



Planning & Strategic Initiatives Committee Agenda

Monday, June 5, 2023, 7:00 p.m. - 8:00 p.m.

Council Chambers - Hybrid

City of Kitchener

200 King Street W, Kitchener, ON N2G 4G7

People interested in participating in this meeting can register online using the delegation registration form at www.kitchener.ca/delegation or via email at delegation@kitchener.ca. Please refer to the delegation section on the agenda below for registration in-person and electronic participation deadlines. Written comments received will be circulated prior to the meeting and will form part of the public record.

The meeting live-stream and archived videos are available at www.kitchener.ca/watchnow.

Accessible formats and communication supports are available upon request. If you require assistance to take part in a city meeting or event, please call 519-741-2345 or TTY 1-866-969-9994.

Chair: Councillor P. Singh

Vice-Chair: Councillor D. Chapman

Pages

1. Commencement

2. Disclosure of Pecuniary Interest and the General Nature Thereof

Members of Council and members of the City's local boards/committees are required to file a written statement when they have a conflict of interest. If a conflict is declared, please visit www.kitchener.ca/conflict to submit your written form.

3. Consent Items

The following matters are considered not to require debate and should be approved by one motion in accordance with the recommendation contained in each staff report. A majority vote is required to discuss any report listed as under this section.

3.1 None

4. Delegations

Pursuant to Council's Procedural By-law, delegations are permitted to address the Committee for a maximum of five (5) minutes. All Delegations where possible are encouraged to register prior to the start of the meeting. For Delegates who are attending in-person, registration is permitted up to the start of the meeting. Delegates who are interested in attending virtually must register by 5:00 p.m. on June 5, 2023, in order to participate electronically.

4.1 Item 5.1 - Dave Galbraith, IBI Group

5. Public Hearing Matters under the Planning Act (Advertised)

This is a formal public meeting to consider applications under the Planning Act. If a person or public body does not make oral or written submissions to the City of Kitchener before the proposed applications are considered, the person or public body may not be entitled to appeal the decision to the Ontario Land Tribunal and may not be added as a party to a hearing of an appeal before the Ontario Land Tribunal.

5.1 Official Plan Amendment Application OPA23/003/V/CD, and Zoning By-law Amendment Application ZBA23/007/MV/CD, 97-101 Park Street and 186-194 Victoria Street South, 1928393 Ontario Inc., DSD-2023-236 (Staff will provide a 10-minute presentation on this matter)	60 m	3
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6. Information Items

6.1 None

7. Adjournment

**Mariah Blake
Committee Administrator**

Staff Report



Development Services Department

www.kitchener.ca

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: June 5, 2023

SUBMITTED BY: Stevenson, Garrett - Interim Director of Planning, 519-741-2200 ext. 7070

PREPARED BY: Dumart, Craig – Senior Planner, 519-741-2200 ext. 7073

WARD(S) INVOLVED: Ward 9

DATE OF REPORT: May 8, 2023

REPORT NO.: DSD-2023-236

SUBJECT: Official Plan Amendment Application OPA23/003/V/CD
Zoning By-law Amendment Application ZBA23/007/MV/CD
97-101 Park Street and 186-194 Victoria Street South
1928393 ONTARIO INC.

RECOMMENDATION:

That Official Plan Amendment Application OPA/23/003/V/CD for 1928393 ONTARIO INC. requesting a land use designation change from 'Mixed Use Corridor' to 'Mixed Use Corridor with Special Policy Area 2' to permit a 42 storey mixed-use development on the lands specified and illustrated on Schedule 'A', be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2023-236 as Appendix 'A', and accordingly forwarded to the Region of Waterloo for approval; and

That Zoning By-law Amendment Application ZBA23/007/V/CD for 1928393 ONTARIO INC. be approved in the form shown in the 'Proposed By-law', and 'Map No. 1', attached to Report DSD-2023-236 as Appendix 'B'.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding the Official Plan Amendment and Zoning By-law Amendment applications for the properties located at 97 and 101 Park Street, 186, 190, 192 and 194 Victoria Street South. It is planning staff's recommendation that the Official Plan and Zoning By-law Amendments be approved.
- Community engagement included:
 - circulation of a preliminary notice postcard to property owners and residents within 240 metres of the subject site;
 - installation of two large billboard notice signs on the property (one facing each street);
 - follow up one-on-one correspondence with members of the public;
 - Neighbourhood Meeting held on April 27, 2023;
 - postcard advising of the statutory public meeting was circulated to all residents and property owners within 240 metres of the subject site and those who responded to the preliminary circulation;
 - notice of the public meeting was published in The Record on May 12, 2023.

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

- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

The owner of the properties addressed as 97 and 101 Park Street, 186 - 194 Victoria Street South is proposing to change the Official Plan land use designation from 'Mixed Use Corridor' to 'Mixed Use Corridor with Special Policy Area 2' in the Victoria Street Secondary Plan. The Zoning By-law Amendment application proposes to change the zoning from 'Low Intensity Mixed Use Corridor Zone (MU-1)' (97 and 101 Park Street, 186, 190, 192 and 194 Victoria Street South) and 'Low Intensity Mixed Use Corridor Zone (MU-1) with Special Use Provision 402U and Special Regulation Provision 523R' (vacant, unaddressed parcel at the rear of the subject lands) in Zoning By-law 85-1 to 'High Intensity Mixed Use Corridor Zone (MU-3)' in Zoning By-law 85-1 with a Special Regulation Provision to allow for an increased Floor Space Ratio (FSR); to further regulate parking ratios, and building setbacks; and to apply a Holding Provision to require an updated Urban Design Brief, remediation of site contamination, an updated Noise Study, and Traffic Impact Study (TIS). Staff recommends that the applications be approved.

BACKGROUND:

1928393 ONTARIO INC. has made applications to the City of Kitchener for an Official Plan Amendment and a Zoning By-law Amendment proposing to change the land use designation and zoning of the lands at 97 and 101 Park Street, 186, 190, 192 and 194 Victoria Street South to permit the lands to be developed with a 42 storey, mixed use development with 436 residential units and 807 square metres of commercial space. The proposed development includes 353 parking space located underground, and on the surface. The lands are designated 'Mixed Use Corridor' in the City of Kitchener Victoria Street Secondary Plan and zoned 'Low Intensity Mixed Use Corridor Zone (MU-1)' (97 and 101 Park Street, 186, 190, 192 and 194 Victoria Street South) and 'Low Intensity Mixed Use Corridor Zone (MU-1) with Special Use Provision 402U and Special Regulation Provision 523R' (vacant, unaddressed parcel at the rear of the subject lands) in Zoning By-law 85-1.

The existing zoning permissions permit:

- a range of permitted uses, including Multiple Dwellings and a wide range of commercial and institutional uses,
- a maximum building Floor Space Ratio (FSR) of 2.0,
- a maximum building height of 13.5 metres
- 1 parking space for each dwelling unit over 51 square metres of floor area and,
- 0.165 parking spaces for dwelling units having a floor area of 51.0 square metres or less (capped at 40% of the dwelling units).
- Special Use Provision 402U prohibits the development of sensitive uses until a noise and vibration study has been reviewed and approved by the Region of Waterloo.

Site Context

The subject lands include the consolidation of seven properties, 97 and 101 Park street, 186, 190, 192 and 194 Victoria Street as well as the large vacant unaddressed triangle portion at the rear of these properties that was previously part of 200 Victoria Street. The subject property is irregular in shape and has a lot area of 0.668 hectares (1.65 acres) with 24.5 metres of frontage along Park Street and 48.6 metres of frontage along Victoria Street South. 97 and 101 Park street, are currently developed with single detached dwellings, 186, 190, Victoria Street South are currently developed with detached two storey buildings while 192 and 194 Victoria Street South contains a semi-detached dwelling.

The current use of each the properties is:

- 97 Park Street and 101 Park Street are residential units currently rented to tenants at market rate.
- 186 and 190 Victoria Street are commercial buildings occupied by developer's offices.
- 192 and 194 Victoria Street are residential units currently rented to tenants at market rate.

In total there are 7 residential units that are currently rented to tenants at market rate. The owner has several other rental properties in the City of Kitchener and has committed to arranging for relocation to new market rate units for the tenants and will be assisting and supporting in the relocation.

The subject lands directly abut the CN railway to the rear of the property and surrounding neighbourhood consist of a mix of low, medium and high rise as well as commercial and institutional uses. There are several high intensity mixed use developments that are at various stages of development approvals in the neighbourhood as the neighbourhood is situated in prime area for redevelopment and intensification in the City of Kitchener. The subject lands are defined as a through lot in the City of Kitchener's Zoning By-law as they have frontage on two streets, with Park Street being the front yard, and Victoria Street South a side yard abutting a street. The lands abutting the railway are considered the rear yard of the subject lands and all other property lines are side yards.

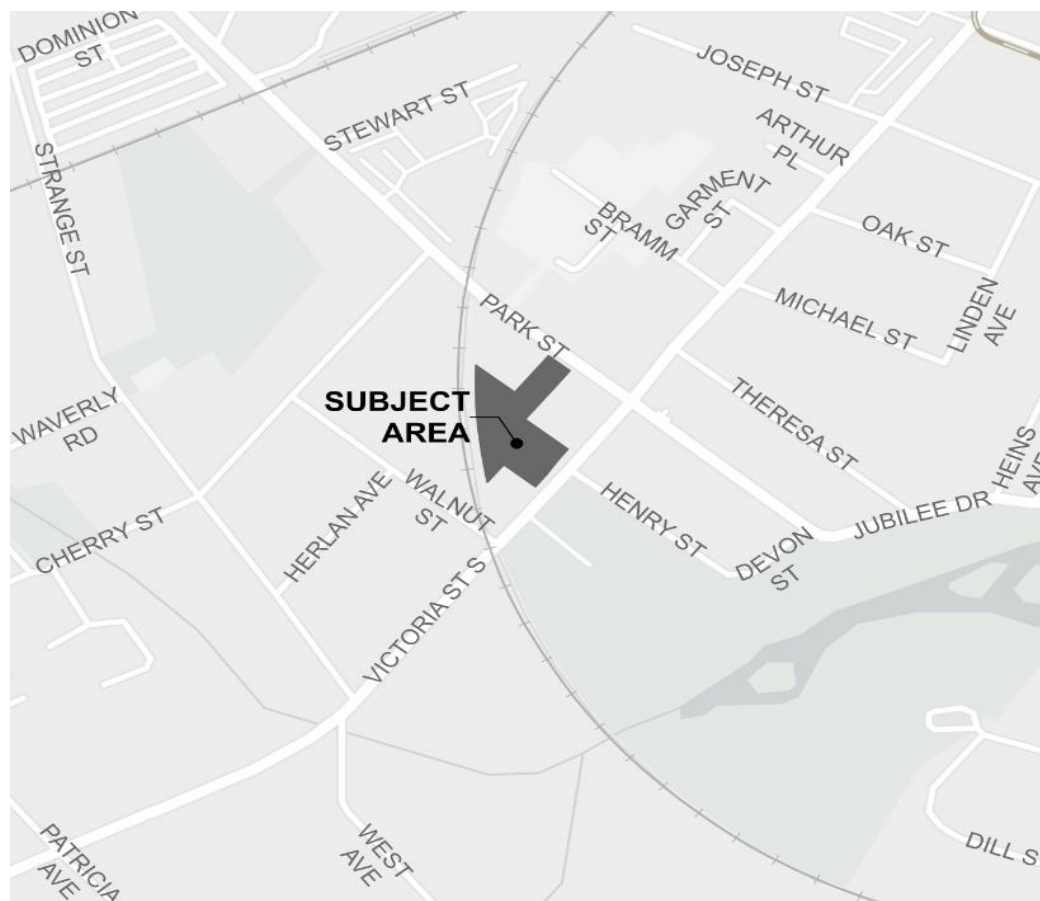


Figure 1 - Location Map: 97 and 101 Park street, 186, 190, 192 and 194 Victoria Street

REPORT:

The applicant is proposing to develop the subject lands with a with a 42-storey mixed use development with a Floor Space Ratio (FSR) of 7.7. The proposed development includes one building at 42-storeys with step backs at the 41st floor, the 14th floor, and 11th floor. The tower is 36

storeys in height, and it located on top of a 6-storey podium (42 storeys above ground in total) with 3 levels of underground parking being provided. The high rise mixed use development proposes a total of 436 residential units, 807 square metres of commercial space with 346 parking spaces located within three levels of underground parking and 7 surface visitor parking spaces. An outdoor landscaped areas is proposed at grade at the rear of the subject land and outdoor amenity areas are proposed on 11th floor, 14th floor and 41st floor and a privately-owned publicly-accessible amenity space (POPs) is also provided along the Park Street frontage, with enhanced landscaping, which will activate the frontage along Park Street and enhance the public realm. Primary vehicular access is proposed off of Park Stret with a secondary access proposed off of Victoria Street South.

Table 1 below highlights the development concept statistics while Figures 2, 3 and 4 show the proposed development concept site plan and building elevations of the development proposal.

Table 1. Proposed Development Concept Statistics

	Development Concept
Number of Units	436 dwelling units
Parking Spaces	353 parking spaces
Commercial Space	3 units, 807 square metres in total
Total Building Height	42 storeys
Podium Height	6 storeys
Class A (indoor secured) Bicycle Parking	296
Class B (outdoor visitor) Bicycle Parking	6
Electric Vehicle Ready Parking Stalls	70
Floor Space Ratio	7.7
Unit Types	40 - bachelor units (9.2%) 87 – one-bedroom units (20.0%) 137 - one-bedroom plus den units (31.4%) 74 – two-bedroom units (16.9%) 36 – two-bedroom plus den units (8.3%) 62 – three-bedroom units (14.2%)
Landscaped Area	3600 square metres
Public Amenities	3 ground floor commercial units. Privately-owned, publicly-accessible space (POPs) on Park Street

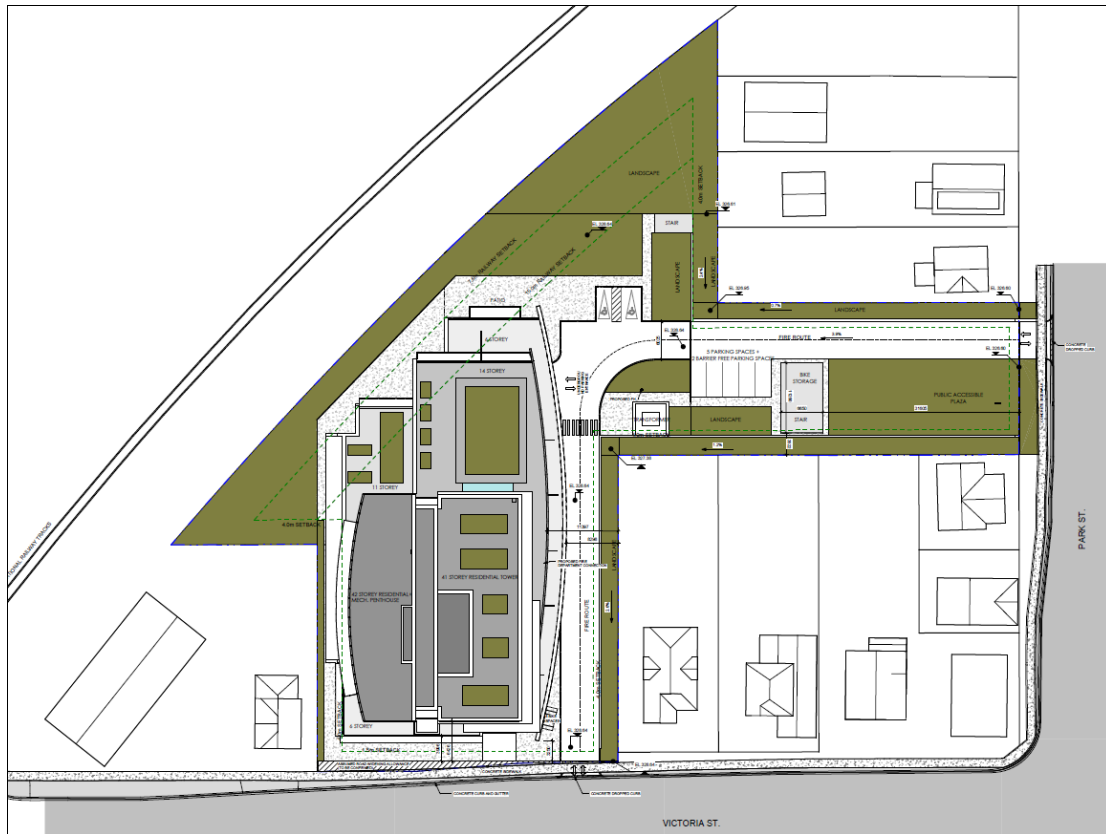


Figure 2 – Development Concept Site Plan

To facilitate the proposed development, an Official Plan Amendment and a Zoning By-law Amendment are required to change the land use designation and zoning of the subject lands as the existing Official Plan policies permit a maximum Floor Space Ratio (FSR) of 4.0 in locations which abut arterial or major collector roads, are well separated from low rise residential and have adequate municipal infrastructure and the existing zoning permits a maximum Floor Space Ratio 2.0. The lands are currently designated 'Mixed Use Corridor' in the City of Kitchener Victoria Street Secondary Plan and zoned 'Low Intensity Mixed Use Corridor Zone (MU-1)' (97 and 101 Park Street, 186, 190, 192 and 194 Victoria Street South) and 'Low Intensity Mixed Use Corridor Zone (MU-1) with Special Use Provision 402U and Special Regulation Provision 523R' (the vacant, unaddressed parcel at the rear of the subject lands) in Zoning By-law 85-1.

