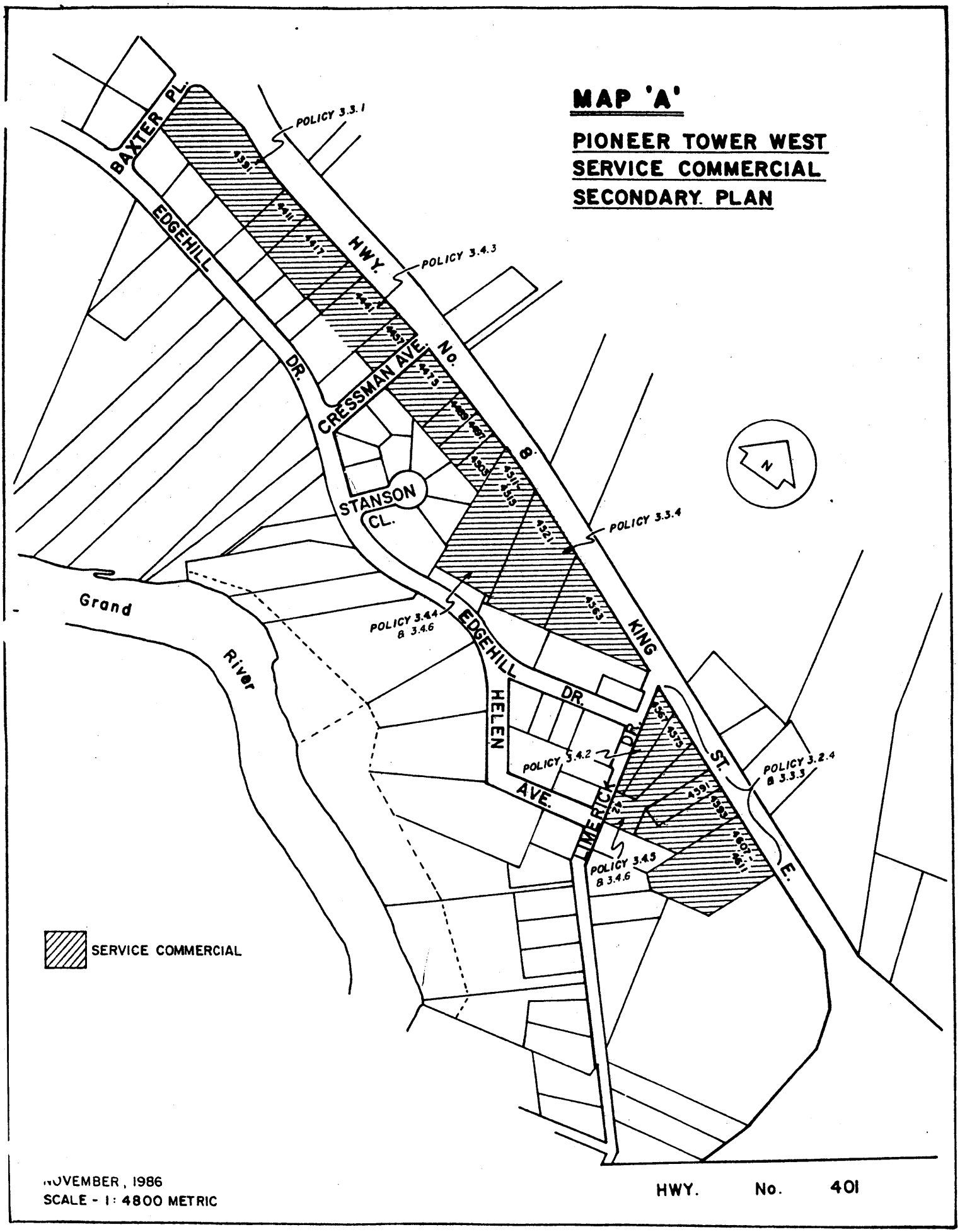
The functioning of this section of Highway 8 is expected to improve once the Highway 8 By-pass is open, scheduled for late in 1987. While traffic volumes on existing Highway 8 will drop initially, its role as a Provincial Highway will remain while it still serves London bound traffic. Volumes are expected to build up as residential development in Pioneer Tower West and Service Commercial and Industrial development in Pioneer Tower East reach their maturity.

Ideally, the number and location of commercial access permits issued on a Provincial Highway are strictly controlled by the Ministry of Transportation and Communications. This Plan, however, must deal with the safe functioning of a highway while providing reasonable access to small and numerous properties each with existing accesses undergoing change from residential to commercial land use. Attempts will be made through site plan control and Secondary Plan policies contained herein to strive for a safe number and location of commercial accesses achieved through land consolidation and the reduction in numbers of existing driveways and/or through the implementation of mutual access points serving two or more properties.

JANICE GUREN, M.C.I.P.
PLANNER II

SAM KLAPMAN, B.ARCH. M.C.I.P.,
COMMISSIONER OF PLANNING
AND DEVELOPMENT

T. BROCK STANLEY, M.C.I.P.,
DIRECTOR OF PLANNING


MAP 'A'
PIONEER TOWER WEST
SERVICE COMMERCIAL
SECONDARY PLAN
BAXTER PL.
EDGEHILL DR.
POLICY 3.3.1
HWY. No. 401
POLICY 3.4.3
CRESSMAN AVE.
STANSON CL.
KING ST. E.
POLICY 3.3.4
POLICY 3.4.4 & 3.4.6
Grand River
EDGEHILL DR.
HELEN AVE.
MERICK DR.
POLICY 3.4.2
POLICY 3.2.4 & 3.3.3
POLICY 3.4.5 & 3.4.6
N
SERVICE COMMERCIAL
NOVEMBER, 1986
SCALE - 1: 4800 METRIC
HWY. No. 401

APPENDIX "A"

Endorsed by Liaison Committee
July 9, 1986

PIONEER TOWER WEST SERVICE COMMERCIAL SECONDARY PLAN

GOALS AND OBJECTIVES

1. OVERALL GOAL

RECOGNIZE THE APPROPRIATENESS OF THOSE PROPERTIES FRONTING ONTO KING STREET EAST (HIGHWAY 8) BETWEEN BAXTER PLACE AND HIGHWAY 401 FOR COMMERCIAL USES BY ALLOWING DEVELOPMENT OR REDEVELOPMENT TO THOSE SERVICE COMMERCIAL USES WHICH WILL HAVE A MINIMAL IMPACT ON THE TRAFFIC FUNCTION OF KING STREET EAST AND ON THE RESIDENTIAL AREA.

2. DEVELOPMENT GOAL

THAT THE SECONDARY PLAN ESTABLISH DEVELOPMENT POLICIES WHICH RECOGNIZE THE AREA AS AN ENTRANCE TO THE CITY AND WHICH MINIMIZE THE IMPACT ON THE ADJACENT RESIDENTIAL COMPONENT.

Objectives:

2.1 To clearly establish through mapping in the Secondary Plan, the boundary between Service Commercial and Low Density Residential land uses.

2.2 To utilize site plan control to address such development matters as building orientation, the relationship of new buildings to existing residential structures, location of parking areas and outdoor lighting, and landscaping and buffering provisions to ensure, among other things, that the impact on existing residential development in the Low Density Residential area is minimized.

2.3 To prohibit those Service Commercial uses with a known detrimental impact on residential areas for such reasons as hours of operation, attraction of considerable traffic, noise, emissions, or aesthetic quality.

2.4 To enhance the visual appearance of the entrance to the City through enforcement of the Sign By-law, additional landscaping, where appropriate, and by encouraging the conversion of existing residential buildings for commercial use.

2.5 To encourage more comprehensive development through the consolidation of land where new development is proposed.

3. TRANSPORTATION/ACCESS GOALS

RECOGNIZE KING STREET EAST (HIGHWAY 8) AS A PROVINCIAL HIGHWAY AND ALLOW COMMERCIAL DEVELOPMENT WHICH DOES NOT IMPEDE THE LEVEL OF SERVICE OF THE HIGHWAY.

Objectives:

3.1 To limit the number of commercial access points onto King Street East by encouraging mutual points of access and consolidation of land into larger parcels, where possible.

3.2 To restrict permitted uses to those Service Commercial uses which do not generate excessive volumes of traffic.

3.3 To require Ministry of Transportation and Communications approval for access to King Street East from properties between Limerick Drive and Highway 401 to ensure compatibility with all M.T.C. Highway 8 By-pass plans.

SEPARATE COMMERCIAL AND RESIDENTIAL TRAFFIC

Objective:

3.4 To prohibit commercial access onto residential streets.

ENHANCE THE ACCESSIBILITY OF THE AREA THROUGH CONSIDERATION OF THE EXTENSION OF PUBLIC TRANSIT.

4. PUBLIC PARTICIPATION GOALS

THAT THE LIAISON COMMITTEE ESTABLISHED TO FORMULATE THE SECONDARY PLAN AS WELL AS AREA LANDOWNERS, BUSINESSMEN AND NEIGHBOURHOOD ASSOCIATIONS CONTINUE TO WORK TOGETHER TO ENSURE A VIABLE FUTURE FOR ALL DEVELOPMENT IN PIONEER TOWER WEST.