The owner is proposing to change the land use designation to 'Mixed Use Corridor with Special Policy 2' in the Victoria Street Secondary Plan and to change the zoning to 'High Intensity Mixed Use Corridor Zone' (MU-3) with Special Regulation Provision 792R and Holding Provision 104H' in Zoning By-law 85-1, to allow for a FSR of 7.7; reduce the required parking; and to further regulate the location of the building. A Holding Provision is also proposed to be added to the property to require an updated Urban Design Brief demonstrating a high quality of urban design that contributes positively to the public realm and streetscapes with adequate tower separation and on-site amenity to the satisfaction of the City of Kitchener's Director of Planning. The Holding Provision will also prevent the development of the site with sensitive uses, including residential uses, until the Region of Waterloo is in receipt of a Record of Site Condition and a revised Noise Study and Traffic Impact Study (TIS) is completed to the satisfaction of the Region of Waterloo.



Figure 3 – Proposed Building Rendering along Victoria Street South



Figure 4 – Proposed Building Rendering at the rear of the subject lands.

Planning Analysis:

Planning Act, R.S.O. 1990, c. P.13 25.

Section 2 of the Planning Act establishes matters of provincial interest and states that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) The minimization of waste;
- h) The orderly development of safe and healthy communities;
- j) The adequate provision of a full range of housing, including affordable housing;
- k) The adequate provision of employment opportunities;
- p) The appropriate location of growth and development; q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- r) The promotion of built form that,
 - (i) Is well-designed,
 - (ii) Encourages a sense of place, and
 - (iii) Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

These matters of provincial interest are addressed and are implemented through the Provincial Policy Statement, 2020, as it directs how and where development is to occur. The City's Official Plan is the most important vehicle for the implementation of the Provincial Policy Statement, 2020 and to ensure Provincial policy is adhered to.

Provincial Policy Statement, 2020:

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Section 1.4.3(b) of the PPS promotes all types of residential intensification, and sets out a policy framework for sustainable, healthy, liveable and safe communities. The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of affordable and market-based residential dwelling types with other land uses, while supporting the environment, public health and safety. Provincial policies promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs. To support provincial policies relating to the optimization of infrastructure, transit and active transportation, the proposed designation and zoning facilitate a compact form of development which efficiently uses the lands, is in close proximity to transit options including bus, rapid transit, and makes efficient use of both existing roads and active transportation networks. The lands are serviced and are in proximity to parks, trails and other community uses. Provincial policies are in support of providing a broad range of housing. The proposed mixed use development represents an attainable form of market-based housing.

Planning staff is of the opinion that the proposed applications will facilitate the intensification of the subject property with a high intensity mixed-use development that is compatible with the surrounding community, helps manage growth, will contribute towards a complete community, is transit-supportive and will make use of the existing infrastructure. No new public roads would be required

for the proposed development and Engineering staff have confirmed there is capacity in the sanitary sewer to permit intensification on the subject lands.

Based on the foregoing, staff is of the opinion that this proposal is in conformity with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan):

The Growth Plan supports the development of complete and compact communities that are designed to support healthy and active living, make efficient use of land and infrastructure, provide for a range and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation. Policies of the Growth Plan promote growth within strategic growth areas including major transit station areas, in order to provide a focus for investments in transit and other types of infrastructure.

Policy 2.2.6.1(a) states that municipalities will support housing choice through the achievement of the minimum intensification and density targets in this plan by identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents.

Policies 2.2.1.4 states that complete communities will:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;
- f) mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
- g) integrate green infrastructure and appropriate low impact development.

The Growth Plan supports planning for a range and mix of housing options and, in particular, higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities.

Policy 2.2.4 requires that planning be prioritized for MTSA's on priority transit corridors, including zoning in a manner that implements the policies of the Growth Plan. MTSA's on priority transit corridors will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit. The Region of Waterloo's ION is a form of light rail transit and the ION stations are Major Transit Station Areas (MTSA's) that are required to achieve the minimum density target of 160 residents and jobs combined per hectare.

The subject lands are located within the City's delineated built up area, and within a Major Transit Station Area. The lands are identified as a MTSA in the 2014 Kitchener Official Plan. In the City's Official Plan on Map 2 – Urban Structure the lands appear within the MTSA boundary for the Central

station. The Region of Waterloo commenced the Regional Official Plan Review project and as part of that work, revised MTSA boundaries were approved in August 2022 and these lands are within the Central Station MTSA. The proposed development represents intensification and will help the City achieve density targets in the MTSA. The proposed designation and zoning will support a higher density housing option that will help make efficient use of existing infrastructure, parks, roads, trails and transit. Planning staff is of the opinion that the applications conform to the Growth Plan.

The Ministry of Municipal Affairs and Housing is currently consulting on proposed policies for an integrated province-wide land use planning policy document, potentially replacing the Provincial Policy Statement and A Place to Grow: Growth plan for the Greater Golden Horseshoe, with a singular Provincial Planning Statement (PPS) which is in draft form and not currently in effect.

Regional Official Plan (ROP):

Urban Area policies of the ROP identify that the focus of the Region's future growth will be within the Urban Area. The subject lands are designated Built-Up Area in the ROP. The proposed development conforms to Policy 2.D.1 of the ROP as this neighbourhood provides for the physical infrastructure and community infrastructure to support the proposed residential development, including transportation networks, municipal drinking-water supply and wastewater systems, and a broad range of social and public health services. Regional policies require Area Municipalities to plan for a range of housing in terms of form, tenure, density and affordability to satisfy the various physical, social, economic and personal support needs of current and future residents.

The subject lands are within the Major Transit Station Area (MTSA). MTSA's are intensification corridors within the Regional Official Plan and are an appropriate location for intensification. The Region of Waterloo have indicated they have no objections to the proposed applications or to higher density within the MTSA area. (Appendix 'D'). Planning staff are of the opinion that the applications conform to the Regional Official Plan.

City of Kitchener Official Plan (OP)

The City of Kitchener OP provides the long-term land use vision for Kitchener. The vision is further articulated and implemented through the guiding principles, goals, objectives, and policies which are set out in the Plan. The Vision and Goals of the OP strive to build an innovative, vibrant, attractive, safe, complete and healthy community.

Complete Community

A complete community creates and provides access to a mix of land uses including, a full range and mix of housing, including affordable housing, recreation, commerce, community and cultural facilities, health care facilities, employment, parks and open spaces distributed and connected in a coherent and efficient manner. A complete community also supports the use of public transit and active transportation, enabling residents to meet most of their daily needs within a short distance of their homes. Kitchener will be planned as a complete community that creates opportunities for all people to live, work and interact within close proximity. Planning for a complete community will aid in reducing the cost of infrastructure and servicing, encourage the use of public transit and active modes of transportation, promote social interaction, and foster a sense of community.

The applicant is proposing to contribute aspects of a complete community on the subject lands with a 42 storey high-rise, mixed-use development with 436 residential units and 807 square metres of commercial space. Considerable thought for the orientation and placement of the building, podium heights, building step backs, and vehicular and pedestrian connections to Victoria and Park Street have been incorporated into the design for this high intensity mixed use development.

The proposed development includes a public amenity space in the form of Privately-Owned Publicly Accessible Space (POPS) proposed along Park Street with enhanced landscaping which will activate the frontage along Park Street and enhance the public realm.

Staff will review the proposed POPs as part of the site plan review process.

Urban Structure

The Official Plan establishes an Urban Structure for the City of Kitchener and provides policies for directing growth and development within this structure. Intensification Areas are targeted throughout the Built-up Area as key locations to accommodate and receive the majority of development or redevelopment for a variety of land uses. Primary Intensification Areas include the Urban Growth Centre, Major Transit Station Areas, Nodes and Corridors, in this hierarchy, according to Section 3.C.2.3 of the Official Plan. The subject lands are located within a Major Transit Station Area. The planned function of Major Transit Station Areas is to provide densities that will support transit, and achieve a mix of residential, office, institutional and commercial uses. They are also intended to have streetscapes and a built form that is pedestrian-friendly and transit-oriented.

Policies also require that development applications in Major Transit Station Areas give consideration to the Transit-Oriented Development policies contained in Section 13.C.3.12 of the Official Plan. Generally, the Transit-Oriented Development policies support a compact urban form, that supports walking, cycling and the use of transit, by providing a mix of land uses in close proximity to transit stops, to support higher frequency transit service and optimize transit rider convenience. These policies also support developments which foster walkability by creating safe and comfortable pedestrian environments and a high-quality public realm. Staff is of the opinion that the proposed development will help to increase density in an area well served by nearby transit and future rapid transit while being context sensitive to surrounding lands and provides excellent access to off-road pedestrian and cycling facilities.

The proposed development is located in a prime location for high intensity mixed use development. The subject lands are located in close proximity to the Central Station ION stop. The proposed development introduces additional housing with a mix of unit types. Housing diversity is needed to provide a greater housing choice and meet the needs of increasingly diverse residents and households. Diverse housing types for this MTSA will be further planned through Growing Together later this year. This application is in advance of that work and can be considered based on urban structure and future planned function of the community. As such, staff is of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment will support a development that not only complies with the City's policies for a Major Transit Station Area but also will contribute to the vision for a sustainable and more environmentally-friendly city.

Land Use

The subject lands are designated 'Mixed Use Corridor' (Map 16) in the Victoria Street Secondary Plan (1994 Official Plan). The Mixed Use Corridor land use designation provides residential redevelopment opportunities together with appropriate commercial and institutional uses that primarily serve adjacent residential neighbourhoods. Over time it is intended that the Mixed Use Corridors shall intensify and provide a balanced distribution of commercial, multiple residential and institutional uses.

The applicant is proposing to add Special Policy Area 2 to the Victoria Street Secondary Plan to allow a maximum Floor Space Ratio (FSR) of 7.7 whereas the current Official Plan policies allow for a maximum FSR of 4.0 in locations which abut arterial or major collector roads, are well separated from low rise residential and have adequate municipal infrastructure.

Policy 17.E.13.1. of the City of Kitchener Official Plan requires that holding provisions be applied in situations where it is necessary or desirable to zone lands for development or redevelopment in advance of the fulfillment of specific requirements and conditions, and where the details of the development or redevelopment have not yet been fully resolved. A Holding provision may be used in order to implement the Official Plan to ensure that certain conditions, studies or requirements related to a proposed Zoning By-law Amendment are met. A Holding Provision is proposed to be applied to residential uses, day care uses and other sensitive uses and will not be removed through a by-law amendment until such time as the City of Kitchener is in receipt of an Urban Design Report, and until such time as a Record of Site Condition has been acknowledged by the Province and a updated Noise Study and Traffic Impact Study has been reviewed and approved by the Region of Waterloo.

Parkland

The Proposed Development includes privately-owned publicly-accessible open spaces (POPS) to meet the needs of residents and the surrounding community. Additional private amenity spaces will be provided for residents of the proposed development on the building rooftops and indoors to relief additional pressures on nearby city owned parks. Additional parkland dedication in the form of cash-in-lieu will be taken through the Site Plan Application process.

PARTS Central Plan

The subject lands are located within the PARTS Central Plan which is a guiding document that made recommendations for land uses within and around rapid transit station stops. The PARTS Central Plan made recommendation for amendments to the Secondary Plans within this MTSA, which have not yet been implemented. Some of the primary recommendations are to encourage the development of underutilized sites with higher density to support transit and to increase housing supply while protecting existing stable neighbourhoods. The proposed development provides for a range of housing options and commercial space and the proposed amendment is in keeping with the PARTS Central vision for development within and around the ION stops.

Neighbourhood Planning Review

The subject lands are within the Victoria Park Planning Review (NPR) area. A statutory public meeting was held on December 9, 2019 regarding draft amendments to the Secondary Plans. The proposed Official Plan designation for the site is 'Mixed Use' and the proposed zoning is 'High Rise Mixed Use Four Zone'. The Growing Together project, which is the continuation of the NPR project, is under review and updated draft land use designations and zoning will be considered in late 2023.

Growing Together

The Growing Together project is the continuation of the City's ongoing planning review process that began with PARTS and advanced through the Neighbourhood Planning Review (NPR) project, while also responding to new direction from the province, implementing the updated Regional Official Plan, and addressing new and emerging city-building priorities.

Urban Design

The City's urban design policies are outlined in Section 11 of the City's OP. In the opinion of staff, the proposed development meets the intent of these policies, specifically: Streetscape; Safety; Universal Design; Site Design; Building Design, and Massing and Scale Design. To address these policies, an Urban Design Brief Report was submitted and has been reviewed by City staff. The Urban Design Brief outlines the vision and principles guiding the site design and informs the

proposed zoning by-law regulations. An updated Urban Design Report will be required and secured through a Holding Provision. The subject lands are one of the primary gateways to the City and Downtown. Extra attention to high quality urban design that contributes positively to the public realm and streetscapes is expected for the subject lands with adequate tower separation and on-site amenity for future residents. Detailed design will be reviewed through the site plan design and approvals process and an updated Urban Design Report will be required prior to removal of the Holding Provision.

Streetscape – The Victoria Street frontage is activated by at-grade non-residential commercial units and the building’s lobby. The commercial units and the building lobby have direct access to public sidewalks. A publicly accessible parkette is situated along Park Street which includes enhanced landscape features and further enhances the pedestrian realm. The tower podium has a defined base which will enhance the streetscape.

Safety – As part of the site plan approval process, staff will ensure Crime Prevention Through Environmental Design (CPTED) principles are achieved and that the site meets the Ontario Building Code and the City’s Emergency Services Policy.

Universal Design – The development will be designed to comply with Accessibility for Ontarians with Disabilities Act and the Ontario Building Code.

Skyline – The proposed building will provide a new feature on the City’s skyline. The proposed building will create visual interest from several different vantage points.

Site Design, Building Design, Massing and Scale – The subject site is designed to have a development that will be developed at a scale that is compatible with the existing and planned built form for the surrounding neighbourhood. The tower has a well defined podium and building step backs which helps enhance the public realm. Massing is broken up at the 6th, 11th and 14th and 41st storeys on the tower which mitigate overlook issues and shadow impacts.

Tower Design

The tower placement has been oriented towards Victoria Street with a 6 storey podium and building step backs at the 11th, 14th, and 41st floors. The tower massing is broken up vertically by variation and the articulation of building materials. Furthermore, balconies for the residential units are included on all elevations. Ground floor commercial units, 4.8 metre in height, are proposed which will further enhance and activate the streetscape.

Shadow Impact Study

The owner has completed a Shadow Impact Study in addition to the Urban Design Report. Staff have reviewed the study and are satisfied the shadow study meets the City’s requirements, with respect to shadow impacts, as noted in the City of Kitchener Urban Design Manual.