Objective:

4.1 To involve the Liaison Committee in any future changes in planning policy affecting this area, including the Secondary Plan process covering the remaining areas of Pioneer Tower West.

APPENDIX "B"

Minutes of Liaison Committee Meetings

MINUTES OF THE PIONEER TOWER WEST
SERVICE COMMERCIAL SECONDARY PLAN LIAISON COMMITTEE
JUNE 18, 1986

Members of Liaison Committee in Attendance:

Lillian Croal	Jean LeForge
Art Croal	Marlene Bennett
Mr. & Mrs. Robert Warry	Mark Dorfman
Mr. & Mrs. G. Harding	Gord Fowler
Dorothy McNichol	Bill Giverin
Elizabeth Tinnes	Debbie Stoewen
Maria Bohm	Dave McMahen

Alderman in Attendance: Mike Hiscott - South Ward

Planning Staff in Attendance: Janice Given, Planner II
Brian Bateman, Student Planner

1. Introduction

Janice Given cordially welcomed those present and proceeded to outline the nature and role of the Liaison Committee, as an information forum, and opportunity for the expression of values of area residents and consideration of alternatives. For this small Secondary Plan, it is anticipated that approximately 3-4 meetings will be required.

This Secondary Plan covers only the Service Commercial area along King Street East between Baxter Place and Highway 401. Other phases of the Secondary Plan required to cover the entire Pioneer Tower West area will include the existing residential component and the area presently undeveloped.

Official Plan Policies

Ms. Given then referred to copies of a consolidation of Official Plan Amendment 28 which covers the Pioneer Tower West area. Some time was spent updating committee members on those policies and land use approved by the Ontario Municipal Board in the fall of 1985 which directly apply to this Secondary Plan area.

Transportation policies IV.10xx) c), d), and e) were read and explained as applicable restrictions which will be detailed in the Secondary Plan. Land use policies IV.11xlvii) h) and i) address uses specifically and will provide the basis from which permitted uses will be determined.

Considerable discussion arose regarding the apparent lack of restrictive policies regarding access to properties in Pioneer Tower East while there are restrictions proposed in Pioneer Tower West. Ms. Given responded that access policies are actually more restrictive on the east.

Mrs. Harding raised concerns with the access points to/from the TuLane. She suggested that it was not clear which access points were ingress and which were egress. Alderman Hiscott suggested that Don Snow be contacted regarding the need for additional signage.

What is a Secondary Plan?

The nature of a Secondary Plan was described in order to provide committee members with an understanding of the end product of this process. Janice Given explained that a secondary plan details Official Plan policies, "customizes" land use policies to suit an area's special characteristics, and provides direction to the Zoning By-law.

This Secondary Plan will be adopted by resolution of Kitchener Council as an implementation plan, whereas the Inner City Secondary Plans are approved by Official Plan Amendment. Ms. Given outlined the contents of a typical Secondary Plan and offered examples for members to view.

2. Proposed Veterinary Clinic

Ms. Given advised the committee that early this year, the Department received a request to locate a veterinary clinic at 4411 King Street East. On April 7, 1986, staff of the Department of Planning and Development presented a report to Planning Committee which indicated that while staff felt the use was appropriate for the site, the Official Plan policy clearly requires that a Secondary Plan be prepared prior to any zone changes being entertained. The prospective clinic operator requested temporary occupancy for the clinic on the site prior to a zone change being processed. Ms. Given informed the committee that Council has the authority to grant temporary occupancy where a zone change application has been filed, Council is advised of any concerns following circulation to the neighbourhood, no building permits are issued, and the proposal complies with the Official Plan. Planning Committee directed staff to circulate for comments and consider the proposed clinic during the secondary planning process.

Dr. Debbie Stoewen who now owns 4411 King Street East then described the nature of the veterinary clinic which she wishes to operate from the premises. She advised that the clinic would constitute a "small animal" practise, primarily dogs, cats, birds, small rodents. There would be no grooming services or boarding and all procedures and operations would take place within the existing structure. Alderman Hiscott questioned the number of automobile trips expected to be generated

PIONEER TOWER WEST
SERVICE COMMERCIAL
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Minutes of the

Pioneer Tower West Service Commercial Liaison Committee

Wednesday, July 9, 1986

Members of Liaison Committee in Attendance:

Jean LeForge
Mrs. Cutting
Vern Martin
Elizabeth Tinnes
Dorothy McNichol
Ken and Lillian Croal
Mrs. Rauscher
Mr. Bennett
Dr. & Mrs. Harding
Mrs. Boehm

Planning Staff in Attendance:

Janice Given, Planner II
Brian Bateman, Student Planner

1. Review of Minutes of June 18

Janice Given welcomed those present and proceeded to review the minutes of the June 18, 1986 meeting and asked for any comments concerning the content. Lillian Croal noted that her husband's name is "Ken" and not "Art" as written in the minutes. She also pointed out that Dr. Harding's name was listed, despite his absenteeism from the previous meeting.

2. Review/Discussion of Goals and Objectives

Attached to the back of the June 18 minutes are the goals and objectives which were discussed in their entirety on that date. Ms. Given asked residents to re-read those goals and objectives and provide further comment.

In the discussion of goals and objectives, Ms. Given pointed out that an overall goal was first established recognizing the appropriateness of those properties fronting on King Street between Baxter Place and Highway 401 for commercial uses by allowing development or redevelopment for those service commercial uses which will have a minimal impact for the traffic function of King Street East and on the residential areas. This goal was derived directly from the Official Plan as revealed by Ms. Given.

Then specifically, development, transportation and public participation goals and objectives were outlined and discussed in more detail.

After reading the development goal, Ms. Given noted that Alderman Hiscott's suggestion of recognizing the area as an entrance to the city was included in this goal.

Objective 2.2, addresses the suggestion by Mark Dorfman to reiterate the use of site plan control. Jean LeForge questioned the fact that the wording was different than that discussed at the last meeting. Ms. Given noted that the objective only lists some matters which site plan control addresses and that the wording of this objective covers those areas which were discussed at the last meeting.

Objective 2.3 raised a question by Dorothy McNichol concerning the location of lights and parking areas. In response, Ms. Given noted that these considerations are dealt with under 2.2 in site plan control. She stated that 2.3 is intended to cover any compatibility related reason to eliminate a commercial use. Uses such as trucking and warehousing operations which produce excessive noise and emissions were cited as examples.

Vern Martin, an area resident, wanted to know if certain height and distance restrictions were being placed on any new development. Ms. Given replied that setback regulations vary for a rear and side lot line and will be discussed specifically later in the meeting. Although there are no height restrictions, Ms. Given commented that those uses likely to be permitted are not multi-level uses.

Objective 2.5 was questioned by Mr. Bennett who felt the wording was inconsistent with 2.4. It was pointed out that 2.5 pertains to <u>new</u> development whereas 2.4 talks about the use of existing structures. Ms. Given did, however, note that properties will be examined on an individual basis for either conversion or redevelopment potential.

When discussing transportation goals and objectives Ms. Given revealed that Highway 8 will remain a Provincial highway as outlined in the first transportation goal because it will still carry traffic to and from London until such time as additional phases to the By-pass are constructed, if ever.

Regarding Objective 3.1, Ms. Given pointed out that if someone already has an existing driveway and a registered access permit from M.T.C., that we cannot require the removal of an access point once the use is changed. However, at the time of a development application for a commercial proposal covering more than one property, the Planning Department along with M.T.C. may ask that one access pont be eliminated. The example of Swiss Chalet and Harvey's on Fairway Road as having mutual points of access was cited by Ms. Given.

Regarding the next objective (3.2), Ms. Given informed the residents that a list of traffic generation from various commercial uses was undertaken by the Traffic Department as requested at the prior meeting. This list can be used to check traffic generation from any questionable use.

Objective 3.3 is an Official Plan policy set out by M.T.C. which will be carried through as a policy of the secondary plan.

The final transportation goal allows for the consideration for the extension of public transit. It was revealed by Ms. Given that there has been some inquiries concerning the extension of public transit into the area, however comments from Transit appear to indicate that there is not a great enough demand right now to warrant the cost, but there may be when more development occurs. Mr. Ken Croal favoured the extension of public transit, especially to service Pioneer Sportsworld, which he feels would reduce the amount of traffic in the area.

Vern Martin was unclear about objective 3.4 and wanted to know what was involved in this statement. Ms. Given replied that the secondary plan policy will primarily address Cressman Avenue and Limerick Drive. She noted that access to the flankage of the properties will be ruled out. Currently the Pioneer Hotel has an access point onto Baxter Place which will be permitted to continue to exist.

Dr. Harding asked a question concerning why the driveway to the Tu Lane is signed as a street. In response, Ms. Given pointed out that what appears to be only a driveway is actually part of a collector road which may eventually connect to Sportsworld Drive when more development occurs.

When reviewing Objective 4.1, Ms. Given pointed out that a formal review of development applications by the liaison committee as suggested by Mark Dorfman was not supported by staff in an objective form because the practice itself is extremely onerous on the developer and to be developed commercially, these properties require a zone change at which time all property owners within a 120 metre radius will be notified and will be allowed to comment.

3. Discussion of Permitted Uses

Ms. Given began the discussion on uses by saying that in most Service Commercial areas the uses listed in the Service Commercial (C-6) zone would be permitted, but since the Official Plan requires a specific examination of uses, some uses are going to be limited in the secondary plan.

The following are the suggested uses for this Service Commercial area which were generally agreed upon by the Liaison Committee, followed by specific comments on particular uses.

1. Medical/Audio Visual Laboratory
2. Gas bar - between Limerick Drive and Highway 401 only
3. Decorating Supplies - not building material supplies
4. Convenience Retail - only allowed in conjunction with gas bars between Limerick Drive and Highway 401
5. Craftsman Shop - see discussion following
6. Day Care Facility
7. Educational Establishment
8. Financial Establishment
9. Garden Centre and Nursery - see discussion following
10. Medical Clinic/Medical Office - presently permitted only in commercial plaza and not exceeding 25% of floor area
11. Offices - presently permitted only in commercial plaza and not exceeding 25% of floor area
12. Personal Services
13. Religious Institution
14. Studio
15. Repair Service
16. Sale of office supplies - not business machines
17. Sale or rental of electric or electronic equipment
18. Studio
19. Veterinary Services

Concerning a medical/audio visual laboratory, Dorothy McNichol commented that traffic will be likely to increase and cited the Victoria Street clinic as an example. Ms. Given noted that this use entails strictly a laboratory and does not consist of patients visiting a clinic.

Dr. Harding questioned this exercise, adding that it was not possible to have a Service Commercial designation and not have traffic. While one of the key characteristics of service commercial uses is that they are oriented to the travelling public, commented Ms. Given, this is a location where the full list of uses is not appropriate, as agreed to by the Ontario Municipal Board.

Mr. Bennett commented that a laboratory would be desirable because of the 9-5, Monday - Friday business.

While automobile service stations are not allowed, according to the Official Plan, between Limerick Drive and Highway 401, a gas bar is permitted. Mr. Bennett questioned whether the suggestion of permitting a gas bar was initiated by Imperial Oil. Ms. Given replied that it was suggested by the planning consultant representing several property owners.

Craftsman shop was a questionable use because it implies not only specialized craft type shops, but also iron works which could be noisy. Mrs. Cutting asked whether it should be left up to Council to decide whether it is an appropriate use. Ms. Given replied that staff will make a recommendation in the secondary plan and Council will make the final decision.

Mrs. Harding asked whether it was easier to leave the uses listed in the Secondary Plan and object to the uses at the time of application for rezoning or development. Ms. Given replied that it is very difficult to refuse a zoning by-law which implements a secondary plan which is approved by Council. The Zoning By-law is structured in such a way as not to differentiate between an iron works person and other craftsmen, for instance.

A day care facility was considered an appropriate use for the area. Many of the residents were not in full agreement because they felt a day care facility may encourage noise and traffic during various times of the day. Mr. Bennett felt the use would be beneficial to commuters.

An educational establishment was recommended by staff and it was suggested that it is more likely to be a learning institution other than a public school or separate school. Mr. Bennett wanted to know whether a transport or welding school would be permitted. Ms. Given said that it would be permitted as long as the educational aspect and not the driving, parking etc. occurred on site.

Allowing garden centers and nurseries to locate was questioned by several residents, despite a staff recommendation to include it. Jean LeForge was very concerned with the excess traffic, hours of operation and the amount of space they require. Mr. Bennett reiterated the point by saying that the garden centers and nurseries are too open and operate on weekends resulting in excessive noise in the area. Ms. Given felt that a garden center would be aesthetically attractive for the area and pointed out that there have been inquiries about starting such a business in this area. Mrs. Harding added that she felt the use should be left in.

Medical clinic and medical office was generally an accepted use. A medical office refers to the practice of one or two doctors, whereas a clinic refers to more than two doctors. Ms. Given pointed out that according to the zone regulations both can only be located in commercial malls and cannot occupy more than 25% of the gross floor space. Elizabeth Tinnes wanted to know if this was the final word. Ms. Given reiterated that staff recommendations based in part on this meeting will be written in secondary plan policy form which will be considered by Planning Committee and Council. At that point, anyone is allowed to attend and submit their case.

A private club or lodge and union hall was not recommended due to the potential for a club like the major Oktoberfest halls.

The acceptability of religious institutions was questioned by Jean LeForge. She wanted to know what the basic differences were between groups of people attending a private club or lodge and people attending a religious institution. Ms. Given added that there has been some concern about religious institutions being used as major meeting halls. Tightening up on the wording by prohibiting major halls or gathering places may be a possibility, she said.

Some contention arose over the implications of repair services. Vern Martin felt that the definition of repair service was too broad and could include such uses as small engine repairs.

Some residents were leary of accepting sale, rental, or service of business machines and sale or rental of furniture and electronic appliances or equipment. Vern Martin was especially concerned over large trucks frequenting the area for service and delivery of furniture and business machines. Ms. Given replied that furniture and appliance or business machines could be removed, leaving sale of office supplies and electronic equipment.

A studio was agreed to as a suitable use which would include the study of an art or workplace of a photographer, for example.

Tradesman or contractors establishment was eliminated due to known visual impacts from outside storage.

Veterinary services was recommended as a permitted use provided it was totally contained indoors and was restricted to domestic animals. A question was raised by Dr. Harding who wondered why a veterinary clinic is permitted in a converted building while a medical office has to be located in a commercial plaza. According to Ms. Given, staff are presently working on veterinary clinic policies which will recognize the similarities between medical and veterinarian clinics in determining locational criteria.

Warehouse and wholesaling were eliminated due to major traffic generation.

Having gone through the entire list of (C-6) uses and eliminated several some criticism on this exercise was generated.

Dr. Harding wanted to know the purpose behind the City wanting this area converted to Service Commercial while not allowing all these uses to occur. In response, Ms. Given said that from the beginning, the planning staff recognized the appropriateness of the area for Service Commercial and not Residential. She added that staff did not suggest permitting all uses, and anticipated, from the start, eliminating some uses, particularly because of the nature of the abutting residential area. Mrs. Harding added that there is no foolproof way to guard the residential area and they (the residents fronting onto King Street East) do not want to stay there forever.

Mrs. Boehm argued that most businesses listed to be permitted are not the type that could survive in this area because it lacks volume of traffic and a substantial residential area. Ms. Given commented that the Service Commercial designation is traffic-oriented, intended to attract customers to the premises specifically to do business. Mrs. Boehm added that no business person will locate here with these restrictions because it is not viable. On the other hand, Jean LeForge suggested that the restrictions are fair and will protect the residents. Ken Croal felt that business would not survive because people are basically entering or leaving the City on this route.

With time running short, Ms. Given briefly outlined the more significant regulations found in the (C-6) zone, such as side yard and rear yard requirements.

4. Areas of Special Policy

Eight areas requiring special Secondary Plan policies were identified as shown on the handout outlining properties of the area. Area 1 is shown to indicate that the Pioneer Motel will be allowed the full range of Service Commercial uses and the existing commercial access onto Baxter Place will be permitted to continue.

Area 2 indicates that although the property extends back to Edgehill Drive, only the front portion will be designated and zoned commercially.

A Policy addressing Area 3 will prohibit commercial access points onto Cressman Avenue.

The Official Plan gives direction to Area 4, prohibiting building or structures from outside 61 metres from King Street East. Ms. Given further added that she would recommend a policy restricting the location of parking.

Policy 5 is added to recognize a hotel as a permitted use and to allow its expansion. Mr. Croal was concerned that by allowing an expansion, the environment could be threatened because the area is not serviced. Ms. Given replied that the firm doing the engineering studies for Toyota is looking at sizing the pipes to handle this Service Commercial area.

Policy Area 6 addresses a need to require a visual barrier on the flankage of 4567 King Street East. A visual barrier, Ms. Given explained, is a minimum 1.8 metres high (6 feet) and any one or a combination of wall, fence, planting or berm. She added that a widening should also be required along this side of Limerick Drive to meet the Official Plan policy establishing the right-of-way of Limerick Drive as 16 metres (52 feet). The right-of-way in this area is already 15 metres (48 feet) in some places.

Policy Area 7 refers to the residential property at 42 Limerick Drive. Regarding this location, Ms. Given noted that a policy will be added to encourage the serverance of the residence from the remainder of the property which could be developed commercially. In response to a question from Mrs. LeForge regarding the interpretation of the boundary, Ms. Given replied that the boundary was drawn at the O.M.B. hearing to include the entire assessed property and could only be changed now by Amendment or encouraged through Secondary Plan policies.

Policy 8 refers to the prohibition of commercial access points onto Limerick Drive.

5. Future Meetings

Ms. Given outlined the expected processing of the Secondary Plan from here. Based on these meetings, any written input received subsequently and input from other Departments, she will draft the Secondary Plan, circulate for comment over the summer and schedule a liaison committee meeting early in the fall. Committee members will then be invited to attend the meeting of the Committee of Council Dealing With Planning Matters in order to present their views.