Wind Study

A wind study was prepared for the consideration of this development proposal and reviewed by staff. The wind conditions surrounding the proposed development are generally suitable. A full Wind Assessment be required and further reviewed at the site plan application stage based on the final design and wind control features will be required through the site plan approval, as necessary to mitigate wind.

Tall Building Guidelines

The proposed development has also been reviewed for compliance with the City's Design for Tall Buildings Guidelines. The objective of this document is to:

- achieve a positive relationship between high-rise buildings and their existing and planned context;
- create a built environment that respects and enhances the city's open space system, pedestrian and cyclist amenities and streetscapes;
- create human-scaled pedestrian-friendly streets, and attractive public spaces that contribute to livable, safe and healthy communities;
- promote tall buildings that contribute to the view of the skyline and enhance orientation, wayfinding and the image of the city;
- promote development that responds to the physical environment, microclimate and the natural environment including four season design and sustainability; and,
- promote tall building design excellence to help create visually and functionally pleasing buildings of architectural significance.

The proposed development concept has been reviewed with these objectives in mind. City staff has confirmed that the proposed towers are generally consistent with and meet the overall intent of the City's Design for Tall Building Guidelines. A Holding Provision will require an updated Urban Design Brief demonstrating that adequate off-site tower separation and adequate on-site amenity space are provided to the satisfaction of the City of Kitchener.

Transportation Policies:

The Official Plan supports an integrated transportation system which incorporates active transportation, allows for the movement of people and goods and promotes a vibrant, healthy community using land use designations and urban design initiatives that make a wide range of transportation choices viable. The subject lands are located in close proximity to the Central ION stop. The building has excellent access to cycling networks, including existing on and off-street cycling facilities and is located in close proximity to the Iron Horse Trail. The location of the subject lands, in the context of the City's integrated transportation system, supports the proposal for transit-oriented development on the subject lands.

Policy 3.C.2.22 states that until such time as Station Area Plans are completed and this Plan is amended accordingly, in the interim, any development application submitted within a Major Transit Station Area will be reviewed generally in accordance with the Transit-Oriented Development Policies included in Section 13.C.3.12

The proposed Official Plan Amendment and Zoning By-law Amendment applications support a more-dense residential development. The location of the proposed buildings, secured through the proposed site-specific provisions, will result in a compatible built form that fosters walkability within a pedestrian-friendly environment that allows walking to be safe, comfortable, barrier-free and a convenient form of urban travel.

At future site plan approval processes, the design of the buildings will have to feature a high quality public realm to enhance the identity of the area and create gathering points for social interaction, community events and other activities. Additionally, secured and visitor bicycle parking is required as part of the Zoning By-law.

Housing Policies:

Section 4.1.1 of the City's Official Plan contains policies with the primary objective to provide for an appropriate range, variety and mix of housing types and styles, densities, tenure and affordability to

satisfy the varying housing needs of our community through all stages of life. The proposed development increases the range of dwelling units available in the city. The development is contemplated to include a range of unit types including, one, two and three-bedroom units. The wide range of units, in this location, will appeal to a variety of household needs.

Sustainable Development

Section 7.C.4.1 of the City's Official Plan ensures developments will increasingly be sustainable by encouraging, supporting and, where appropriate, requiring:

- a) compact development and efficient built form;
- b) environmentally responsible design (from community design to building design) and construction practices;
- c) the integration, protection and enhancement of natural features and landscapes into building and site design;
- d) the reduction of resource consumption associated with development; and,
- e) transit-supportive development and redevelopment and the greater use of other active modes of transportation such as cycling and walking.

Development applications are required to demonstrate that the proposal meets the sustainable development policies of the Plan and that sustainable development design standards are achieved.

Sustainable development initiatives will be further explored at the Site Plan Application stage.

Proposed Official Plan Amendment Conclusions

The Official Plan Amendment proposes that the land use designation as shown on Map 16 – Victoria Street Secondary Plan be changed from 'Mixed Use Corridor' to 'Mixed Use Corridor with Special Policy Area 2'. Based on the above-noted policies and planning analysis, staff is of the opinion that the proposed Official Plan Amendment represents good planning and recommends that the proposed Official Plan Amendment be approved in the form shown in Appendix "A".

Proposed Zoning By-law Amendment (Zoning By-law 85-1):

The subject lands are zoned 'Low Intensity Mixed Use Corridor Zone (MU-1)' (97 and 101 Park Street, 186, 190, 192 and 194 Victoria Street South) and 'Low Intensity Mixed Use Corridor Zone (MU-1) with Special Use Provision 402U and Special Regulation Provision 523R' (vacant, unaddressed parcel at the rear of the subject lands) in Zoning By-law 85-1. The existing zoning permits Multiple Dwellings and a wide range of Commercial and Institutional uses. The MU-1 zone currently allows for a maximum building Floor Space Ratio (FSR) of 2.0 and a maximum building height of 13.5 metres. The existing zoning also requires 1.0 parking spaces for each dwelling unit over 51 square metres of floor area and 0.165 parking spaces for each dwelling unit having a floor area of 51.0 square metres or less (capped at 40% of the dwelling units). Special Use Provision 402U prohibits the development of sensitive uses until noise and vibration study has been reviewed and approved by the Region of Waterloo.

The applicant has requested an amendment to Zoning By-law 85-1 to change the zoning from 'Low Intensity Mixed Use Corridor Zone (MU-1)' (97 and 101 Park Street, 186, 190, 192 and 194 Victoria Street South) and 'Low Intensity Mixed Use Corridor Zone (MU-1) with Special Use Provision 402U and Special Regulation Provision 523R' (vacant, unaddressed parcel at the rear of the subject lands) to 'High Intensity Mixed Use Corridor Zone (MU-3)' in Zoning By-law 85-1 with Special Regulation Provision 792R and Holding Provision 104H" in Zoning By-law 85-1. Due to review timeline refunds required by Bill 109, a Holding Provision is required to ensure matters related to urban design, traffic

access on Victoria Street, noise and site remediation are addressed, prior to lifting of the Holding Provision.

Official Plan policies indicate that where special zoning regulations are requested for residential intensification or a redevelopment of lands, the overall impact of the site-specific zoning regulations will consider compatibility with existing built form; appropriate massing and setbacks that support and maintain streetscape and community character; appropriate buffering to mitigate adverse impacts, particularly with respect to privacy; avoidance of unacceptable adverse impacts by providing appropriate number of parking spaces and an appropriate landscaped/amenity area.

The applicant is seeking to amend the Zoning By-law to add Special Regulation Provision 792R to Zoning By-law 85-1. The proposed Special Regulation Provision is to permit an increased Floor Space Ratio (FSR), regulate building setbacks and reduce the required parking rate.

Staff offer the following comments with respect to the proposed Special Regulation Provision 792R:

a) That the maximum Floor Space Ratio shall be 7.7.

The purpose of this regulation is to cap the Floor Space Ratio and ensure development does not exceed the density presented in the concept plans.

b) That parking be provided at a rate of 0.8 parking spaces per dwelling unit. 10% of the required parking spaces shall be shared for visitor parking and non-residential uses. Bicycle and electric vehicle parking are to be provided in accordance with By-law 2019-051.

The purpose of this regulation is to provide for a parking rate which is appropriate for the development as well as require adequate bicycle parking spaces and future electric vehicle charging parking spaces. The proposed ratio results in a parking rate of 0.8 parking spaces per dwelling unit (inclusive of visitor spaces). The subject lands will have adequate access to public transit and pedestrian/cycling networks and adequate bike storage will be provided within the development for residents. Planning and Transportation Services staff is of the opinion that the parking rate is appropriate for the subject lands.

c) The Maximum Front Yard Abutting a Street shall be 32 metres.

The purpose of this regulation is to allow the building to be setback from Park Street to accommodate the publicly accessible space.

d) A 7.5 metre setback from the lot line abutting the rail right-of-way is provided with a crash wall and signed and stamped affidavit from a qualified Professional Engineer licensed to practice in the Province of Ontario demonstrating that the proposed development has been designed in accordance with the Federation of Canadian Municipalities and Railway Association of Canada guidelines.

The purpose of this regulation is to allow the building to be setback 7.5 metres with a crash wall once the detail design has been signed off by a qualified Professional Engineer rather than providing a 15.0 metre setback with a berm and fence which is require by the Zoning By-law.

f) Geothermal Energy Systems shall be prohibited.

The Region of Waterloo has indicated Geothermal Energy Systems shall be prohibited to mitigate the risks associated with contaminants that will remain beneath the site when the property is redeveloped.

Staff offer the following comments with respect to Holding Provision 104H:

Official Plan policies require that holding provisions will be applied in those situations where it is necessary or desirable to zone lands for development or redevelopment in advance of the fulfillment of specific requirements and conditions, and where the details of the development or redevelopment have not yet been fully resolved. A Holding provision may be used in order to facilitate the implementation of the 'MU-3' zone and special regulation provision. The City will enact a by-law to remove the holding symbol when all the conditions set out in the holding provision have been satisfied, permitting development or redevelopment in accordance with the zoning category assigned.

Holding Provision 104H

Planning staff are recommending the following holding provision as part of the Zoning By-law Amendment:

- i. No residential use shall be permitted until such time as a Record of Site Condition is submitted and approved to the satisfaction of the Ministry of the Environment, Conservation and Parks (MOECP). This Holding Provision shall not be removed until the Region of Waterloo is in receipt of a letter from the Ministry of the Environment, Conservation and Parks (MOECP) advising that a Record of Site Condition has been completed to their satisfaction.
- ii. No residential use shall be permitted until such time as a Road, Vibration and Stationary Noise Study is submitted and approved to the satisfaction of the Regional Commissioner of Planning, Housing and Community Services, if necessary. This Holding Provision shall not be removed until the City of Kitchener is in receipt of a letter from the Regional Commissioner of Planning, Housing and Community Services advising that such noise study or studies has been approved and an agreement, if necessary, has been entered into with the City and/or Region, as necessary, providing for the implementation of any recommended noise mitigation measures.
- iii. Vehicular access is prohibited off of Victoria Street South until a satisfactory Transportation Impact Study (TIS) that includes a sensitivity analysis has been submitted and approved to the satisfaction of the Regional Municipality of Waterloo.
- iv. No development on the lands shall occur until such time as an Urban Design Brief is approved by the City's Director of Planning demonstrating a high quality of urban design that contributes positively to the public realm and streetscapes with adequate tower separation and onsite amenity.

There is an environmental threat located on and adjacent to the subject lands in accordance with the Region's Threats Inventory Database (TID) due to past and current land uses. A Record of Site Condition (RSC) and Ministry Acknowledgement Letter shall be required in accordance with the Region's Implementation Guidelines. Until such time that the RSC and Ministry Acknowledgement letter have been received by the Region, residential redevelopment of the site is not permitted.

A Noise Study was prepared in support of the proposed Zoning By-law and reviewed by the Region of Waterloo. Additional building noise mitigation measures will be reviewed through the site plan design and approvals process and an addendum to the Noise Study will be required prior to removal of the Holding Provision.

Regional staff have reviewed the Transportation Impact Study (TIS) and require an updated TIS for review and approval by the Region of Waterloo for sensitivity analysis of "Close to Rail Transit" access and a sensitivity analysis to test out the need for the proposed Victoria Street access.

The subject lands are one of the primary gateways to the City and Downtown. Extra attention to high quality urban design that contributes positively to the public realm and streetscapes is expected for the subject lands with adequate onsite amenity for future residents. Detailed design will be reviewed through the site plan design and approvals process and an updated Urban Design Brief will be required prior to removal of the Holding Provision.

Proposed Zoning By-law Amendment Conclusions

Staff is of the opinion that the proposed Zoning By-law Amendment to change the zoning of the subject lands to 'High Intensity Mixed Use Corridor Zone (MU-3)' with Special Regulation Provision 792R and Holding Provision 104H represents good planning as it will facilitate the redevelopment of the lands with mixed use development that is compatible with the existing neighbourhood, which will add visual interest at the street level and skyline, and will appropriately accommodate on-site parking needs. Staff are supportive of the proposed development and recommend that the proposed Zoning By-law amendment be approved as shown in Appendix "B".

Department and Agency Comments:

Circulation of the Official Plan Amendment and Zoning By-law Amendment was undertaken in March 2023 to all applicable City departments and other review authorities. No major concerns were identified by any commenting City department or agency and any necessary revisions and updates were made. Copies of the comments are found in Appendix 'D' of this report.

The following Reports and Studies were considered as part of this proposed Official Plan Amendment and Zoning By-law Amendment:

- Planning Justification Report
Prepared by: Arcadis, IBI Group, March 2023
- Urban Design Brief
Prepared by: Arcadis, IBI Group, March 2023
- Shadow Study
Prepared by: Arcadis, IBI Group, March 2023
- Pedestrian Windy Study
Prepared by: SLR, March 2023
- Transportation Impact Study and Parking Study
Prepared by: Arcadis, IBI Group, December 2022
- Rail Vibration Assessment
Prepared by: Dillon Consulting, February 2023
- Functional Servicing Report
Prepared by: Arcadis, IBI Group, December 2022
- Sustainability Statement
Prepared by: Arcadis, IBI Group, March 2023
- Noise Study
Prepared by: Arcadis, IBI Group, January 2023

WHAT WE HEARD



1,439 addresses (occupants and property owners) were circulated and notified



Approximately 21 people/households/businesses provided comments



A City-led Neighbourhood Meeting was held on April 27, 2023 and 30 different users logged on

Staff received written responses from 21 residents with respect to the proposed development. These are included in Appendix ‘E’. A Neighbourhood Meeting was held on April 27, 2023. In addition, staff had follow up one-on-one correspondence with members of the public. A summary of what we heard, and staff responses are noted below.

What We Heard	Staff Comment
Support for the large number of Three-bedroom units that are proposed for this development.	<p>The City of Kitchener does not regulate number of bedrooms; However, City staff strongly support the mix of unit types proposed for this development. The following unit types are proposed:</p> <ul style="list-style-type: none"> 40 - bachelor units (9.2%) 87 – one-bedroom units (20.0%) 137 - one-bedroom plus den units (31.4%) 74 – two-bedroom units (16.9%) 36 – two-bedroom plus den units (8.3%) 62 – three-bedroom units (14.2%)
Concerns the proposed development will create traffic that existing roads can not handle.	A Traffic Impact Study (TIS) was submitted and reviewed by City and Regional Transportation staff who did not identify any major traffic concerns as a result of the proposed development. A Holding Provision is proposed to apply to the subject lands requiring an updated TIS for review and approval by the Region of Waterloo for sensitivity analysis of “Close to Rail Transit” access and a sensitivity analysis to test out the need for the proposed Victoria Street access.
Tall buildings should not be allowed outside of the downtown and is not appropriate the neighbourhood.	The proposed building height of 42 storeys is consistent with other proposed tower developments that have been constructed, are approved or are proposed along this corridor of Victoria Street South. Staff have evaluated the

	impacts of building height such as shadow impacts, wind, and transition to low rise residential lands and consider them to be acceptable for a development of this type.
The tall building will create a shadow for the entire day on nearby homes.	A Shadow Study has been submitted. Staff have reviewed the study and are satisfied the shadow study meets the minimum requirements, as related to shadow impacts and will have minimal impacts on adjacent properties.
Victoria Park and other nearby city owned parks are at capacity and cannot accommodate additional residents.	The applicant is proposing to provide 3,600 square metres of outdoor landscaped and amenity space at grade and on rooftop terraces on the podium. This space will include active and passive areas for socializing and dining outdoors and will include landscape areas containing large planters as well as a privately-owned publicly accessible space (POPs) along Park Street. The proposed outdoor amenity spaces on site will help to reduce any increased demand on nearby existing park infrastructure.
Not enough parking is being provided.	A Parking Justification Study was submitted and reviewed by Transportation Services staff who support the proposed parking rate of 0.8 parking spaces per dwelling unit. Unbundled parking is proposed as well as a minimum of 0.5 Class A bicycle parking spaces per dwelling unit are required as a Transportation Demand Management (TDM) measures.
Affordable Units should be provided.	This development is not receiving affordable housing sponsorship. A mix of unit types and unit sizes are proposed. The two (2)- and three (3)- bedroom units could offer a more affordable rent option for future tenants who could share the cost-of-living accommodations.

Planning Conclusions

In considering the foregoing, staff are supportive of the proposed Official Plan Amendment and Zoning By-law Amendment to permit the development of a mixed-use development at 97-101 Park Street and 186-194 Victoria Street South. Staff is of the opinion that the subject applications are consistent with policies of the Provincial Policy Statement (2020), conform to Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan and represent good planning. Planning staff are recommending that the applications be approved.

ALIGNMENT WITH CITY OF KITCHENER STRATEGIC PLAN:

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

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this recommendation.

Bill 109, More Homes for Everyone Act, 2022 introduced a requirement for a municipality to refund planning application fees if a decision is not made within a prescribed timeframe. Decisions on

Zoning By-law Amendments, when combined with an Official Plan Amendment, are required within 120 days to retain planning application fees, effective January 1, 2023. A decision must be made by Council prior to July 25, 2023 or the Planning Division must issue an application fee refund of \$12,800.00, being 50% of the \$25,600.00 Major Zoning By-law Amendment Application fee. The Planning Division does not have a funding source or budget for refunding planning application fees.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the Council / Committee meeting. A large billboard sign was posted on the property and information regarding the application was posted to the City’s website in March of 2023. Following the initial circulation referenced below, an additional postcard advising of the statutory public meeting was circulated to all residents and property owners within 240 metres of the subject lands, and those responding to the preliminary circulation. Notice of the Statutory Public Meeting was also posted in The Record on May 12, 2023 (a copy of the Notice may be found in Appendix ‘C’).

CONSULT – The proposed Official Plan Amendment and Zoning By-law Amendment were circulated to residents and property owners within 240 metres of the subject lands on March 31, 2023. In response to this circulation, staff received written responses from 21 members of the public, which were summarized as part of this staff report. Planning staff also had one-on-one conversations with residents on the telephone and responded to emails.

PREVIOUS REPORTS/AUTHORITIES:

- Planning Act, R.S.O. 1990, c. P.13
- Growth Plan, 2020
- Provincial Policy Statement, 2020
- Regional Official Plan
- City of Kitchener Official Plan, 1994
- City of Kitchener Zoning By-law 85-1

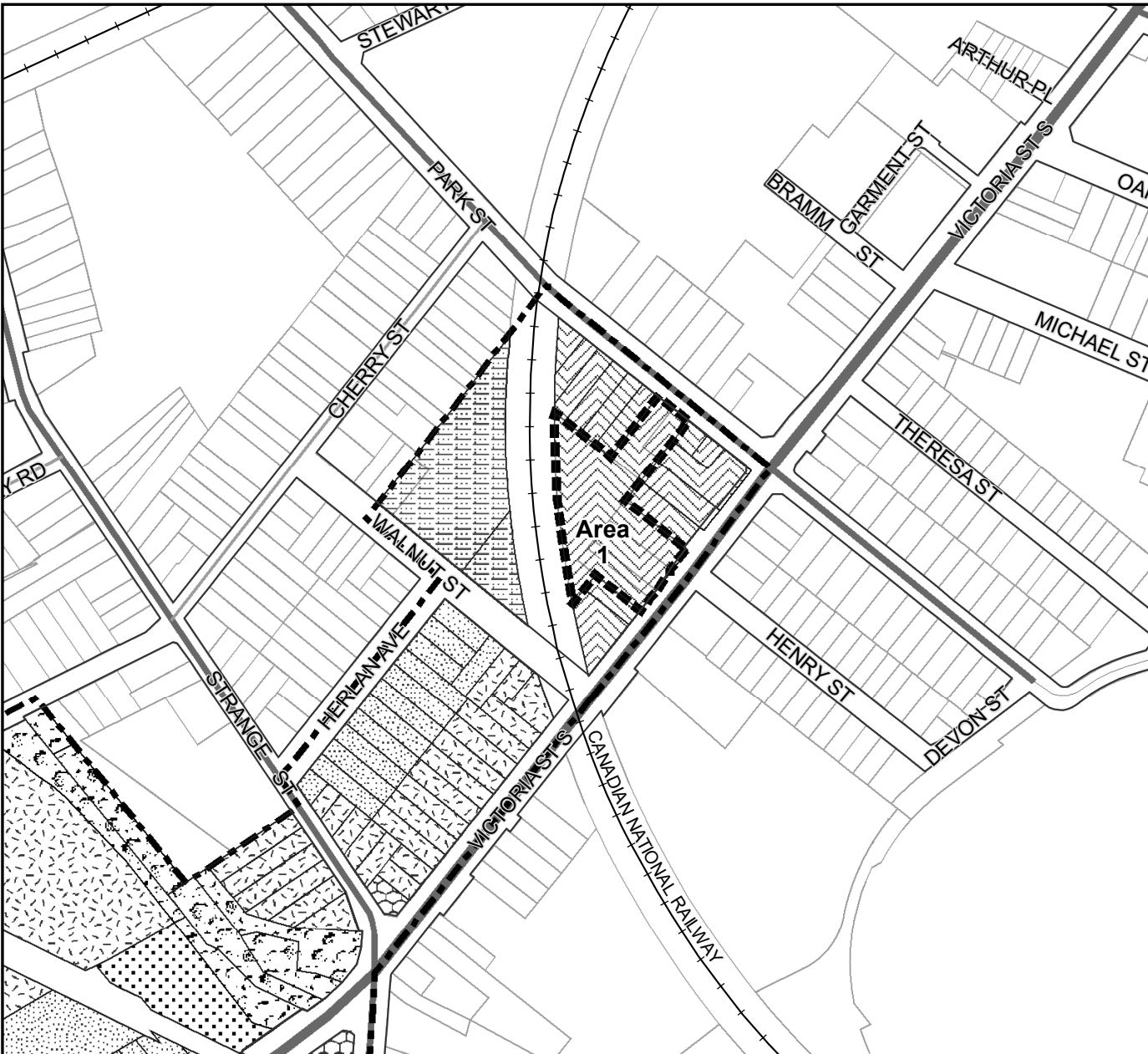
REVIEWED BY: Tina Malone-Wright – Interim Manager of Development Review, Planning Division














APPROVED BY: Readman, Justin - General Manager, Development Services

APPENDIXS:

- Appendix A – Proposed Official Plan Amendment
- Appendix B – Proposed Zoning By-law Amendment
- Appendix C – Newspaper Notice
- Appendix D – Department and Agency Comments
- Appendix E – Public Comments

**CITY OF KITCHENER OFFICIAL PLAN
AMENDMENT TO MAP 16
VICTORIA STREET
NEIGHBOURHOOD SECONDARY PLAN**



-  Low Rise Conservation
-  Low Rise Multiple Residential
-  Low Density Multiple Residential
-  Medium Density Multiple Residential
-  Mixed Use Corridor
-  Open Space
-  Boundary of Secondary Plan
-  Special Policy Area
-  Primary Arterial Road
-  Major Collector Road
-  Connector Road
-  Scenic-Heritage Road
-  Area 1 of Amendment
From Mixed Use Corridor
To Mixed Use Corridor
With Special Policy Area 2

SCHEDULE 'A'

1928393 ONTARIO INC.; 2564292 ONTARIO INC.;
ROME SALES INC.; 2592546 ONTARIO INC.

97 & 101 PARK ST; 186, 190, 192 & 194
VICTORIA ST S; VICTORIA ST S



METRES
SCALE 1:4,000

DATE: MAY 15, 2023

REVISED:

OFFICIAL PLAN AMENDMENT OPA23/003/V/CD
ZONING BY-LAW AMENDMENT ZBA23/007/V/CD

City of Kitchener
Development Services Department, Planning

FILE:
OPA23003VCD_MAP16
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AMENDMENT NO. xxx TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER

CITY OF KITCHENER
97-101 Park Street and 186-194 Victoria Street South

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

CITY OF KITCHENER
97-101 Park Street and 186-194 Victoria Street South

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SECTION 2	PURPOSE OF THE AMENDMENT
SECTION 3	BASIS OF THE AMENDMENT
SECTION 4	THE AMENDMENT

APPENDICES

APPENDIX 1	Notice of the Meeting of Planning & Strategic Initiatives Committee of June 5, 2023
APPENDIX 2	Minutes of the Meeting of Planning & Strategic Initiatives Committee June 5, 2023
APPENDIX 3	Minutes of the Meeting of City Council

SECTION 1 – TITLE AND COMPONENTS

This amendment shall be referred to as Amendment No. xxx to the Official Plan of the City of Kitchener (1994). This amendment is comprised of Sections 1 to 4 inclusive.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of the Official Plan Amendment is to amend:

- Map 16 – Secondary Plan – Victoria Street Neighbourhood Plan for Land Use by redesignating lands, municipally addressed 97-101 Park Street and 186-194 Victoria Street South from Mixed Use Corridor’ to ‘Mixed Use Corridor’ with Special Policy Area 2”
- Adding Policy 13.6.4.2 to Section 13.6.4 to permit a maximum Floor Space Ratio (FSR) of 7.7.

SECTION 3 – BASIS OF THE AMENDMENT

Planning Analysis:

Planning Act, R.S.O. 1990, c. P.13 25.

Section 2 of the Planning Act establishes matters of provincial interest and states that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) The minimization of waste;
- h) The orderly development of safe and healthy communities;
- j) The adequate provision of a full range of housing, including affordable housing;
- k) The adequate provision of employment opportunities;
- p) The appropriate location of growth and development; q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- r) The promotion of built form that,
 - (i) Is well-designed,
 - (ii) Encourages a sense of place, and
 - (iii) Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

These matters of provincial interest are addressed and are implemented through the Provincial Policy Statement, 2020, as it directs how and where development is to occur. The City’s Official Plan is the most important vehicle for the implementation of the Provincial Policy Statement, 2020 and to ensure Provincial policy is adhered to.

Provincial Policy Statement, 2020:

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Section 1.4.3(b) of the PPS promotes all types of residential intensification, and sets out a policy framework for sustainable, healthy, liveable and

safe communities. The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of affordable and market-based residential dwelling types with other land uses, while supporting the environment, public health and safety. Provincial policies promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

To support provincial policies relating to the optimization of infrastructure, transit and active transportation, the proposed designation and zoning facilitate a compact form of development which efficiently uses the lands, is in close proximity to transit options including bus, rapid transit, and makes efficient use of both existing roads and active transportation networks. The lands are serviced and are in proximity to parks, trails and other community uses. Provincial policies are in support of providing a broad range of housing. The proposed mixed use development represents an attainable form of market-based housing.

Planning staff is of the opinion that the proposed applications will facilitate the intensification of the subject property with a high intensity mixed-use development that is compatible with the surrounding community, helps manage growth, will contribute towards a complete community, is transit-supportive and will make use of the existing infrastructure. No new public roads would be required for the proposed development and Engineering staff have confirmed there is capacity in the sanitary sewer to permit intensification on the subject lands.

Based on the foregoing, staff is of the opinion that this proposal is in conformity with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan):

The Growth Plan supports the development of complete and compact communities that are designed to support healthy and active living, make efficient use of land and infrastructure, provide for a range and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation. Policies of the Growth Plan promote growth within strategic growth areas including major transit station areas, in order to provide a focus for investments in transit and other types of infrastructure.

Policy 2.2.6.1(a) states that municipalities will support housing choice through the achievement of the minimum intensification and density targets in this plan by identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents.

Policies 2.2.1.4 states that complete communities will:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and

- iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;
- f) mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
- g) integrate green infrastructure and appropriate low impact development.

The Growth Plan supports planning for a range and mix of housing options and, in particular, higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities.

Policy 2.2.4 requires that planning be prioritized for MTSA's on priority transit corridors, including zoning in a manner that implements the policies of the Growth Plan. MTSA's on priority transit corridors will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit. The Region of Waterloo's ION is a form of light rail transit and the ION stations are Major Transit Station Areas (MTSA's) that are required to achieve the minimum density target of 160 residents and jobs combined per hectare.

The subject lands are located within the City's delineated built up area, and within a Major Transit Station Area. The lands are identified as a MTSA in the 2014 Kitchener Official Plan. In the City's Official Plan on Map 2 – Urban Structure the lands appear within the MTSA boundary for the Central station. The Region of Waterloo commenced the Regional Official Plan Review project and as part of that work, revised MTSA boundaries were approved in August 2022 and these lands are within the Central Station MTSA. The proposed development represents intensification and will help the City achieve density targets in the MTSA. The proposed designation and zoning will support a higher density housing option that will help make efficient use of existing infrastructure, parks, roads, trails and transit. Planning staff is of the opinion that the applications conform to the Growth Plan.

The Ministry of Municipal Affairs and Housing is currently consulting on proposed policies for an integrated province-wide land use planning policy document, potentially replacing the Provincial Policy Statement and A Place to Grow: Growth plan for the Greater Golden Horseshoe, with a singular Provincial Planning Statement (PPS) which is in draft form and not currently in effect.

Regional Official Plan (ROP):

Urban Area policies of the ROP identify that the focus of the Region's future growth will be within the Urban Area. The subject lands are designated Built-Up Area in the ROP. The proposed development conforms to Policy 2.D.1 of the ROP as this neighbourhood provides for the physical infrastructure and community infrastructure to support the proposed residential development, including transportation networks, municipal drinking-water supply and wastewater systems, and a broad range of social and public health services. Regional policies require Area Municipalities to plan for a range of housing in terms of form, tenure, density and affordability to satisfy the various physical, social, economic and personal support needs of current and future residents.

The subject lands are within the Major Transit Station Area (MTSA). MTSA's are intensification corridors within the Regional Official Plan and are an appropriate location for intensification. The Region of Waterloo have indicated they have no objections to the proposed applications or to higher density within the MTSA area. (Appendix 'D'). Planning staff are of the opinion that the applications conform to the Regional Official Plan.

City of Kitchener Official Plan (OP)

The City of Kitchener OP provides the long-term land use vision for Kitchener. The vision is further articulated and implemented through the guiding principles, goals, objectives, and policies which are set out in the Plan. The Vision and Goals of the OP strive to build an innovative, vibrant, attractive, safe, complete and healthy community.

Complete Community

A complete community creates and provides access to a mix of land uses including, a full range and mix of housing, including affordable housing, recreation, commerce, community and cultural facilities, health care facilities, employment, parks and open spaces distributed and connected in a coherent and efficient manner. A complete community also supports the use of public transit and active transportation, enabling residents to meet most of their daily needs within a short distance of their homes. Kitchener will be planned as a complete community that creates opportunities for all people to live, work and interact within close proximity. Planning for a complete community will aid in reducing the cost of infrastructure and servicing, encourage the use of public transit and active modes of transportation, promote social interaction, and foster a sense of community.

The applicant is proposing to contribute aspects of a complete community on the subject lands with a 42 storey high-rise, mixed-use development with 436 residential units and 807 square metres of commercial space. Considerable thought for the orientation and placement of the building, podium heights, building step backs, and vehicular and pedestrian connections to Victoria and Park Street have been incorporated into the design for this high intensity mixed use development.

The proposed development includes a public amenity space in the form of Privately-Owned Publicly Accessible Space (POPS) proposed along Park Street with enhanced landscaping which will activate the frontage along Park Street and enhance the public realm.

Staff will review the proposed POPs as part of the site plan review process.

Urban Structure

The Official Plan establishes an Urban Structure for the City of Kitchener and provides policies for directing growth and development within this structure. Intensification Areas are targeted throughout the Built-up Area as key locations to accommodate and receive the majority of development or redevelopment for a variety of land uses. Primary Intensification Areas include the Urban Growth Centre, Major Transit Station Areas, Nodes and Corridors, in this hierarchy, according to Section 3.C.2.3 of the Official Plan. The subject lands are located within a Major Transit Station Area. The planned function of Major Transit Station Areas is to provide densities that will support transit, and achieve a mix of residential, office, institutional and commercial uses. They are also intended to have streetscapes and a built form that is pedestrian-friendly and transit-oriented.