Ms. Given thanked the Committee for their active participation before adjourning the meeting.

Brian Bateman
Student Planner

Janice Given, M.C.I.P.
Planner II

Endorsed by Liaison Committee
July 9, 1986

PIONEER TOWER WEST
SERVICE COMMERCIAL
SECONDARY PLAN

GOALS AND OBJECTIVES

1. OVERALL GOAL

RECOGNIZE THE APPROPRIATENESS OF THOSE PROPERTIES FRONTING ONTO KING STREET EAST (HIGHWAY 8) BETWEEN BAXTER PLACE AND HIGHWAY 401 FOR COMMERCIAL USES BY ALLOWING DEVELOPMENT OR REDEVELOPMENT TO THOSE SERVICE COMMERCIAL USES WHICH WILL HAVE A MINIMAL IMPACT ON THE TRAFFIC FUNCTION OF KING STREET EAST AND ON THE RESIDENTIAL AREA.

2. DEVELOPMENT GOAL

THAT THE SECONDARY PLAN ESTABLISH DEVELOPMENT POLICIES WHICH RECOGNIZE THE AREA AS AN ENTRANCE TO THE CITY AND WHICH MINIMIZE THE IMPACT ON THE ADJACENT RESIDENTIAL COMPONENT.

Objectives:

2.1 To clearly establish through mapping in the Secondary Plan, the boundary between Service Commercial and Low Density Residential land uses.

2.2 To utilize site plan control to address such development matters as building orientation, the relationship of new buildings to existing residential structures, location of parking areas and outdoor lighting, and landscaping and buffering provisions to ensure, among other things, that the impact on existing residential development in the Low Density Residential area is minimized.

2.3 To prohibit those Service Commercial uses with a known detrimental impact on residential areas for such reasons as hours of operation, attraction of considerable traffic, noise, emissions, or aesthetic quality.

2.4 To enhance the visual appearance of the entrance to the City through enforcement of the Sign By-law, additional landscaping, where appropriate, and by encouraging the conversion of existing residential buildings for commercial use.

2.5 To encourage more comprehensive development through the consolidation of land where new development is proposed.

3. TRANSPORTATION/ACCESS GOALS

RECOGNIZE KING STREET EAST (HIGHWAY 8) AS A PROVINCIAL HIGHWAY AND ALLOW COMMERCIAL DEVELOPMENT WHICH DOES NOT IMPEDE THE LEVEL OF SERVICE OF THE HIGHWAY.

Objectives:

3.1 To limit the number of commercial access points onto King Street East by encouraging mutual points of access and consolidation of land into larger parcels, where possible.

3.2 To restrict permitted uses to those Service Commercial uses which do not generate excessive volumes of traffic.

3.3 To require Ministry of Transportation and Communications approval for access to King Street East from properties between Limerick Drive and Highway 401 to ensure compatibility with all M.T.C. Highway 8 By-pass plans.

SEPARATE COMMERCIAL AND RESIDENTIAL TRAFFIC

Objective:

3.4 To prohibit commercial access onto residential streets.

ENHANCE THE ACCESSIBILITY OF THE AREA THROUGH CONSIDERATION OF THE EXTENSION OF PUBLIC TRANSIT.

4. PUBLIC PARTICIPATION GOALS

THAT THE LIAISON COMMITTEE ESTABLISHED TO FORMULATE THE SECONDARY PLAN AS WELL AS AREA LANDOWNERS, BUSINESSMEN AND NEIGHBOURHOOD ASSOCIATIONS CONTINUE TO WORK TOGETHER TO ENSURE A VIABLE FUTURE FOR ALL DEVELOPMENT IN PIONEER TOWER WEST.

Objective:

4.1 To involve the Liaison Committee in any future changes in planning policy affecting this area, including the Secondary Plan process covering the remaining areas of Pioneer Tower West.

MINUTES OF A MEETING TO
CONSIDER THE CLOSURE OF CRESSMAN AVENUE
FOR THE PIONEER TOWER WEST
SERVICE COMMERCIAL SECONDARY PLAN

Thursday, September 25, 1986

Persons in Attendance

Peter Brennan	29 Cressman Road
Vern Martin	20/12 Stanson Close
Mark Dorfman	544 Conestogo Road, Waterloo
Dr. & Mrs. Harding	4475 King Street East
Ron Sills, Q.C.	235 King Street East
Mr. & Mrs. F. Buttinger	4457 King Street Street East
Janice Radke	148 Edgehill Drive

Planning Staff: Janice Given, Planner II

Alderman in Attendance: Mike Hiscott, South Ward

Before staff introduced the meeting Mr. Sills spoke up, indicating that his clients, Dr. & Mrs. Harding were opposed to any closure of Cressman Avenue and wanted to know where the idea came from.

Ms. Given indicated that at a Liaison Committee meeting to consider the Service Commercial Secondary Plan area, a resident asked staff about the possibility of closing Cressman Avenue, and followed through by collecting a list of names of area property owners supporting the closure. Staff agreed to look into it, discussed it with Traffic, Public Works, and the Fire Department, and drafted a number of alternative means of providing a turning circle and closing Cressman Avenue. What was proposed for the meeting was a review of the alternative designs in order that residents could gain a full appreciation of the implications of various options. She added that the designs have been prepared now only to provide additional insight for future consideration. The important thing at this stage is the policy question of whether or not it would be recommended in the Secondary Plan that it be closed at such time as the properties fronting onto King Street East are rezoned to Service Commercial.

Vern Martin identified himself as the resident who originally asked staff to consider the possibility of closing Cressman Avenue. He sees the closure as a means of eliminating commercial traffic from filtering into the neighbourhood once the commercial area is rezoned. He asked Mr. Sills what the concerns of this client were.

Mr. Sills replied that closing Cressman Avenue would not be effective and would impinge on land available for proper Service Commercial development. He added that on his clients' behalf, he is opposed to the closing of Cressman Avenue and particularly if it had any effect at all on his client's land.

Mark Dorfman, on behalf of the Hardings expressed his opinion that closing Cressman Avenue would be a "substantial change to the Official Plan", that it should not be a Secondary Plan issue, that the street is required as access to the residential area, and that consideration of a future closing of Cressman Avenue is "extremely premature".

Mr. Sills replied that they are opposed to closing Cressman Avenue in any fashion. He added that it may be appropriate at a future date. Mark Dorfman added that consideration should be made when there is a development proposal on one or both of the corner properties and that there might be several consolidation options which may be compromised by making the decision at this time. Ms. Given reminded those present that absolutely no commitment need be made at this time on any design, but the designs were made available only to assist the residents' understanding of the possibilities so that the overall question of the closure could be considered.

In response to Alderman Hiscott's request for a show of hands, opposition to the closure was supported by the Hardings and Mr. and Mrs. Buttinger and support for the closure expressed by Peter Brennan, Janice Radke and Vern Martin.

While the Hardings, Mr. Sills and Mark Dorfman left the meeting, the residents requested that staff review the implications of the various alternatives so that they could get a better appreciation for them.

Ms. Given responded by noting that the future role of Cressman Avenue is indeed a Secondary Plan issue affecting the relationship of the Service Commercial to the Low Density Residential area and more specifically relating to the goal for this area of separating commercial and residential traffic.

Mrs. Harding asserted that their property should remain "as is" as long as they live there and that they intended to live there for a long time. Ms. Given made the clarification that there would be no change recommended until the properties in the Service Commercial area are rezoned, which will only be accomplished by submissions of property owners and not by the City unless it was done after other parts of the City's Comprehensive By-law was complete. Mr. Sills commented that he was not in agreement with this approach and was not aware that the City was not intending to rezone the Service Commercial area.

Alderman Hiscott reassured the Hardings that, as written in the letter outlining the purpose of the meeting from staff, if there were any objections to closing the street, it would not be recommended to Council in the Secondary Plan. He felt staff had acted appropriately in following through on a resident's request for consideration of this matter.

Peter Brennan spoke as a resident who had signed the original letter to staff asking for consideration of closing Cressman Avenue. He admitted that most of the residents did not realize that a turning circle would be required but still saw the merits in closing the street when commercial development occurs. He felt that most, if not all the residents on Edgehill Drive would prefer that it be closed as it is unsafe to use presently, anyway. He saw a number of alternatives, even through modifying some of the schemes staff had made available for discussion, which would not affect the Harding property in any way. He asked Mr. Sills what the objection would be then.

Alderman Hiscott commented that he would suggest an alternative which strictly "dead ends" Cressman Avenue at the extension of the rear of the Harding and Buttinger property boundaries and did not take any land for a turning circle. Ms. Given replied that Public Works had provided information on the standard requirements for a road closure but that alternatives in narrower rights-of-way had been used elsewhere. She added that it would be up to Public Works or Council to decide on a sub-standard design should the matter be raised in the future.

Alderman Hiscott asked that staff prepare a brief report to Council indicating that the matter had been considered, so that it would be on record if any future reference to it is made.

Janice Given

Janice Given, M.C.I.P.,
Planner II

Attach.

McLEAN-PEISTER, LTD.
3328 KING STREET EAST, KITCHENER, ONTARIO, POSTAL CODE N2A 1B3, TELEPHONE (519) 893-1350
GENERAL SITE CONTRACTORS

September 23, 1986.

City of Kitchener,
Department of Planning & Development,
City Hall, Box 1118,
Kitchener, Ontario. N2G 4G7.

Attn: Ms. Janice Given, M.C.I.P.

Dear Ms. Given:

Re: Cressman Closing Proposal:

Further to my telephone call to you to-day with respect to the proposal to close Cressman Ave., I would make the following comments:

a. Until such time as the By-pass becomes a reality, in which case the traffic count and build-up on old #8 can be accurately determined, I consider the Cressman closing proposal to be at least premature and in fact of questionable merit in future.

b. Service commercial uses along # 8 West may or may not develop, withstanding permitted and appropriate zoning, for several or many .rs. Service commercial zoning was applied for, partly as a protest measure, to the imminent industrial and commercial uses along Highway 8, (Pioneer Tower East), for example, the Tu-Lane Restaurant controversy.

c. Having resided at # 25 Cressman for over thirty years, I have no knowledge of accidents having occurred as a result of Cressman Ave. being open, and therefore do not consider dangerous to retain the status quo now and in the foreseeable future.

d. My conversation with Mrs. Walter Harding, whose property would be directly affected with the installation of a turning circle, indicates disapproval of the proposal, and I strongly support her position. The Hardings are aware of the additional 33' of commercial frontage that would be gained in exchange for the property required for turning circle purposes, but nevertheless oppose the concept, as it would disrupt their mature landscape and eliminate their convenient right turn option onto old King Street from Cressman for safe entry into their driveway.

In conclusion, I would suggest that no change be considered at this time for inclusion in the Secondary Plan.

Very Truly Yours,

MCLEAN-PEISTER, LTD.

Glenn Peister,
President.
GBP:

MEMBER OF LANDSCAPE ONTARIO

Glenn B. Peister, B.S.A., President

MINUTES OF THE PIONEER TOWER WEST
SERVICE COMMERCIAL SECONDARY PLAN LIAISON COMMITTEE
WEDNESDAY, OCTOBER 15, 1986

Members of Liaison Committee in Attendance:

Dr. & Mrs. Harding
Clayt & Ruth Cutting
Lillian & Ken Croal
Stephen Grant
Lloyd Cummins
Debbie Stoewen
Jean LeForge
Dorothy McNichol
Mrs. Tinnes
Maria Bohm

Planning Committee Member in Attendance: Alderman Hiscott, Ward Alderman

Planning Staff in Attendance: Janice Given, Planner II
Carlo Bonanni, Student Planner

Janice Given opened the meeting by stating that this would be the last meeting of the Service Commercial Liaison Committee, and asked if there were any comments from the previous minutes. There were no comments from the Committee and therefore Ms. Given proceeded.

Cressman Avenue

Ms. Given explained that a meeting was held on September 25th with area land owners concerning the suggestion to close Cressman Avenue and hence, this explains the delay with preparing the Secondary Plan and bringing it to the Committee. It was found that there was not unanimous support for the closure of Cressman Avenue once the Service Commercial zoning is in place, and therefore was not added as a recommendation in the Secondary Plan.

Secondary Plan Recommendations

Janice Given indicated that Appendices B, C and D are not included in the draft report, but will be contained in the final report. Appendix A, the Goals and Objectives, has no changes and exists within the Secondary Plan.

3.2 Transportation

Ms. Given proceeded to discuss the recommendations. With regard to Recommendation 3.2.1 Stephen Grant asked if Highway #8 had already been designated a Class 4 Provincial Highway, and what the various restrictions were. Ms. Given replied that this class had been established previously by M.T.C. and agreed to forward the restrictions to him.

In response to Recommendation 3.2.2, Ms. Given stated that recent correspondence with the Ministry of Transportation and Communications (MTC) indicated that some of the properties along Highway #8 would not

Considerable discussion arose regarding the apparent lack of restrictive policies regarding access to properties in Pioneer Tower East while there are restrictions proposed in Pioneer Tower West. Ms. Given responded that access policies are actually more restrictive on the east.

Mrs. Harding raised concerns with the access points to/from the TuLane. She suggested that it was not clear which access points were ingress and which were egress. Alderman Hiscott suggested that Don Snow be contacted regarding the need for additional signage.

What is a Secondary Plan?

The nature of a Secondary Plan was described in order to provide committee members with an understanding of the end product of this process. Janice Given explained that a secondary plan details Official Plan policies, "customizes" land use policies to suit an area's special characteristics, and provides direction to the Zoning By-law.

This Secondary Plan will be adopted by resolution of Kitchener Council as an implementation plan, whereas the Inner City Secondary Plans are approved by Official Plan Amendment. Ms. Given outlined the contents of a typical Secondary Plan and offered examples for members to view.

2. Proposed Veterinary Clinic

Ms. Given advised the committee that early this year, the Department received a request to locate a veterinary clinic at 4411 King Street East. On April 7, 1986, staff of the Department of Planning and Development presented a report to Planning Committee which indicated that while staff felt the use was appropriate for the site, the Official Plan policy clearly requires that a Secondary Plan be prepared prior to any zone changes being entertained. The prospective clinic operator requested temporary occupancy for the clinic on the site prior to a zone change being processed. Ms. Given informed the committee that Council has the authority to grant temporary occupancy where a zone change application has been filed, Council is advised of any concerns following circulation to the neighbourhood, no building permits are issued, and the proposal complies with the Official Plan. Planning Committee directed staff to circulate for comments and consider the proposed clinic during the secondary planning process.

Dr. Debbie Stoewen who now owns 4411 King Street East then described the nature of the veterinary clinic which she wishes to operate from the premises. She advised that the clinic would constitute a "small animal" practise, primarily dogs, cats, birds, small rodents. There would be no grooming services or boarding and all procedures and operations would take place within the existing structure. Alderman Hiscott questioned the number of automobile trips expected to be generated

daily by the operation. Dr. Stoewen replied that on a busy day, she would see an animal about every 15 minutes for five hours with the remaining three house used for surgery. The consensus was that this was not a heavy traffic generating use.

Robert Warry questioned the expected decrease in traffic following the completion of the Highway 8 By-pass. Janice Given replied that it would decrease volumes on existing Highway 8 by about 50% initially but the traffic would build back up over time as new lands were developed.

David McMahen asked Dr. Stoewen the expected number of vets practising on the site. She replied that she anticipated herself as being the only vet on the premises.

3. Goals and Objectives

Ms. Given indicated that goals and objectives which will be formulated are the guidelines from which the land use policies will be developed. She added that goals are a more general statement of intent and objectives are means of implementing the goals. She suggested that this was intended to be a brainstorming session although she had formulated several suggested goals and objectives to initiate discussion.

Firstly, the overall goal statement was read aloud followed by goals and objectives under the headings of Development, Transportation/ Access, and Participation. The following comments and suggestions were made regarding additional goal or objective statements.

Mark Dorfman recommended that the Secondary Plan reiterate that development in this area is under site plan control which requires the use and siting of buildings to be shown on a site plan which also shows such things as the relationship of the proposed building to adjacent buildings, parking areas, lighting, landscaping. He also suggested that a policy be added to the Public Participation section wherein neighbours have the opportunity to view site plans in the early stages of discussion of a development.

Alderman Hiscott suggested that a statement be added which recognizes this area as a major entrance to the City and also, that pedestrian movement "be addressed". Some discussion ensued regarding the treatment of pedestrian access and it was suggested that it could be dangerous to encourage, in any way, pedestrian usage of the Highway.

Gord Fowler suggested that the attraction of public transportation to this area be cited a goal.

Ms. Given suggested that the goals and objectives, as suggested, would be written up and circulated for comment at the next meeting (attached). She welcomed written comments/suggestions prior to or following the next meeting.

Due to the construction of the Toyota Plant, water services will be extended to this area by the construction of dual mains on either side of Highway #8 extended from Sportsworld Drive. Alderman Hiscott stated that he thought this has been changed and watermains will be located adjacent to the railway. In addition Alderman Hiscott emphasized the fact that this would not occur for several years. Ms. Given added based on her recent discussion with the Commissioner of Public Works, while the water would be extended along the tracks for Toyota, local businesses would be given the opportunity to hook into the mains along King Street.

In reference to her meeting with the Commissioner of Public Works, Ms. Given stated that actual hookups to the watermain may be done at the request of the individual property owners at their own expense by Local Improvement. Similarly, connections to sanitary sewers which will service the Pioneer Tower East area may be made through the Local Improvement process.

Land Use

Ms. Given returned to Recommendation 3.3.2 and handed out a list of permitted and prohibited service commercial uses. Ms. Given went on to state that this list only varied slightly from the list handed out at the July 9th meeting. The following additions occur: craftsman shop and garden centre. Ms. Given emphasized the fact that she referred to Goal 2.3 in Appendix A when preparing the list of uses.