Policies also require that development applications in Major Transit Station Areas give consideration to the Transit-Oriented Development policies contained in Section 13.C.3.12 of the Official Plan. Generally, the Transit-Oriented Development policies support a compact urban form, that supports walking, cycling and the use of transit, by providing a mix of land uses in close proximity to transit stops, to support higher frequency transit service and optimize transit rider convenience. These policies also support developments which foster walkability by creating safe

and comfortable pedestrian environments and a high-quality public realm. Staff is of the opinion that the proposed development will help to increase density in an area well served by nearby transit and future rapid transit while being context sensitive to surrounding lands and provides excellent access to off-road pedestrian and cycling facilities.

The proposed development is located in a prime location for high intensity mixed use development. The subject lands are located in close proximity to the Central Station ION stop. The proposed development introduces additional housing with a mix of unit types. Housing diversity is needed to provide a greater housing choice and meet the needs of increasingly diverse residents and households. Diverse housing types for this MTSA will be further planned through Growing Together later this year. This application is in advance of that work and can be considered based on urban structure and future planned function of the community. As such, staff is of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment will support a development that not only complies with the City's policies for a Major Transit Station Area but also will contribute to the vision for a sustainable and more environmentally-friendly city.

Land Use

The subject lands are designated 'Mixed Use Corridor' (Map 16) in the Victoria Street Secondary Plan (1994 Official Plan). The Mixed Use Corridor land use designation provides residential redevelopment opportunities together with appropriate commercial and institutional uses that primarily serve adjacent residential neighbourhoods. Over time it is intended that the Mixed Use Corridors shall intensify and provide a balanced distribution of commercial, multiple residential and institutional uses.

The applicant is proposing to add Special Policy Area 2 to the Victoria Street Secondary Plan to allow a maximum Floor Space Ratio (FSR) of 7.7 whereas the current Official Plan policies allow for a maximum FSR of 4.0 in locations which abut arterial or major collector roads, are well separated from low rise residential and have adequate municipal infrastructure.

Policy 17.E.13.1. of the City of Kitchener Official Plan requires that holding provisions be applied in situations where it is necessary or desirable to zone lands for development or redevelopment in advance of the fulfillment of specific requirements and conditions, and where the details of the development or redevelopment have not yet been fully resolved. A Holding provision may be used in order to implement the Official Plan to ensure that certain conditions, studies or requirements related to a proposed Zoning By-law Amendment are met. A Holding Provision is proposed to be applied to residential uses, day care uses and other sensitive uses and will not be removed through a by-law amendment until such time as the City of Kitchener is in receipt of an Urban Design Report, and until such time as a Record of Site Condition has been acknowledged by the Province and a updated Noise Study and Traffic Impact Study has been reviewed and approved by the Region of Waterloo.

Parkland

The Proposed Development includes privately-owned publicly-accessible open spaces (POPS) to meet the needs of residents and the surrounding community. Additional private amenity spaces will be provided for residents of the proposed development on the building rooftops and indoors to relief additional pressures on nearby city owned parks. Additional parkland dedication in the form of cash-in-lieu will be taken through the Site Plan Application process.

PARTS Central Plan

The subject lands are located within the PARTS Central Plan which is a guiding document that made recommendations for land uses within and around rapid transit station stops. The PARTS Central Plan made recommendation for amendments to the Secondary Plans within this MTSA, which have not yet been implemented. Some of the primary recommendations are to encourage the development of underutilized sites with higher density to support transit and to increase housing supply while protecting existing stable neighbourhoods. The proposed development provides for a range of housing options and commercial space and the proposed amendment is in keeping with the PARTS Central vision for development within and around the ION stops.

Neighbourhood Planning Review

The subject lands are within the Victoria Park Planning Review (NPR) area. A statutory public meeting was held on December 9, 2019 regarding draft amendments to the Secondary Plans. The proposed Official Plan designation for the site is 'Mixed Use' and the proposed zoning is 'High Rise Mixed Use Four Zone'. The Growing Together project, which is the continuation of the NPR project, is under review and updated draft land use designations and zoning will be considered in late 2023.

Growing Together

The Growing Together project is the continuation of the City's ongoing planning review process that began with PARTS and advanced through the Neighbourhood Planning Review (NPR) project, while also responding to new direction from the province, implementing the updated Regional Official Plan, and addressing new and emerging city-building priorities.

Urban Design

The City's urban design policies are outlined in Section 11 of the City's OP. In the opinion of staff, the proposed development meets the intent of these policies, specifically: Streetscape; Safety; Universal Design; Site Design; Building Design, and Massing and Scale Design. To address these policies, an Urban Design Brief Report was submitted and has been reviewed by City staff. The Urban Design Brief outlines the vision and principles guiding the site design and informs the proposed zoning by-law regulations. An updated Urban Design Report will be required and secured through a Holding Provision. The subject lands are one of the primary gateways to the City and Downtown. Extra attention to high quality urban design that contributes positively to the public realm and streetscapes is expected for the subject lands with adequate tower separation and on-site amenity for future residents. Detailed design will be reviewed through the site plan design and approvals process and an updated Urban Design Report will be required prior to removal of the Holding Provision.

Streetscape – The Victoria Street frontage is activated by at-grade non-residential commercial units and the building's lobby. The commercial units and the building lobby have direct access to public sidewalks. A publicly accessible parkette is situated along Park Street which includes enhanced landscape features and further enhances the pedestrian realm. The tower podium has a defined base which will enhance the streetscape.

Safety – As part of the site plan approval process, staff will ensure Crime Prevention Through Environmental Design (CPTED) principles are achieved and that the site meets the Ontario Building Code and the City's Emergency Services Policy.

Universal Design – The development will be designed to comply with Accessibility for Ontarians with Disabilities Act and the Ontario Building Code.

Skyline – The proposed building will provide a new feature on the City’s skyline. The proposed building will create visual interest from several different vantage points.

Site Design, Building Design, Massing and Scale – The subject site is designed to have a development that will be developed at a scale that is compatible with the existing and planned built form for the surrounding neighbourhood. The tower has a well defined podium and building step backs which helps enhance the public realm. Massing is broken up at the 6th, 11th and 14th and 41st storeys on the tower which mitigate overlook issues and shadow impacts.

Tower Design

The tower placement has been oriented towards Victoria Street with a 6 storey podium and building step backs at the 11th, 14th, and 41st floors. The tower massing is broken up vertically by variation and the articulation of building materials. Furthermore, balconies for the residential units are included on all elevations. Ground floor commercial units, 4.8 metre in height, are proposed which will further enhance and activate the streetscape.

Shadow Impact Study

The owner has completed a Shadow Impact Study in addition to the Urban Design Report. Staff have reviewed the study and are satisfied the shadow study meets the City’s requirements, with respect to shadow impacts, as noted in the City of Kitchener Urban Design Manual.

Wind Study

A wind study was prepared for the consideration of this development proposal and reviewed by staff. The wind conditions surrounding the proposed development are generally suitable. A full Wind Assessment be required and further reviewed at the site plan application stage based on the final design and wind control features will be required through the site plan approval, as necessary to mitigate wind.

Tall Building Guidelines

The proposed development has also been reviewed for compliance with the City’s Design for Tall Buildings Guidelines. The objective of this document is to:

- achieve a positive relationship between high-rise buildings and their existing and planned context;
- create a built environment that respects and enhances the city’s open space system, pedestrian and cyclist amenities and streetscapes;
- create human-scaled pedestrian-friendly streets, and attractive public spaces that contribute to livable, safe and healthy communities;
- promote tall buildings that contribute to the view of the skyline and enhance orientation, wayfinding and the image of the city;
- promote development that responds to the physical environment, microclimate and the natural environment including four season design and sustainability; and,
- promote tall building design excellence to help create visually and functionally pleasing buildings of architectural significance.

The proposed development concept has been reviewed with these objectives in mind. City staff has confirmed that the proposed towers are generally consistent with and meet the overall intent

of the City's Design for Tall Building Guidelines. A Holding Provision will require an updated Urban Design Brief demonstrating that adequate off-site tower separation and adequate on-site amenity space are provided to the satisfaction of the City of Kitchener.

Transportation Policies:

The Official Plan supports an integrated transportation system which incorporates active transportation, allows for the movement of people and goods and promotes a vibrant, healthy community using land use designations and urban design initiatives that make a wide range of transportation choices viable. The subject lands are located in close proximity to the Central ION stop. The building has excellent access to cycling networks, including existing on and off-street cycling facilities and is located in close proximity to the Iron Horse Trail. The location of the subject lands, in the context of the City's integrated transportation system, supports the proposal for transit-oriented development on the subject lands.

Policy 3.C.2.22 states that until such time as Station Area Plans are completed and this Plan is amended accordingly, in the interim, any development application submitted within a Major Transit Station Area will be reviewed generally in accordance with the Transit-Oriented Development Policies included in Section 13.C.3.12

The proposed Official Plan Amendment and Zoning By-law Amendment applications support a more-dense residential development. The location of the proposed buildings, secured through the proposed site-specific provisions, will result in a compatible built form that fosters walkability within a pedestrian-friendly environment that allows walking to be safe, comfortable, barrier-free and a convenient form of urban travel.

At future site plan approval processes, the design of the buildings will have to feature a high quality public realm to enhance the identity of the area and create gathering points for social interaction, community events and other activities. Additionally, secured and visitor bicycle parking is required as part of the Zoning By-law.

Housing Policies:

Section 4.1.1 of the City's Official Plan contains policies with the primary objective to provide for an appropriate range, variety and mix of housing types and styles, densities, tenure and affordability to satisfy the varying housing needs of our community through all stages of life. The proposed development increases the range of dwelling units available in the city. The development is contemplated to include a range of unit types including, one, two and three-bedroom units. The wide range of units, in this location, will appeal to a variety of household needs.

Sustainable Development

Section 7.C.4.1 of the City's Official Plan ensures developments will increasingly be sustainable by encouraging, supporting and, where appropriate, requiring:

- a) compact development and efficient built form;
- b) environmentally responsible design (from community design to building design) and construction practices;
- c) the integration, protection and enhancement of natural features and landscapes into building and site design;
- d) the reduction of resource consumption associated with development; and,

- e) transit-supportive development and redevelopment and the greater use of other active modes of transportation such as cycling and walking.

Development applications are required to demonstrate that the proposal meets the sustainable development policies of the Plan and that sustainable development design standards are achieved.

Sustainable development initiatives will be further explored at the Site Plan Application stage.

Proposed Official Plan Amendment Conclusions

The Official Plan Amendment proposes that the land use designation as shown on Map 16 – Victoria Street Secondary Plan be changed from ‘Mixed Use Corridor’ to ‘Mixed Use Corridor with Special Policy Area 2’. Based on the above-noted policies and planning analysis, staff is of the opinion that the proposed Official Plan Amendment represents good planning and recommends that the proposed Official Plan Amendment be approved.

SECTION 4 – THE AMENDMENT

The City of Kitchener Official Plan (1994) is hereby amended as follows:

- a) Part 3, Section 13.6.4 Special Policies is amended by adding Special Policy 13.6.4.2 thereto as follows:
 - “2. Notwithstanding the Mixed Use Corridor land use designation and policies, applied to the lands located at 97 and 101 Park Street, 186-194 Victoria Street South, the maximum Floor Space Ratio shall be 7.7.

- b) Map No. 16 – Secondary Plan – Victoria Street Neighbourhood Plan for Land Use is amended by designating the lands, municipally addressed as 97 and 101 Park Street, 186-194 Victoria Street South, as ‘Mixed Use Corridor with Special Policy Area 2’ instead of ‘Mixed Use Corridor’, as shown on the attached Schedule ‘A’.

NOTICE OF PUBLIC MEETING

for a development in your neighbourhood
97-101 Park St. & 186 -194 Victoria St. S.



Concept Drawing

Have Your Voice Heard!

Planning & Strategic Initiatives Committee

Date: **June 5, 2023**

Location: **Council Chambers,
Kitchener City Hall
200 King Street West
or Virtual Zoom Meeting**

To view the staff report, agenda, meeting details & start time of this item (to be posted 10 days prior to meeting), or to appear as a delegation, visit:

kitchener.ca/meetings

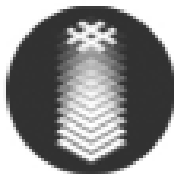
To learn more about this project, including information on your appeal rights, visit:

**[www.kitchener.ca/
PlanningApplications](http://www.kitchener.ca/PlanningApplications)**
or contact:

Craig Dumart, Senior Planner
craig.dumart@kitchener.ca
519.741.2200 x7073



Mixed Use



42 Storeys,
436 Dwelling
Units

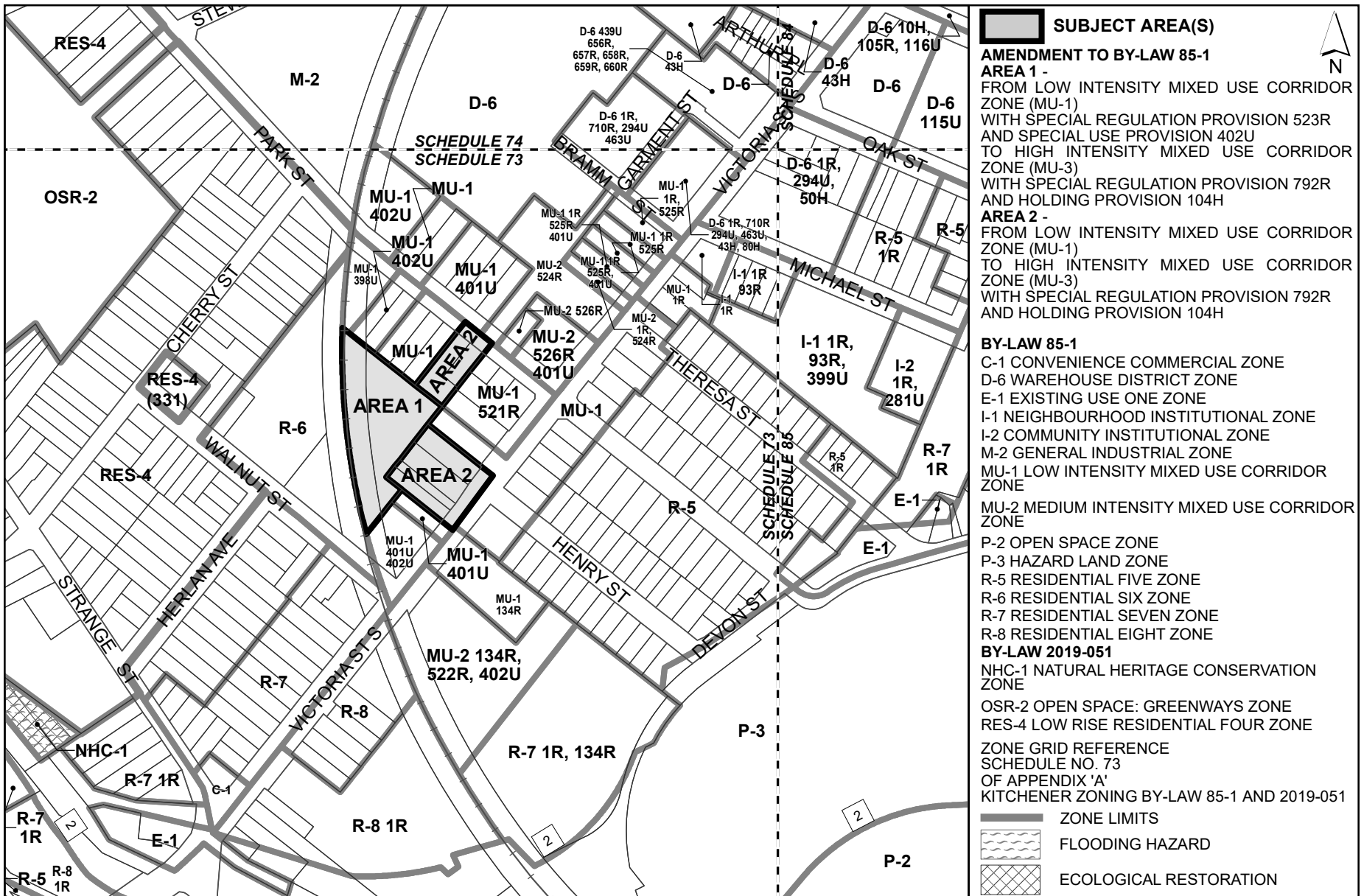


Floor Space
Ratio of 7.7

The City of Kitchener will consider applications to amend the Official Plan and Zoning By-law to facilitate the redevelopment of the lands with a 42-storey mixed use building with a Floor Space Ratio of 7.7 having 436 residential units and 3 ground floor commercial units. A total of 353 vehicle parking spaces and 296 bicycle parking spaces are proposed for the development.

APPENDIX 2: Minutes of the Planning & Strategic Initiatives Committee Meeting (June 5, 2023)

APPENDIX 3 - Minutes of the Meeting of City Council (June 26, 2023)



SUBJECT AREA(S)

AMENDMENT TO BY-LAW 85-1

AREA 1 -
 FROM LOW INTENSITY MIXED USE CORRIDOR ZONE (MU-1)
 WITH SPECIAL REGULATION PROVISION 523R
 AND SPECIAL USE PROVISION 402U
 TO HIGH INTENSITY MIXED USE CORRIDOR ZONE (MU-3)
 WITH SPECIAL REGULATION PROVISION 792R
 AND HOLDING PROVISION 104H

AREA 2 -
 FROM LOW INTENSITY MIXED USE CORRIDOR ZONE (MU-1)
 TO HIGH INTENSITY MIXED USE CORRIDOR ZONE (MU-3)
 WITH SPECIAL REGULATION PROVISION 792R
 AND HOLDING PROVISION 104H

BY-LAW 85-1




C-1 CONVENIENCE COMMERCIAL ZONE
 D-6 WAREHOUSE DISTRICT ZONE
 E-1 EXISTING USE ONE ZONE
 I-1 NEIGHBOURHOOD INSTITUTIONAL ZONE
 I-2 COMMUNITY INSTITUTIONAL ZONE
 M-2 GENERAL INDUSTRIAL ZONE
 MU-1 LOW INTENSITY MIXED USE CORRIDOR ZONE
 MU-2 MEDIUM INTENSITY MIXED USE CORRIDOR ZONE
 P-2 OPEN SPACE ZONE
 P-3 HAZARD LAND ZONE
 R-5 RESIDENTIAL FIVE ZONE
 R-6 RESIDENTIAL SIX ZONE
 R-7 RESIDENTIAL SEVEN ZONE
 R-8 RESIDENTIAL EIGHT ZONE

BY-LAW 2019-051

NHC-1 NATURAL HERITAGE CONSERVATION ZONE

OSR-2 OPEN SPACE: GREENWAYS ZONE
 RES-4 LOW RISE RESIDENTIAL FOUR ZONE

ZONE GRID REFERENCE
 SCHEDULE NO. 73
 OF APPENDIX 'A'
 KITCHENER ZONING BY-LAW 85-1 AND 2019-051

 ZONE LIMITS
 FLOODING HAZARD
 ECOLOGICAL RESTORATION

MAP NO. 1

1928393 ONTARIO INC.; 2564292 ONTARIO INC.;
 ROME SALES INC.; 2592546 ONTARIO INC.

97 & 101 PARK ST; 186, 190, 192 & 194
 VICTORIA ST S; VICTORIA ST S



SCALE 1:4,000

DATE: MAY 15, 2023

ZONING BY-LAW AMENDMENT ZBA23/007/V/CD

OFFICIAL PLAN AMENDMENT OPA23/003/V/CD

City of Kitchener

DEVELOPMENT SERVICES DEPARTMENT, PLANNING

FILE:
 ZBA23007VCD_MAP1
 .mxd

PROPOSED BY – LAW
_____ 2023
BY-LAW NUMBER ____
OF THE
CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 85-1, as amended, known as
the Zoning By-law for the City of Kitchener
– 1928393 Ontario Inc., 2564292 Ontario Inc., Rome Sales
Inc. and 2592546 Ontario Inc. – 97 and 101 Park Street,
186, 190, 192 and 194 Victoria Street South)

WHEREAS it is deemed expedient to amend By-law 85-1 for the lands specified above;
NOW THEREFORE the Council of the Corporation of the City of Kitchener enacts as
follows:

1. Schedule Number 73 of Appendix “A” to By-law Number 85-1 is hereby amended by changing the zoning applicable to the parcel of land specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto, from Low Intensity Mixed Use Corridor Zone (MU-1) with Special Use Provision 402U and Special Regulation Provision 523R to High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provision 792R and Holding Provision 104H.
2. Schedule Number 73 of Appendix “A” to By-law Number 85-1 is hereby amended by changing the zoning applicable to the parcel of land specified and illustrated as Area 2 on Map No. 1, in the City of Kitchener, attached hereto, from Low Intensity Mixed Use Corridor Zone (MU-1) to High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provision 792R and Holding Provision 104H.
3. Schedule Number 73 of Appendix “A” to By-law Number 85-1 is hereby further amended by incorporating additional zone boundaries as shown on Map No. 1 attached hereto.
4. Appendix “D” to By-law 85-1 is hereby amended by adding Section 792 thereto as follows:

“792. Notwithstanding Sections 6.1.2, and 55.2.1 of this By-law within the lands zoned MU-3 and shown as being affected by this subsection on Schedule Number 73 of Appendix ‘A’ the following special regulations shall apply:

- a) The maximum Floor Space Ratio shall be 7.7.
- b) That parking be provided at a rate of 0.8 parking spaces per dwelling unit. 10% of the required parking spaces shall be shared for visitor parking and non-residential uses. Bicycle and electric vehicle parking are to be provided in accordance with By-law 2019-051.
- c) The Maximum Front Yard Abutting a Street shall be 32 metres.
- d) A 7.5 metre setback from the lot line abutting the rail right-of-way is provided with a crash wall and signed and stamped affidavit from a qualified Professional Engineer licensed to practice in the Province of Ontario demonstrating that the proposed development has been designed in accordance with the Federation of Canadian Municipalities and Railway Association of Canada guidelines.
- e) Geothermal Energy Systems shall be prohibited.”

5. Appendix “F” to By-law 85-1 is hereby amended by adding Section 104H thereto as follows:

“104. Notwithstanding Section 55 of this Bylaw, within the lands zoned MU-3 and shown as being affected by this Subsection on Schedule Number 73 of Appendix “A”:

- i) No residential use shall be permitted until a Record of Site Condition (RSC) has been filed on the Ministry of the Environment, Conservation and Parks (MECP) Environmental Site Registry. This Holding Provision shall not be removed until the Region of Waterloo is in receipt of a letter from the Ministry of the Environment, Conservation and Parks (MECP) advising that a Record of Site Condition has been filed.
- i) No residential use shall be permitted until such time as a Road, Vibration and Stationary Noise Study is submitted and approved to the satisfaction of the Regional Commissioner of Planning, Housing and Community Services, if necessary. This Holding Provision shall not be removed until the City of Kitchener is in receipt of a letter from the Regional Commissioner of Planning, Housing and Community Services advising that such noise

study or studies has been approved and an agreement, if necessary, has been entered into with the City and/or Region, as necessary, providing for the implementation of any recommended noise mitigation measures.

- ii) Vehicular access is prohibited off of Victoria Street South until a satisfactory Transportation Impact Study (TIS) that includes a sensitivity analysis has been submitted and approved to the satisfaction of the Regional Municipality of Waterloo.
- iii) No development on the lands shall occur until such time as an Urban Design Brief is approved by the City's Director of Planning demonstrating a high quality of urban design that contributes positively to the public realm and streetscapes with adequate tower separation and onsite amenity."

6. This By-law shall become effective only if Official Plan Amendment No. __ (97 and 101 Park Street, 186, 190, 192 and 194 Victoria Street South) comes into effect, pursuant to Section 24(2) of The Planning Act, R.S.O. 1990, c. P.13, as amended.

PASSED at the Council Chambers in the City of Kitchener this day of ,
2023.

Mayor

Clerk

NOTICE OF PUBLIC MEETING

for a development in your neighbourhood
97-101 Park St. & 186 -194 Victoria St. S.



Concept Drawing



Mixed Use



42 Storeys,
436 Dwelling
Units



Floor Space
Ratio of 7.7

Have Your Voice Heard!

Planning & Strategic Initiatives Committee

Date: **June 5, 2023**

Location: **Council Chambers,
Kitchener City Hall
200 King Street West
or Virtual Zoom Meeting**

To view the staff report, agenda, meeting details & start time of this item (to be posted 10 days prior to meeting), or to appear as a delegation, visit:

[kitchener.ca/meetings](https://www.kitchener.ca/meetings)

To learn more about this project, including information on your appeal rights, visit:

**[www.kitchener.ca/
PlanningApplications](https://www.kitchener.ca/PlanningApplications)**
or contact:

Craig Dumart, Senior Planner
craig.dumart@kitchener.ca
519.741.2200 x7073

The City of Kitchener will consider applications to amend the Official Plan and Zoning By-law to facilitate the redevelopment of the lands with a 42-storey mixed use building with a Floor Space Ratio of 7.7 having 436 residential units and 3 ground floor commercial units. A total of 353 vehicle parking spaces and 296 bicycle parking spaces are proposed for the development.

Craig Dumart

From: Dave Seller
Sent: Thursday, April 27, 2023 9:17 AM
To: Craig Dumart
Subject: UPDATED: OPA/ZBA comments: 97-101 Park St & 186 -194 & 200 Victoria St S

City of Kitchener

Application Type: Official Plan Amendment Application OPA23/003/V/CD
Zoning By-law Amendment Application ZBA23/007/V/CD

Project Address: 97-101 Park Street and 186 -194 & 200 Victoria Street South

Comments of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: April 27, 2023

- a. As part of a complete Zoning By-law amendment application, a Transportation Impact Study (TIS) was submitted (December 18, 2022) by IBI Group and Transportation Services offer the following comments.

The applicant is proposing to develop a 42-storey mixed use building with 436 apartment units and 702 m² (7556 ft²) of ground floor commercial space. The development is estimated to generate 106 AM and 126 PM peak hour vehicle trips, the vehicle trips include the residential and commercial components. The site will be serviced by two vehicle access points, one along Victoria Street South (Regional Road 55) and Park Street. Transportation Services review focused on City of Kitchener roadways and the site access points.

The four intersections noted below were reviewed under 2022 existing traffic conditions and were expressed as level of service (LOS), delay (s), volume to capacity ratios (v/c) and 95th percentile queuing.

- Victoria Street South & Strange Street / West Avenue (signalized)
- Victoria Street South & Park Street (signalized)
- Victoria Street South & Walnut Street (unsignalized)
- Victoria Street South & Henry Street (unsignalized)

The 2022 existing traffic conditions for the signalized intersection analysis indicated that the Park Street and Strange Street/ West Avenue are operating with LOS C or better, delay of 25.1 seconds or lower, v/c ratio of 0.60 or lower. The through traffic movements indicated that the 95th percentile queuing will either block existing accesses, exclusive turning lanes or both in the AM or PM peak hours. The unsignalized intersection analysis indicated that the Walnut Street and Henry Street are operating with LOS A, delay of 0.7 seconds or lower, v/c ratio of 0.02 or lower. The 95th percentile queuing indicated no critical queuing for the through traffic movements in the AM or PM peak hours.

The five intersections noted below were reviewed under 2027 future total traffic conditions, which includes site generated traffic and were expressed as level of service (LOS), delay (s), volume to capacity ratios (v/c) and 95th percentile queuing.

- Victoria Street South & Strange Street / West Avenue (signalized)

- Victoria Street South & Park Street (signalized)
- Victoria Street South & Walnut Street (unsignalized)
- Victoria Street South & Henry Street / **NEW** proposed South Site Access (unsignalized)
- Park Street & **NEW** proposed North Site Access (unsignalized)

The 2027 future total traffic conditions for the signalized intersection analysis indicated that the Park Street and Strange Street/ West Avenue are operating with LOS D or better, delay of 35.1 seconds or lower, v/c ratio of 0.79 or lower. The 95th percentile queuing for the through traffic movements indicated that the queuing is expected to continue as it did in the above analysis in the AM or PM peak hours. The unsignalized intersection analysis indicated that the Walnut Street and Henry Street are operating with LOS A, delay of 9.5 seconds or lower, v/c ratio of 0.04 or lower. The 95th percentile queuing indicated no critical queuing for the through traffic movements in the AM or PM peak hours.

A stopping site distance (SSD) analysis was completed for the intersections of Park Street at the proposed site access and Victoria Street South at the proposed site access. The Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads were used and based on a design speed of 60km/h and the associated SSD of 85m, it was determined that there is more than 85m of SSD in either direction at each location and therefore, the SSD condition is satisfied.

A left turn lane analysis was completed along Park Street at the proposed site access, utilizing the Ministry of Transportation (MTO) Design Supplement for TAC Geometric Design Standards for Canadian Roads for the 2027 future total traffic condition scenario. It was determined that a left turn lane along Park Street at the proposed site access is warranted. However, it was determined through an internal discussion with City of Kitchener Transportation Services staff that a left turn lane along Park Street not be installed at this time for this development.

As part of the TIS submission, a section on parking justification was included and Transportation Services offer the following comments. The applicant is proposing to provide a total of 359 parking spaces and 290 Class A and 6 Class B bicycle parking spaces. The overall (residential, visitor, commercial) parking ratio for the development is 0.82 spaces per unit.

The site is well situated to take advantage of alternative modes of transportation in the area to support a reduced parking rate. There are several Grand River Transit routes and the ION Central Station located near the development. Pedestrian walkability is encouraging, as road networks in the area support sidewalks on both sides, that provide connections to entertainment, employment and commercial uses. Cyclists have access to the Iron Horse Trail that provides connections to the City of Waterloo and through the City of Kitchener.

Based on the TIS, a comparison between 2027 Future Background Conditions and 2027 Future Total Conditions was completed and the traffic generated by the proposed development is generally not expected to have a significant impact on traffic operations at study area intersections as traffic operations are relatively similar. Regarding the study area's unsignalized intersections, no vehicle turning movements are expected to exceed critical capacities. Transportation Services supports IBI's recommendations and analysis within the TIS.

The proposed parking ratio of 0.80 space per unit is acceptable, with a parking breakdown as follows; 44 parking spaces allocated for visitor parking, 4 parking spaces for the commercial uses and 305 parking spaces for the residential component, for a total of 353 on-site parking spaces.

To assist in reducing on-site vehicle parking and in support of a reduced parking rate, Transportation Services strongly recommend that the parking be unbundled from the cost of a unit.

Unbundled parking allows residents to only pay for parking that they need, rather than the cost being automatically included with the unit. Also, consideration be given to providing a portion of the Class A bicycle parking from within the units.

Dave Seller, C.E.T.

Traffic Planning Analyst | Transportation Services | City of Kitchener
519-741-2200 ext. 7369 | TTY 1-866-969-9994 | dave.seller@kitchener.ca



Region of Waterloo

PLANNING, DEVELOPMENT
AND LEGISLATIVE SERVICES
Community Planning

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Kitchener Ontario N2G 4J3 Canada
Telephone: 519-575-4400
TTY: 519-575-4608
Fax: 519-575-4466
www.regionofwaterloo.ca

Melissa Mohr 1-226-752-8622
File: D17/2/23003
C14/2/23007
April 26, 2023

Craig Dumart
Senior Planner
City of Kitchener
200 King Street West, 6th Floor
P.O. Box 1118, Kitchener, ON
N2G 4G7

Dear Mr. Dumart,

**Re: Proposed Official Plan Amendment OPA 23/03 and
Zoning By-law Amendment ZBA 23/07
97-101 Park Street and 186-200 Victoria Street South
Arcadis IBI Group (C/O David Galbraith) on behalf of
1928393 Ontario Inc.
CITY OF KITCHENER**

Arcadis IBI Group has submitted a site-specific Official Plan Amendment and Zoning By-law Amendment Application for a development proposal at 97-101 Park Street and 186-200 Victoria Street South (referred to as subject lands) in the City of Kitchener.

The applicant has proposed the redevelopment of the site with a 42-storey, mixed-use building that is proposed to contain 436 residential units and three ground floor commercial units. A total of 353 vehicle parking spaces and 296 bicycle parking spaces have been proposed on site. Vehicular access is proposed from Victoria Street South and Park Street.