At this point Stephen Grant suggested an additional five uses to be considered for inclusion within the list of permitted uses for the C-6 zone:

1. commercial recreation - provided that it be restricted to indoor use only, eg., bowling alley, fitness centre, racquetball club.
2. funeral home
3. printing establishment
4. warehouse
5. wholesale

> to be strictly indoor uses

Mr. Grant added that these uses were not likely to generate extra traffic and were not against the Secondary Plan goals, and therefore should be considered.

Ms. Given questioned the funeral home use seeing as though a funeral procession would likely cause unwanted traffic congestion on an existing heavily travelled highway. She went on to stress that the MTC were not likely to agree to such a use because of the interference of the normal traffic flow on a Provincial Highway.

Mr. Cutting asked whether Ms. Given disputed the other uses. Ms. Given replied that the warehouse/wholesale uses may present a problem if accessory retail activities result. Ms. Given went on to state that due to the potential size of warehousing there may be a potential for increased truck traffic.

Mrs. LeForge indicated that she had concerns with warehouse and wholesale and was satisfied with the list the way staff had originally proposed it.

Mrs. Harding expressed concern that Ms. Given herself would preclude the funeral home use. She believes that the decision to accept or reject the funeral home uses should be up to the MTC and not Ms. Given. Ms. Given agreed to mention the use to M.T.C., however, stressed the fact that the MTC was likely to reject the funeral home use. Alderman Hiscott added that this was not an ideal area for the location of funeral homes, as funeral processions would unecessarily congest traffic.

Mrs. McNichol questioned why Maple Grove Road was being linked to Sportsworld Drive. Ms. Given replied that it made good traffic and planning sense on a Regional basis. Alderman Hiscott added that this linkage would reduce traffic along this section of King Street.

At this point, Stephen Grant emphasized that lot size would govern warehouse size, and also stressed that the commercial recreation uses should be considered.

Ms. Given stated that she was agreeable to a Racquetball Club or Fitness Centre because these uses were conducive to the lots. However, she brought up the point that this would not solely be a Monday to Friday, 9 to 5 operation, but was still in favour. Ms. Given then went on to state that she would discuss the aforementioned uses with the Development Staff.

Regarding printing establishment, it was felt that if they could be limited in size, they could be acceptable as a proposed use.

Alderman Hiscott wished to express the fact that certain commercial recreational uses allow the consumption of alcohol, and this should be properly acknowledged.

Mrs. Harding was curious as to why one side of the Highway has such stringent controls, and the other side does not. Ms. Given explained that this side of the road has Service Commercial abutting a Low Density Residential designation, and the other side is designated Service Commercial Industrial. Mrs. Harding went on to say that the road is not a "divider" but acts as a common denominator between uses on the two sides of the road, therefore, she finds it incongruous that one side has restrictions and the other side does not. Ms. Given indicated that a use immediately abutting a residential property would have more of an impact than the land use across the road.

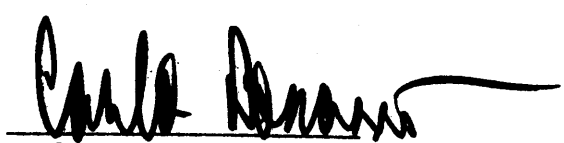
Mr. Cutting expressed the concern that because of the Tu Lane Restaurant and the traffic signal located there, they would likely have a difficult time selling their property unless their home was sold as a part of a "pact" with other properties. Ms. Given acknowledged his concern. Alderman Hiscott assured him that the properties could be sold and developed separately.

Alderman Hiscott asked whether the permitted office uses in the C-6 zone included professional offices such as architects, planners, lawyers, etc. Ms. Given replied that as it is presently written it does not include these office uses but she noted that she had intended to add this to the Plan.

At this point Ms. Given discussed the intended processing of the Secondary Plan. She told the committee members that the minutes for all Liaison Committee meetings would be included in the Secondary Plan. In addition, Ms. Given stated the Secondary Plan would be approved only by Council resolution, and not by formal Amendment to the Official Plan. The Secondary Plan is scheduled for the December 15 Planning Committee but may not be considered by council until the new year. Members of this committee as well as other area landowners will be notified of the date and time of the Planning meeting, mailed a copy of the Plan, and invited to appear and raise any concerns to the Planning Committee. After Council consideration, the Regional Council will consider those policies which they deem to be of Regional significance. Ms. Given added that the Secondary Plan is being processed concurrently with the zone change for 4411 King Street to allow veterinary services.

At this point Jean LeForge thanked Ms. Given for her co-operation during the Secondary Planning process.

Meeting adjourned at 9:15 p.m.



Carlo Bonanni,
Student Planner

APPENDIX "C"

Circulation Comments

July 9, 1986 - Memo from Ken Mayer, Traffic Analyst to Janice Given, Planner II - "In response to your request, the following list indicates volumes of traffic generated by the various land uses permitted in a Service Commercial Zone. The generation rates were extracted from the Institute of Transportation Engineers Trip Generation Manual, Edition Three, and the rate determined to be most appropriate was applied to the corresponding land use category. It is noted that trip generation rates are not available for all uses listed in the C-6 Zone, and this Division does not have access to traffic count information for existing development, which could be applicable to the land uses not covered in the Trip Generation Manual.

The trip generation rates represent the number of vehicles which would "use" the site, as the Trip Generation Manual does not indicate the percentage of existing passing traffic which will use the site as compared to "new" traffic generated to the site. Therefore, it is not possible to determine the volume of additional traffic which would be generated by the land use. The volumes below represent the averaged 24 hour, two-way traffic recorded in the United States at a specific number of sites for each land use category. We would caution that the accuracy of this information is dependent on the number of studies done for each land use, the specific use studied and the geographical location of the land use. The Trip Generation Manual states that for some uses, the sample size of the rate data is very limited, and that consideration be given to modifying the generation rates relative to public transportation service, ridesharing, proximity to other development and special characteristics of the site and the surrounding area. As such, this information is intended to be used as a guide."

August 15, 1986 - Memo from John McBride - Traffic Co-ordinator to Janice Given, Planner II - "We have reviewed the proposed Secondary Plan Goals and Objectives, as well as questions raised in your memo of August 7, 1986 and have the following comments:

1. The separation of Commercial and Residential traffic on Baxter, Cressman and Limerick, will be difficult for a number of reasons. Any property that currently has legal access to the side street cannot be denied access, or have an existing access taken away. If the property is rezoned and the land use changes, then we would review access requirements at that time and under those conditions possibly an existing access could be closed. However, given the volumes, speeds and turning conflicts of vehicles on King Street, normally we would encourage access to the side street, and this would definitely conflict with your intention of reducing the mix of commercial and residential traffic. From a safety point of view, at this point, we could only review each application on its own merits and make comments at that time. Possibly one way of minimizing the amount of commercial traffic on the side street, is to restrict the permitted uses of those corner properties to some use that is a low traffic generator.

2. We have no objection to the closing of Cressman Avenue at King Street, provided a proper turning circle is provided to facilitate emergency vehicles, garbage pickup, delivery trucks etc. This closure would require the dedication of land from adjacent properties to accommodate the circle and would also require consent of those persons affected.

3. The traffic signals at Tu-Lane Drive could possibly be incorporated to provide a fourth leg to assist those properties south of King Street in accessing Highway #8. This however would require the construction of a Service road off the right-of-way to provide access from those properties to a properly defined intersection with the signal. If it is decided to pursue this proposal, both the Region and the M.T.C. would have to be consulted regarding its acceptability and the design."

August 20, 1986 - Memo from J. Cicuttin, Manager of Transit Planning to Janice Given, Planner II - "The provision of transit service to the Pioneer Tower West area will be financially prohibitive, primarily because of the proposed low residential densities (2.5 units per acre), the existing auto-oriented commercial uses along King Street, and the remote distance from major destinations in the urbanized area.

A report outlining the costs and estimated transit demand of providing service to the Pioneer Tower West area will be forthcoming within the next two weeks. In the interim, we suggest the third transportation goal referring to the extension of transit service to the above area be omitted pending findings of the report. Similarly, uses in the service commercial designation along King Street which generate transit dependent trips (e.g. day care, educational establishments, medical clinics/offices, etc.) should also be omitted at this time.

Your anticipated co-operation is greatly appreciated."

October 3, 1986 - Memo from Peter Wetherup, Property Officer/Park Planner to Janice Given, Planner II - "We have reviewed the above area and would expect any park dedication to come as cash-in-lieu."

October 10, 1986 - Memo from J. Kranenburg, Director of Utilities to Dan Suzuki, Commissioner of Public Works - "The water main will be extended along Sportsworld Drive (Maple Grove Road) and across the present King Street East (Highway #8).

Extensions of the water mains along King Street East, south side, in either direction, will be done under Local Improvement.

On the north side, the section from Maple Grove Road in a westerly direction towards Kitchener will also be done under Local Improvement.

The section between Maple Grove Road and Highway #401 will be a larger main and will be classified as a dual use main. The Region will assume 50% of the costs, the remainder will be done under Local Improvement."

October 30, 1986 - Letter from K. Ainsworth, Ministry of Transportation and Communications, Corridor Control Section, Room 226, Central Building, 1201 Wilson Avenue, Downsview, Ontario M3M 1J8 to Janice Given, Planner II - "The subject noted has been reviewed by this Ministry and in general the proposals within the document are acceptable.

Possible improvements to Highway No. 401 interchange ramp westbound could affect commercial access to Highway No. 8 between Highway No. 401 and Limerick Road.

In view of this, we are requesting access be restricted to Limerick Road in this area."

December 8, 1986 - Letter from Mr. Tim Whitehead, Senior Planner Regional Municipality of Waterloo, Marsland Centre, Waterloo, Ontario N2J 4G7 to Janice Given, Planner II - "This office has reviewed the above noted draft Secondary Plan and the following comments are provided.

The recommendations of the Secondary Plan are in conformity with the Regional Official Policies Plan.

In regard to the City of Kitchener Official Plan, the policies contained in Official Plan Amendment No. 28 support the Service Commercial designation of properties fronting onto King Street East (Highway 8). The policies provide for the refinement of more precise uses, at the Secondary Plan and Zoning By-law states, based on the criteria that permitted uses will be limited to those with a minimal impact on traffic and adjacent residential neighbourhood.

This office's only comment in regard to the land uses that have been detailed at the Secondary Plan stage pertain to Policies 3.4.2, 3.4.3 and 3.4.5. While it is clear that a satisfactory public involvement program is well underway, Regional staff would point out that the designation and/or encouragement of Residential land uses, for portions of properties at 4441 King Street East, 4511-4515 King Street East and 42 Limerick Drive, may be considered by some people to be outside of the policy framework intended by Official Plan Amendment No. 28. In particular, Clauses h) and i) of Official Plan Amendment Policy IV.11.xlvii support the designation of Service Commercial for all properties fronting onto King Street East. It is not completely clear in regard to whether or not a redesignation to a land use other than Service Commercial would be permissible within the context of the land use boundary defined by the Ontario Municipal Board on February 20, 1986.

However, the rationale for the City advocating a residential use for portions of these properties is soundly based considering the orientation and relationship that these lots have with the adjacent residential neighbourhood.

In view of this, as well as the fact that a public involvement program is ongoing, Regional staff would support the subject Residential designations. We would however, recommend that Kitchener Planning staff continue its public involvement program through to adoption of the Secondary Plan by Kitchener City Council including formal circulation and advertisement of City Council's intent to adopt the document by resolution.

As you are aware, the Ministry of Transportation and Communications has requested that access to commercial properties between Limerick Drive and Highway No. 401 be restricted to Limerick Drive. More recent discussions with the Ministry on this subject has, however, revealed a general agreement with policies of the Plan, including Policy 3.2.3. The Ministry recognizes that limited access from King Street East may be required in this area and they would be prepared to review individual requests through the site plan approval process.

However, it should be noted in the Secondary Plan that access permits are required from the Ministry of Transportation and Communications for all properties in the study area requiring access to King Street East. The wording of Policy 3.2.3 may appear to limit the need for Ministry approvals to only the stretch of King Street East between Limerick Drive and Highway No. 401. Regional staff would suggest that Policy 3.2.3 be reworded to clarify this point and at the same time retain the holding provisions for the Limerick-Highway 401 portion.

The meaning of Policy 3.2.5, regarding the traffic control signal at Tu Lane Street is not completely clear and should be explained in the text. Regional staff would support the eventual development of a service road in this area, if feasible, to provide access to commercial establishments.

Finally, this office has identified the following typographic error which you may want to correct: Policy 3.4.5 - an "of" is missing betweent "Map A" and "this".

If you have any questions regarding the above, please feel free to contact us."

APPENDIX D

Ad placed in K-W Record - December 19, 1986

CITY OF KITCHENER

COMMITTEE OF COUNCIL DEALING WITH PLANNING MATTERS

invites

PROPERTY OWNERS AND INTERESTED PARTIES

to attend a

PUBLIC MEETING

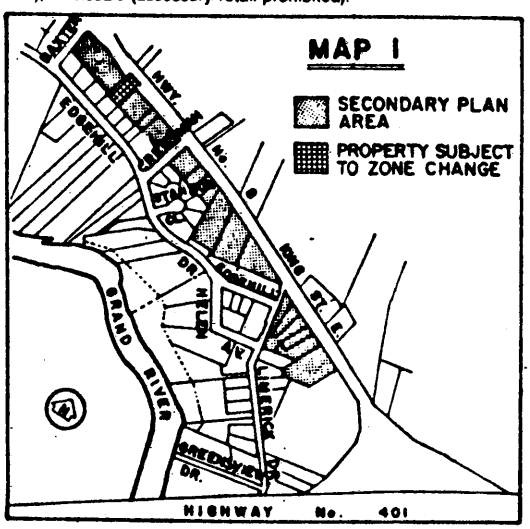
to discuss

a

PROPOSED SECONDARY PLAN AND A PROPOSED ZONING BY-LAW UNDER SECTION 34 OF THE PLANNING ACT

The proposed "Pioneer Tower West Service Commercial Secondary Plan" covers those lands designated Service Commercial fronting onto King Street East (Highway 8) between Baxter Place and Highway 401 shown generally on Map 1 below. The Secondary Plan details such policies as permitted uses, access to Highway 8, and other guidelines to development.

The proposed zoning by-law would change the zoning on lands municipally known as 4411 King Street East from Township Residential (Twp. R) to Service Commercial (C-6) with special use and special regulation provisions under By-law 85-1. The rezoning, if approved, would permit the use of the property for a veterinary clinic. One special regulation requires that the veterinary clinic be located only within an enclosed building. The special use provisions detail that the following Service Commercial (C-6) uses would also be permitted: audio visual or medical laboratory; commercial recreation (indoor only); decorating supply sales; craftsman shop; day care facility; educational establishment; financial establishment; garden centre and nursery; medical clinic (25% of gross floor area); medical office (25% of gross floor area); office (25% of gross floor area); personal services; small printing establishment (up to 500 square metres); religious institution; repair service; sale, rental, or service of business machines and office supplies; sale or rental of furniture and electric or electronic appliances or electric or electronic equipment; studio; veterinary services (indoor only); warehouse (accessory retail prohibited); wholesale (accessory retail prohibited).



The public meeting will be held at a Committee of Council Dealing With Planning Matters on:

Monday, January 19, 1987
at 4:00 p.m.
In Committee Room 4, 4th Floor
City Hall
22 Frederick Street

ANY PERSON may attend the public meeting and make written and/or verbal representation either in support of or in opposition to the proposed Secondary Plan and Zoning By-law.

ADDITIONAL INFORMATION relating to the proposed Secondary Plan and Zoning By-law is available for inspection between 9:00 a.m. and 5:00 p.m. at the Department of Planning and Development, 4th Floor, City Hall, 22 Frederick Street.

Janice Given, M.C.I.P.
Planner II
885-7217

APPENDIX E

Minutes of Committee of Council Dealing with Planning Matters

January 19, 1987

3. PD 169/86 - Pioneer Tower West Service Commercial Secondary Plan

The Committee considered staff report PD 169/86 dealing with the Pioneer Tower West Service Commercial Secondary Plan. The proposed Secondary Plan covers an area within the Pioneer Tower West planning area bounded by Baxter Place, King Street East, Ministry of Transportation owned land adjacent to Highway 401, and the rear of properties fronting onto King Street East. The total land area is approximately seven (7) hectares with currently assessed properties ranging in size from 0.2 hectares to 0.8 hectares. The Plan details such policies as permitted uses, access to Highway 8 and other guidelines to development.

It was pointed out that notice that the Committee would hold a public meeting this date to consider this matter had previously been given.

Ms. J. Given explained the purpose of the Secondary Plan and provided a brief overview. She specifically referred to the issue of the merits of whether or not Cressman Avenue should be closed and noted that while it was not recommended in the Secondary Plan it was highly likely that the suggestion may come forth at a future date. She also pointed out that the Secondary Plan policies address the relationship of the Service Commerical Area to the Residential Area through the elimination of certain Service Commerical uses with a known impact on residential areas.

Alderman D. Travers entered the meeting at this point.

Mr. Ron Sills 235 King Street East appeared as a delegation representing Dr. & Mrs. W. Harding and Mr. & Mrs. Cutting. Mr. Sills stated that one of his concerns related to recommendation 3.3.7 of the staff report which he suggests should be deleted since it was in the Service Commercial category of By-law 85-1. As well he pointed out that the City was in the course of initiating a further Official Plan Amendment regarding medical uses in free standing buildings and that the section should therefore be eliminated. He stated that his other concern related to recommendation 3.3.6 and noted that under By-law 85-1 retail uses were up to 25% of warehouse or wholesale uses are permitted. As well he noted that the depth of the lots in question was confined to 200 feet.