The subject lands are located in the Urban Area and designated Built-Up Area in the Regional Official Plan and the site is designated Mixed Use Corridor in the City of Kitchener Official Plan and Zoned Mixed Use-1 (MU-1) with Special Use 401U and 402U in Zoning By-law 85-1. The Owner has requested an **Official Plan Amendment** to add a special policy area within the Victoria Street Secondary Plan to allow an FSR of 7.7. The Applicant has requested a **Zoning By-law Amendment** to rezone the subject lands

Document Number: 4368849

Version: 1

from the Mixed Use -1 with Special Use Provision 401U and 402U in By-law 85-1 to High Intensity Mixed Use Corridor (MU-3) with a Special Regulation Provision to permit a floor space ratio of 7.7; to allow for a reduction in parking of 0.8 parking spaces/dwelling unit with 10% visitor parking; to permit a rear yard setback/rail setback of 7.5m (whereas the Zoning By-law requires 15m) and to permit a maximum side yard abutting a street of 32m (whereas 10m is required).

The Region has had the opportunity to review the proposal and offers the following:

Regional Comments

Consistency with Provincial Legislation and Regional Official Plan Conformity

The subject lands are designated “Urban Area” and “Built-Up Area” on Schedule 3a of the Regional Official Plan (ROP) and the site is designated Mixed Use Corridor in the Victoria Street Secondary Plan in the City of Kitchener Official Plan. The subject lands are also located within the Central Station Major Transit Station Area (MTSA).

Built Up Area Policies:

The development concept proposes a higher density development that contributes to the achievement of the minimum intensification target established for the Built-Up Area of Kitchener of 60%. Section 2.F of the ROP establishes policies to support the achievement of the minimum intensification targets within the delineated Built-Up Area. Growth is directed to the Built Up Area of the Region to make better use of infrastructure that can assist in transitioning the Region into an energy efficient, low carbon community. Furthermore, intensification within the Built-Up Area assists the gradual transition of existing neighbourhoods within the Region into 15 minute neighbourhoods that are compact, well connected places that allow all people of all ages and abilities to access the needs for daily living within 15 minutes by walking, cycling or rolling.

Major Transit Station Area Policies:

The subject lands are located in the Central Station Major Transit Station Area (MTSA). The minimum density target within the Central Station MTSA is 160 people and jobs/ha. Development of the subject lands propose to exceed the density target of 160 people and jobs/ha. The proposed development contributes to the achievement of the density target for the Central Station MTSA.

This development proposes a higher density development with apartment style housing, in proximity to transit and sidewalks along Victoria Street South and within walking distance to King Street East. Higher density mixed use developments are encouraged within MTSA's through the policy framework contained in the ROP.

Airport Policies:

In accordance with Regional Official Plan Policy 5.A.20 and City of Kitchener Official Plan Policy 6.C.3.17, the Region will not permit development and construction cranes

that impact the usability, accessibility or safe operation of the Regional airport. The subject lands are within the instrument approach area of the Region of Waterloo International Airport and the maximum allowable height of buildings and construction cranes within the instrument approach area is 487m ASL. Based on the concept plans provided, it is anticipated that the building is 142.75m ASL with a maximum elevation of 471.14m. Although the building is below the 487m limit, there appears to be approximately 16m of clearance above the building, which may be insufficient for a typical crane used to construct the towers. The Region requires confirmation that 16m is sufficient for the crane prior to a recommendation being made on this application. Further information can be found in the Region of Waterloo International Airport section below.

In addition to the above planning comments, Regional staff have the following technical comments relating to the proposed Official Plan Amendment and Zoning By-law Amendment:

Rail Corridor

The subject lands are directly adjacent to a Canadian National Railway Branch line. New development adjacent to branch lines are recommended to be 15m from the railway right-of-way in accordance with the Federation of Canadian Municipalities and the Railway Association of Canada "Guidelines for New Development in Proximity to Railway Operations" (Dialog & J.E. Coulter Associated Limited, May 2013). Regional staff understand that the applicant has proposed a reduction in the proposed setback from the Railway right-of-way and therefore require a signed and stamped affidavit from a qualified Professional Engineer licensed to practice in the Province of Ontario. This affidavit shall demonstrate that the proposed development has been designed in accordance with the Federation of Canadian Municipalities and Railway Association of Canada guidelines.

Region of Waterloo International Airport:

As indicated above, the Owner/Developer is required to ensure the proposed development and construction crane will be within the maximum allowable height of (487m ASL). Regional staff acknowledge that the buildings are proposed to be constructed at an elevation of 471.14m, which is below the 487m limit, however, there is approximately 16m of clearance above the proposed building, which may be insufficient for a typical crane that will be used in the buildings construction. Regional staff require confirmation that 16 m is sufficient for the construction crane prior to a recommendation being made on this application. Should this not be sufficient space, **a reduction of the building height will be required to ensure that there are no obstructions into the 487mASL allowable height.**

In addition to the above, the applicant shall be required to complete and submit the following forms to NAV Canada and Transport Canada:

NAV CAN F-LDU-100 Land Use Form <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>

F-LDU-101 Crane Height Form <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>

Transport Canada Aeronautical Assessment Form 26-0427E (1812-09) at https://wwwapps.tc.gc.ca/Corp-Serv-Gen/5/forms-formulaires/download/26-0427_BO_PX

Environmental Threats/Record of Site Condition:

There are high environmental threats on and adjacent to the subject lands due to past/historic uses of the subject lands and adjacent sites. As a density increase of a sensitive land use has been proposed on the subject lands, a Record of Site Condition and Ministry Acknowledgement letter shall be required for the entirety of the subject lands in accordance with the Region of Waterloo's *Implementation Guideline for the Review of Development Applications on or Adjacent to Known and Potentially Contaminated Sites*.

The Record of Site Condition and Ministry Acknowledgement Letter were not received as part of the Complete Application for the Zoning By-law Amendment and as a result, the Region shall require a Holding Provision to be implemented as part of the Zoning By-law Amendment. The Holding Provision shall prohibit the proposed development until the submission of the RSC and the Ministry's Acknowledgement Letter have been received to the satisfaction of the Regional Municipality of Waterloo. The following wording is required for the holding provision:

That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) in accordance with O. Reg. 153/04, as amended, has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry and the RSC and Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.

Please exclude any property to be dedicated to the Region of Waterloo from the Record of Site Condition (RSC) application. Further information can be found below.

Noise Study Peer Review (Transportation, Vibration and Stationary Noise):

The Noise Study entitled "Preliminary 200 Victoria Street South, City of Kitchener Noise Report" dated January 24, 2023, prepared by Arcadis IBI Group is a preliminary noise study that has implemented Class 1 noise level for this development. The study recommends:

1. A forced air heating system with the provision for air conditioning within all units with a Type C noise warning clause;

2. A Type 'A' noise-warning clause is recommended for the outdoor living area and/or the implementation of a parapet wall and barrier to be installed at a minimum density of 20kg/m² on the outdoor living area; and,
3. That a further detailed study be prepared that verifies the assumptions, results and recommendations at the final design stage.

The Region recommends that a Holding Provision be imposed within the Zoning By-law Amendment to obtain a detailed Environmental Noise Study for both transportation, vibration and stationary noise. The Region has implemented a standardized peer review process for environmental noise studies. **The detailed noise study shall be peer reviewed at the applicant's expense and the current fee for the peer review is \$4000.00 + HST (\$4,520.00 Total).**

Regional staff require that the following Holding Provision be imposed on the lands to ensure a detailed Environmental Noise Study has been submitted and that the study's recommendation and implementation measures are to the satisfaction of the Region. The required wording for the holding provision is:

That a holding provision shall apply to the entirety of the subject lands until a satisfactory detailed transportation (road), vibration and stationary noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

In addition to the above, the consultant who prepared the noise study is not on the Region's pre-approved list of noise consultants and this is a required step in order for Regional staff to accept the study. It is recommended that the consultant who prepared the noise study contact Josh Graham at jgraham@regionofwaterloo.ca to initiate this process as soon as possible.

Regional Water Services:

Please be advised that there is a Regional watermain within the Victoria Street South right-of-way. Due to the proximity of the Regional 600mm watermain, the Region requests the detailed drawing for review and approval. In addition, the applicant has made incorrect assumptions regarding the type of construction and occupancy in the fire flow report. The applicant shall address this issue and resubmit the Functional Servicing Report for review and approval.

Corridor Planning:

Site Plan Application Stage:
Regional Road Dedication

Victoria Street South (Regional Road 55) has a designated road width of 26.213m (86ft) in accordance with Schedule 'A' of the Regional Official Plan (ROP). The existing Victoria Street South right-of-way measures 20.117m (66ft) at this location and Regional staff estimate that an approximate road dedication of 3.048m (10ft) is required across the subject lands. The exact amount of road widening dedication must be determined by an Ontario Land Surveyor (OLS) in consultation with the Region's Transportation Planner, therefore the Applicant/Developer must engage an Ontario Land Surveyor (OLS) to prepare a draft Reference Plan which illustrates the required road widening on Victoria Street South.

Prior to depositing the Reference Plan, the OLS must submit a draft plan for review by the Region's Transportation Planner. Upon approval by Regional staff, the draft Reference Plan should be deposited and the Transportation Planner will complete the dedication process. The Applicant's Solicitor will prepare the land transfer document and submit the document to the Legal Assistant for registration.

The Region of Waterloo will require a Phase I ESA and possibly a Phase II ESA for the road widening dedication area. Please exclude any property to be dedicated to the Region of Waterloo from any Record of Site Condition (RSC) application. The road widening dedication requirement can be deferred to a future Site Plan application.

Access Permit/TIS/Access Regulation:

Regional staff have reviewed the Transportation Impact Study entitled "Transportation Impact Study – 200 Victoria Street South, City of Kitchener" dated December 19, 2022, prepared by Arcadis IBI Group and Regional staff require an updated TIS for review and approval. The updated Transportation Impact Study should address the following comments:

1. The applicant is to provide a sensitivity analysis as supplemental information to test out a potential change in recommendations for LUC 222 by comparing "Close to Rail Transit" (provided in the TIS) to "Not Close to Rail Transit".
2. The applicant to provide a sensitivity analysis as supplemental information to test out the need for the proposed Victoria Street access. The intention is to minimize the need for busy accesses to a Regional Road and also preserve potential access for the 170-182 Victoria Street and 89-93 Park Street parcels, which if they redevelop will not have an alternative access potential, unlike this development which is also proposing to access via Park Street.

For additional information or clarification, please contact the undersigned:

Geoffrey Keyworth, P.Eng.
Senior Transportation Planning Engineer
Region of Waterloo
GKeyworth@regionofwaterloo.ca

Document Number: 4368849

Version: 1

519-897-2439

Regional staff require the use of a Holding Provision to obtain this additional information. The required wording for the holding provision shall be:

That a holding provision shall apply to the entirety of the subject lands until an updated Transportation Impact Study has been submitted and approved to the satisfaction of the Regional Municipality of Waterloo.

As part of the future Site Plan Application, the Owner/Applicant will be responsible for improvements to the Victoria Street South right of way as recommended by the TIS. Any accepted improvements within the Victoria Street South right of way shall require a Functional Plan, Cost Estimate, Letter of Credit and Legal Agreement at the site plan stage.

A Regional Access Permit is required for the closure of the existing accesses and for the proposed new access on Victoria Street South. The application form for a Regional Road Access Permit can be found on the Region's website here: <https://www.regionofwaterloo.ca/en/doing-business/applications-licences-and-permits.aspx> . Please note that there is a \$230 fee associated with the new permit application, but there is no fee for the closure of the existing accesses.

Transit Planning

Grand River Transit (GRT) Route 20 (Victoria/Frederick) currently provides transit service along Victoria Street South adjacent to the subject lands, with a peak frequency of 4 buses per hour. Route 20 also connects to ION Rapid Transit at the Central Station. Transit frequency is proposed to increase by the year 2031.

Please note that there is an existing bus stop (#3112) directly adjacent to the subject property which is substandard. As this development is anticipated to generate additional activity for route 20 at this location, GRT has the following requirements to be secured at the site plan stage:

- In consultation with GRT staff the Owner/Applicant will be required to identify and show the relocated GRT stop on the Site Plan drawing as well as electrical conduit to provide electrical service to the revised transit stop facilities.
- The developer would be required to either install or fund a 9.5m concrete landing pad and shelter pad, and also provide the funds for a transit shelter at the proposed development.

Site Plan Review Fee:

The Region of Waterloo will require an \$805 fee at the time of a future Site Plan application.

Hydrogeology and Source Water Programs

Please be advised that the Region does not support permanent active or passive dewatering controls for below-grade infrastructure (e.g. foundations, slabs, parking garages, footings, piles, elevator shafts, etc.); therefore, below-grade infrastructure requiring dry conditions must be waterproofed.

Due to the potential for contamination on the subject lands, Regional staff require a prohibition on geothermal energy to be written into the zoning by-law. The required wording for the prohibition is:

Geothermal Wells are prohibited on site. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five meters unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

In addition, please note that a Salt Management Plan will be required through a future site plan application.

Housing Services

The following Regional policies and initiatives support the development and maintenance of affordable housing:

- Regional Strategic Plan
- 10-Year Housing and Homelessness Plan
- Building Better Futures Framework
- Region of Waterloo Official Plan

The Region supports the provision of a full range of housing options, including affordable housing. Should this development application move forward, staff recommend that the applicant consider providing a number of affordable (as defined in the Regional Official Plan) housing units on the site. Rent levels and house prices that are considered affordable according to the Regional Official Plan are provided below in the section on affordability.

In order for affordable housing to fulfill its purpose of being affordable to those who require rents or purchase prices lower than the regular market provides, a mechanism should be in place to ensure the units remain affordable and establish income levels of the households who can rent or own the homes.

Staff further recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs and mechanisms to support a defined level of affordability.

For the purposes of evaluating the affordability of an ownership unit, based on the definition in the Regional Official Plan, the purchase price is compared to the least expensive of:

Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households	\$385,500
Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area	\$576,347

*Based on the most recent information available from the PPS Housing Tables (2021).

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$385,500.

For the purposes of evaluating the affordability of a rental unit, based on the definition of affordable housing in the Regional Official Plan, the average rent is compared to *the least expensive of*:

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income renter households	\$1,470
A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$950 1-Bedroom: \$1,134 2-Bedroom: \$1,356 3-Bedroom: \$1,538 4+ Bedroom: \$3,997

*Based on the most recent information available from the PPS Housing Tables (2021)

In order for a rental unit to be deemed affordable, the average rent for the proposed units which have fewer than 3 bedrooms must be at or below the average market rent in the regional market area as shown above. For proposed units with three or more bedrooms, the average rent for the units must be below \$1,470.

Fees:

Please be advised that the Region has yet to receive the Official Plan Amendment and Zoning By-law Amendment review fees totalling \$10,000. Regional staff understand that these fees have been submitted, but the Region has yet to formally receive the application fees.

Follow Up:

At this time, the following must be addressed prior to City of Kitchener Council considering the applications:

1. A signed and stamped affidavit from a from a qualified Professional Engineer licensed to practice in the Province of Ontario, that demonstrates the proposed development is designed in accordance with the Federation of Canadian Municipalities and the Railway Association of Canada "Guidelines for New Development in Proximity to Railway Operations" (Dialog & J.E. Coulter Associated Limited, May 2013);
2. Confirmation that 16m will be sufficient for the construction crane. Should this not be sufficient space, **a reduction of the** building height will be required to ensure that there are no obstructions into the 487mASL allowable height;
3. Updated Functional Servicing Report that includes detailed servicing drawings and an updated fire flow analysis;
4. That the Region's review fees totaling \$10,000 be received.

Conclusions:

Once the above items have been addressed to the satisfaction of the Regional Municipality of Waterloo, the following shall be implemented within the site-specific Zoning By-law Amendment to the satisfaction of the Regional Municipality of Waterloo:

1. The implementation of a holding provision to obtain a satisfactory Transportation Impact Study. The required wording for the holding provision is:

That a holding provision shall apply to the entirety of the subject lands until a satisfactory Transportation Impact Study that includes a sensitivity analysis has been submitted and approved to the satisfaction of the Regional Municipality of Waterloo;

2. The implementation of a holding provision to obtain a Record of Site Condition and Ministry Acknowledgement Letter for the entirety of the subject lands. The required wording for the holding provision is:

That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) in accordance with O. Reg. 153/04, as amended, has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry and the RSC and Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.