Mr. Sills also stated that he wished to present a concern regarding the question of zoning of the remaining properties and procedure in that regard to achieve ultimate zoning. He stated that with the Secondary Plan in place the zoning would almost be a foregone conclusion and he therefore suggested that a new zoning by-law for the entire strip be processed rather than waiting for individual rezoning to happen as individual property redevelopment occurs. It was his opinion that numerous rezoning applications would result in instability within the neighbourhood and he therefore asked that the Committee direct staff to proceed with an appropriate zoning by-law for the entire strip.

Ms. J. Given responded to Mr. Sills concerns regarding recommendation 3.3.7 and noted that Mr. Sills was correct and that the issue was a regulation in the C-6 Zoning category. She stated that staff are proceeding on the Official Plan Amendment and noted that the 25% requirement of recommendation 3.3.7 could be deleted at a later date. With respect to recommendation 3.3.6 she advised that staff originally did not support it.

Mrs. Maria Bohm c/o P.E. Olsen - 50 Westmount Road, Waterloo advised she had requested that the lands extending from Limerick Road to Highway 401 have provision that would allow for the development of fast food and restaurant uses.

Mrs. E. Tinnes 4567 King Street East appeared and asked that the Service Commerical designations on King Street East be finalized.

In response to Mrs. Bohm, Ms. Given advised that staff were not in favour of restaurants locating on the strip of land referred to.

Further discussion took place with regard to Mr. Sills request that rezoning of all the lands proceed at this time. Mr. T. McCabe explained the timing for the comprehensive zoning by-law and the constraints in that regard that would prevent the matter being dealt with at this time. Following further discussion Mr. Sills was advised that the land owners had the option of submitting one zone change application to cover all the lands.

No other delegations responded to the Chairman's invitation to address the Committee on this matter.

The staff report was then considered.

Moved by Mayor D.V. Cardillo
Seconded by Alderman C. Weylie

That the following principles will guide the development of the Service Commercial area of Pioneer Tower West between Baxter Place and Highway 401.

3.1 Conformity, Interpretation and Implementation

3.1.1 That the Pioneer Tower West Service Commercial Secondary Plan shall, in all respects, conform to the Official Plan for the City of Kitchener. It shall also conform to and reflect all applicable development and implementation standards adopted by the City of Kitchener.

3.1.2 That where metric units are employed with imperial units given in parentheses, the metric units shall govern.

3.2 Transportation

3.2.1 That King Street East (Highway 8) be recognized as a Class 4 Provincial Highway whose prime function is to serve through traffic movements and as such, is designated as a "Primary Road".

3.2.2 That the prime function of King Street East noted in 3.2.1 be maintained by limiting the number of commercial access points onto King Street East. This will be accomplished by requiring mutual points of access, where possible, and encouraging the elimination of accesses through the consolidation of land into larger parcels where appropriate.

3.2.3 That a permit granting access onto King Street East (Highway 8) issued by the Ministry of Transportation and Communications is required as a condition of site plan approval for a commercial use of any of the properties within the subject area.

3.2.4 That access to King Street East from Service Commercial development on lands between Limerick Drive and Highway 401 require Ministry of Transportation and Communications approval as plans for future phase of the Highway 8 By-pass may have implications on access to this area. Insurance of approved access from M.T.C. will be accomplished through the application of holding provisions in the Zoning By-law which will be removed only following approval in writing from M.T.C. granting access to King Street East for commercial development.

3.2.5 That access to Baxter Place, Cressman Avenue, or Limerick Drive from Service Commercial uses be prohibited. Commercial accesses existing at the time of approval of this Secondary Plan will be permitted to continue to exist. Existing legal accesses to the above streets fro residential properties may continue to serve the property until such time as site plan approved is given for a commercial use, at such time its closure will be required.

3.2.6 That where possible, subject to design constraints, the traffic signal at Tu Lane Street be utilized as a controlled access point serving some commercial properties between Cressman Avenue and Limerick Drive.

3.2.7 That widenings shall be required as a condition of site plan approva from any development abutting Limerick Drive in accordance with Section 40 of The Planning Act, 1983.

3.2.8 That public transit be recognized as a valuable service and as such, give consideration to the extension of public transit to this area in the future.

3.3 Service Commercial Land Use

3.3.1 That the existing commercial property located at the intersection of Baxter Place and King Street East known as 4391 King Street East be permitted the full range of Service Commercial uses, recognizing the existing Service Commercial zoning.

3.3.2 That, except for the properties described in 3.3.1 and 3.3.3, Service Commercial uses be limited to the following uses which will have a minimal impact on the abutting residential area, and on the function of King Street East (Highway 8): audio visual or medical laboratory; commercial recreation; decorating supply sales; craftsman shop; day care facility; educational establishment; financial establishment; garden centre and nursery; medical clinic; medical office; office; personal services; small printing establishment; religious institution; repair service; sale, rental, or service of business machines and office supplies; sale or rental of furniture and electric or electronic appliances or electric and electronic equipment; studio; veterinary services; warehouse; wholesale.

3.3.3 That, notwithstanding Policy 3.3.2, a gas bar be permitted to locate in that Service Commercial area between Limerick Drive and Highway 401 and may include convenience retail in conjunction with a gas bar.

3.3.4 That, notwithstanding the permitted uses outlined in Policy 3.3.2, the existing motel at 4521 King Street East shall be recognized as a permitted use. Redevelopment or expansion of the hotel use shall not include any outdoor commercial recreation as an accessory use.

3.3.5 That veterinary services and commercial recreation be permitted only within an enclosed building.

3.3.6 That retail uses accessory to warehouse or wholesale be prohibited.

3.3.7 That medical clinic, medical office, or office not exceed 25 percent of the gross floor area of a building used for other permitted uses.

3.4 Site Planning and Development

3.4.1 That site plan control be required to minimize the impact of commercial development on adjacent residential properties. Specifically, the impact on existing residential uses from new commercial development, including conversions considered "development", shall be addressed through such site plan matters as building orientation; location of parking areas, outdoor lighting and waste disposal receptacles; and quality and design of landscaping and visual barriers. Consideration of mutual driveways shall be incorporated into the site plan approval process.

3.4.2 That, subject to visibility constraints at the intersection, a visual barrier be required along the Limerick Drive flankage of the property municipally known as 4567 King Street East at such time as the property is occupied by a commercial use. The visual barrier is required as a buffer between residential properties on Helen Avenue and Limerick Road and commercial development between Limerick Road and Highway 401. The visual barrier shall be constructed to a minimum height of 1.8 metres and shall consist of one or more of the following: solid wall, solid fence; continuous unpierced planting of suitable trees or shrubs together with a reserved width of planting area for healthy plant growth; earth berms.

3.4.3 That, in recognition of the depth of the property municipally known as 4441 King Street East which is designated both Service Commercial on the King Street frontage, and Low Density Residential oriented to Edgehill Drive, encourage the severance of the property where the split in designation occurs, as shown on Map A.

3.4.4 That in recognition of the considerable depth of the property municipally known as 4511-4515 King Street East and the potential impact on the residential area, encourage the severance and development of the rear of the property for residential use in accordance with the existing residential zoning through consolidation with the existing property fronting onto Edgehill Drive.

Should the property known as 4511-4515 King Street East not be severed, but developed as one Service Commercial property, no buildings or structures shall be permitted in the area beyond 61 metres from the King Street East property line. Parking shall be permitted in accordance with the standard provisions of the implementing Zoning By-law.

3.4.5 That due to the orientation of the residence at 42 Limerick Drive, recognize that it has more of a relationship with the surrounding residential properties than the commercial area. Accordingly, recommend the severance of the residence from the existing parcel, allowing commercial development on the remaining parcel fronting onto King Street East.

3.4.6 Should the severances recommended in 3.4.4, and 3.4.5 occur in accordance with the existing residential zoning, revisions to Map "A" of this Plan would be required to amend the boundaries of the Service Commercial area. Once the properties are rezoned to implement the Service Commercial designation, any intention to sever a lot for residential use would require an Official Plan Amendment as well as a revision to Map "A" of this Plan.

3.5 Stormwater Management, Utilities and Servicing

3.5.1 That the comprehensive "Urban Drainage Policies" adopted by Kitchener Council on August 13, 1976, specifically, Section 6 - "Storm Drainage Policies" and Section 7 - "Implementation" be applied to this area.

Specifically, that a stormwater drainage system be constructed which takes advantage of the natural drainage system.

3.5.2 That Municipal water may be extended to service this area through Local Improvement from the Baxter Place/King Street East intersection.

In the absence of Municipal water, private water reservoirs or other means may be utilized for commercial development provided it meets Ontario Fire Code and Ontario Building Code requirements for fire protection.

3.5.3 That sanitary services may become available through Local Improvement utilizing a proposed pumping station to be located east of King Street East. Use of the system may be possible through Local Improvement costs as well as payment of a share of costs for the pumping station, forcemain, and gravity sewer into Cambridge.

Commercial development utilizing private sanitary systems shall be subject to Ministry of Environment regulations and Regional Medical Officer of Health approval.

It is the opinion of this Committee that approval of this Secondary Plan is proper planning for the City.

Carried