3. The implementation of a holding provision to obtain an Environmental Transportation and Stationary Noise study to the satisfaction of the Regional Municipality of Waterloo. The required wording for the Holding Provision is:

That a holding provision shall apply to the entirety of the subject lands until a satisfactory detailed transportation (road), vibration and stationary noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review

the potential impacts of noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

and,

4. That a geothermal prohibition be implemented within the site specific Zoning By-law. The required wording for the prohibition is:

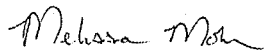
Geothermal Wells are prohibited on site. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five meters unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

Next Steps:

Please be advised that any future development on the lands subject to the above-noted application will be subject to the provisions of Regional Development Charge By-law 19-037 or any successor thereof.

Further, please accept this letter as our request for a copy of the decision pertaining to this application. Should you have any questions, please do not hesitate to contact me.

Yours truly,



Melissa Mohr, MCIP, RPP
Senior Planner

- C. Arcadis IBI Group C/O Dave Galbraith (Applicant)
1928393 Ontario Inc. (Owner)

City of Kitchener - Comment Form

Project Address: 97-101 Park St and 186-194 & 200 Victoria St S

Application Type: OPA and ZBA

Comments of: Environmental Planning (Sustainability) – City of Kitchener

Commenter's name: Gaurang Khandelwal

Email: Gaurang.khandelwal@kitchener.ca

Phone: 519-741-2200 x 7611

Written Comments Due: April 25, 2023

Date of comments: April 25, 2023

1. Plans, Studies and/or Reports submitted and reviewed as part of a complete application:

- Sustainability Statement – 97-101 Park Street and 186-194 & 200 Victoria St S., prepared by Arcadis IBI Group, dated March 24, 2023.

2. Comments & Issues:

I have reviewed the documentation (as listed above) to support an Official Plan Amendment and a Zoning By-law Amendment for the proposed development of a 42-storey, mixed use development consisting of 436 residential units and three (3) commercial units on the ground floor, regarding sustainability and energy conservation and provide the following:

- Although the Ontario Building Code (OBC) is advanced, going forward all developments will need to include robust energy conservation measures as the City (and Region of Waterloo) strive to achieve our greenhouse gas reduction target.
- It is recommended that more progressive measures that go beyond the OBC be explored to further energy conservation, generation and operation, and benefit future residents/tenants.
- **Based on my review of the supporting documentation, the Official Plan and Zoning Bylaw Amendments can be supported as a number of sustainable measures have been proposed or are being considered for the development, which will be detailed out through the Site Plan Approval stage.**
- The City of Kitchener recognizes and appreciates sustainable measures incorporated in the development such as:
 - Providing numerous Class A and B cyclist parking spaces
 - Compact building design
 - Public and active transit connectivity
 - Consideration for low water use landscaping

- On-site garbage and recycling
- Consideration for rainwater harvesting and grey water reuse during the Site Plan Approval stage
- Consideration for renewable energy options at the Site Plan Approval stage
- A Sustainability Statement (as per the City's Terms of Reference) will be required as part of a complete Site Plan Application. It can build upon the information already provided, including the opportunities and strategies identified in the current Sustainability Statement, and can further explore and/or confirm which additional sustainable measures are best suited to the development.
- Potential items for consideration are:
 - Electric vehicle parking spaces, both EV ready and fitted with re-charge stations
 - Inclusion of community / common gardens and urban agriculture including opportunity for on-site composting for residents
 - An improved building envelope (wall, roof, and window thermal performance) designed beyond OBC requirements
 - Best management practices to control stormwater management
 - The use of low flow plumbing fixtures to reduce water demand
 - Drought tolerant and native plant species used in landscaped areas
 - LED lighting for indoor and outdoor lighting and use of sensors to increase energy efficiency
 - Implementing renewable energy options
 - Designing the roof for future solar PV installation
 - Unit-by-unit metering of energy consumption
 - Using a white / light coloured material on the roof to reduce the heat island effect
 - Using low or no VOC paints and finishes to minimize air pollutants in interior materials

3. Policies, Standards and Resources:

- Kitchener Official Plan Policy 7.C.4.5. The City will encourage and support, where feasible and appropriate, alternative energy systems, renewable energy systems and district energy in accordance with Section 7.C.6 to accommodate current and projected needs of energy consumption.
- Kitchener Official Plan Policy 7.C.6.4. In areas of new development, the City will encourage orientation of streets and/or lot design/building design with optimum southerly exposures. Such orientation will optimize opportunities for active or passive solar space heating and water heating.
- Kitchener Official Plan Policy 7.C.6.8. Development applications will be required to demonstrate, to the satisfaction of the City, energy is being conserved or low energy generated.
- Kitchener Official Plan Policy 7.C.6.27. The City will encourage developments to incorporate the necessary infrastructure for district energy in the detailed engineering designs where the potential for implementing district energy exists.

4. Advice:

- As part of the Kitchener Great Places Award program every several years there is a Sustainable Development category. Also, there are community-based programs to help with and celebrate and recognize businesses and sustainable development stewards (Regional Sustainability

Initiative - <http://www.sustainablewaterlooregion.ca/our-programs/regional-sustainability-initiative> and TravelWise - <http://www.sustainablewaterlooregion.ca/our-programs/travelwise>).

- The 'Sustainability Statement Terms of Reference' can be found on the City's website under 'Planning Resources' at ... <https://www.kitchener.ca/SustainabilityStatement>

Craig Dumart

From: Planning <planning@wcdsb.ca>
Sent: Tuesday, April 25, 2023 3:50 PM
To: Craig Dumart
Subject: RE: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Good Afternoon Craig,

The Waterloo Catholic District School Board has reviewed the subject application and based on our development circulation criteria have the following comment(s)/condition(s):

A) That any Education Development Charges shall be collected prior to the issuance of a building permit(s).

If you require any further information, please contact me by e-mail at Jordan.Neale@wcdsb.ca.

Thank you,

Jordan Neale

Planning Technician, WCDSB
480 Dutton Dr, Waterloo, ON N2L 4C6
519-578-3660 ext. 2355

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, March 31, 2023 3:47 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Straus <Ellen.Straus@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Feds <vped@feds.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; Tom Ruggle <Tom.Ruggle@kitchener.ca>; Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Caution - External Email - This Message comes from an external organization. Do NOT click on unrecognized links or provide your username and/or password.

Please see attached. Additional documentation can be found in AMANDA folders 23-105799 & 23-105798 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener
200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7
519-741-2200 ext. 7425 | TTY 1-866-969-9994 | christine.kompter@kitchener.ca



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City of Kitchener
Zone Change / Official Plan Amendment Comment Form

Address: 97 and 101 Park Street and 186, 190, 192, 194 and 200 Victoria Street South
Owner: 1928393 Ontario Inc.
Application: OPA23/003/V/CD and ZBA23/007/V/CD

Comments Of: Parks and Cemeteries
Commenter's Name: Lenore Ross
Email: Lenore.ross@kitchener.ca
Phone: 519-741-2200 ext 7427

Date of Comments: April 25 2023

- I plan to attend the meeting (questions/concerns/comments for discussion)
 No meeting to be held
 I do NOT plan to attend the meeting (no concerns)
-

1. Documents Reviewed:

I have reviewed the documentation noted below submitted in support of an OPA and ZBA to add a Special Policy Area to the Victoria Street Secondary Plan to allow for a Floor Space Ratio (FSR) of 7.7 and proposing a Zoning By-law Amendment to Zoning By-law 85-1 to change the zoning of the subject lands to High Intensity Mixed Use Corridor (MU-3) with a Special Regulation Provision to permit a floor space ratio of 7.7; to allow for a reduction in parking to 0.8 parking spaces per dwelling unit with 10% visitor parking being provided; To permit a Rear Yard (rail) setback of 7.5 metres, whereas the Zoning By-Law requires a minimum of 15 metres; and to permit a Maximum Side Yard Abutting a Street of 32 metres, whereas the Zoning By-Law requires 10 metres. The proposed amendments will allow for the development of a 42 storey mixed use building with 436 residential units and three ground floor commercial units. A total of 353 vehicle parking spaces and 296 bicycle parking spaces are proposed for the development.

- Planning Justification Report
- Urban Design Report
- Wind Study
- Shadow Study
- Building Elevations
- Noise Study
- Pedestrian Circulation Plan
- Landscape and Tree Management Plan

2. Site Specific Comments & Issues:

The site is located in the Cherry Hill Planning Community and immediately adjacent to the City Commercial Core and the Victoria Park Planning Communities. Through Places and Spaces: An Open Space Strategy for Kitchener, the Cherry Hill Planning Community has been identified as well served with active neighbourhood park facilities whereas the City Commercial Core Planning Community has been identified as critically underserved with active neighbourhood park space and the increased residential density from this development proposal will increase pressures on all surrounding park facilities, including Victoria Park. The provision of active on-site amenities suitable to all ages,

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

including children's play facilities, will be critical to this proposal. The site plan, Planning Justification Report, the Urban Design Brief and supporting technical studies such as the Wind and Noise analyses, should reflect and accommodate sufficient and suitable on-site active amenity spaces. Minor revisions/addenda to the reports are required to reflect the developer's intent to provide robust and active on-site amenity spaces. The supporting technical studies will need to be updated at the site plan application stage to reflect the final detailed design.

Parks and Cemeteries has no significant concerns with the proposed Official Plan and Zoning Bylaw amendments and can provide conditional support subject to the minor updates to submitted studies that are noted below.

3. Comments on Submitted Documents

The following comments should be addressed at this time.

1) Urban Design Report, Planning Justification Report, Building Elevations and Renderings, Landscape and Tree Management Plans – all Arcadis IBI Group

- a) Each of these documents indicate that the development will include a number of outdoor amenity spaces on site including a publicly accessible plaza at the east entrance of the site, rooftop terraces on the 11th and 14th floors, and a terrace on the 33rd floor. It is also noted that the design and programming of these spaces is yet to be determined and will be confirmed with municipal staff through the site plan development process. It is positive that both at-grade and above-grade amenity spaces have been included in the preliminary design concepts, however all spaces appear to include only passive seating amenities and no *active* play areas for children or adults have been provided.
- b) These documents should be updated to provide conceptual details and precedent images for on-site amenity spaces including commentary and precedent images to guide detailed site design through the site plan application. Robust active outdoor amenity spaces with good solar access and protection from wind and noise will be required as part of the site plan and should include seating and play equipment for residents of all ages and abilities.
- c) Revised documents / addenda are required.

2) Pedestrian Wind Study - SLR dated March 15 2023

- a) The study identifies a number of potential wind impacts for proposed amenity spaces and the surrounding public realm. The report recommends mitigation measures to achieve more suitable environmental wind conditions and these measures should be incorporated into the detailed site and building design that is advanced through the site plan application.
- b) An updated Wind analysis will be required through the site plan application for the final site and building design concept

3) Noise Report – Arcadis IBI Group dated January 24 2023

- a) The study identifies potential noise impacts for proposed amenity spaces and recommends mitigation measures to achieve more suitable outdoor living area conditions; these measures should be incorporated into the detailed site and building design that is advanced through the site plan application.

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

- b) An updated Noise analysis will be required through the site plan application for the final site and building design concept

4. Policies, Standards and Resources:

- Kitchener Official Plan
- City of Kitchener Park Dedication Bylaw 2022-101 and Park Dedication Policy
- City of Kitchener Development Manual
- Cycling and Trails Master Plan (2020)
- Chapter 690 of the current Property Maintenance By-law
- Places & Spaces: An Open Space Strategy for Kitchener
- Multi-Use Pathways & Trails Masterplan
- Urban Design Manual

5. Anticipated Fees:

Parkland Dedication

The parkland dedication requirement for this submission is **deferred** and will be assessed at a future Site Plan Application. Parkland dedication will be assessed based on the land use class(es) and density approved through the OPA and ZBA and required as a condition of Site Plan Approval

Parkland dedication is required for the application as cash-in-lieu of land according to the Planning Act, the Parkland Dedication By-law, Policy and rates in effect.

Please be advised that an updated Parkland Dedication Policy and By-law were approved by City of Kitchener Council on August 22 2022. The Bylaw is under appeal. Further changes to the Bylaw may be required as a result of the Bill 23 – More Homes Built Faster Act.

Craig Dumart

From: Deeksha Choudhry
Sent: Thursday, April 20, 2023 9:15 AM
To: Craig Dumart
Subject: RE: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Hi Craig,

There are no heritage planning issues or concerns with this application.

Thanks,

Kind Regards,

Deeksha Choudhry, **MSc, BES**
Heritage Planner | Planning Division | City of Kitchener
519-741-2200 ext. 7291 | TTY 1-866-969-9994
deeksha.choudhry@kitchener.ca



Residents are encouraged to visit [kitchener.ca/covid19](https://www.kitchener.ca/covid19) for the most up-to-date information about City services.

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, March 31, 2023 3:47 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Straus <Ellen.Straus@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Feds <vped@feds.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; Tom Ruggle <Tom.Ruggle@kitchener.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Please see attached. Additional documentation can be found in AMANDA folders 23-105799 & 23-105798 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

Craig Dumart

From: Brandon Coveney <planning@wrdsb.ca>
Sent: Tuesday, April 18, 2023 3:10 PM
To: Craig Dumart
Cc: Christine Kompter; Planning
Subject: Re: [Planning] Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

You don't often get email from planning@wrdsb.ca. [Learn why this is important](#)

April 18, 2023

Re: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)
Municipality: Kitchener
Location: 97-101 Park Street and 186 -194 & 200 Victoria Street South
Owner/Applicant:

Hi Craig,

The Waterloo Region District School Board (WRDSB) has reviewed the above-noted application that proposes amendments to facilitate the construction of a 42 storey mixed use tower with 236 residential units. The WRDSB offers the following comments:

Student Accommodation

At this time, the subject lands are within the boundaries of the following WRDSB schools:

- King Edward PS (Junior Kindergarten to Grade 6);
- Margaret Avenue PS (Grade 7 to Grade 8); and
- Kitchener-Waterloo CI (Grade 9 to Grade 12).

The WRDSB's 2020-2030 Long-Term Accommodation Plan provides information on student enrolment and accommodation at these schools. Please note, Kitchener-Waterloo CI is currently experiencing accommodation pressure and as such portable classrooms may be located on-site to provide additional capacity on an interim basis.

Student Transportation

The WRDSB supports active transportation, and we ask that pedestrians be considered in the review of all development applications to ensure the enhancement of safety and connectivity.

Please be advised that Student Transportation Services of Waterloo Region (STSWR)'s school buses will not travel on privately owned or maintained right-of-ways to pick-up/drop-off students. Transported students will be required to meet the bus at a congregated bus pick-up point. STSWR may have additional comments about student pick-up point(s) placement on municipal right-of-ways.

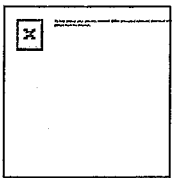
Education Development Charges

Please be advised that any development on the subject lands is subject to the provisions of the WRDSB's **Education Development Charges By-law, 2021, amended in 2022** or any successor thereof and may require the payment of Education Development Charges for these developments prior to issuance of a building permit.

The WRDSB requests to be circulated on any subsequent submissions on the subject lands and reserves the right to comment further on this application.

If you have any questions about the comments provided, don't hesitate to contact the undersigned.

Regards,



Brandon Coveney

Senior Planner

Waterloo Region District School Board

51 Ardel Avenue, Kitchener ON, N2C 2R5

Email: brandon_coveney@wrdsb.ca

On Fri, Mar 31, 2023 at 3:47 PM Christine Kompter <Christine.Kompter@kitchener.ca> wrote:

Please see attached. Additional documentation can be found in AMANDA folders 23-105799 & 23-105798 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener

200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7

519-741-2200 ext. 7425 | TTY 1-866-969-9994 | christine.kompter@kitchener.ca



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**City of Kitchener
Application Comment Form**

Project Address: 97-101 Park St and 186-194 & 200 Victoria St. S.

Application Type: ZBA / OPA

Comments Of: Development Engineering

Commenter's Name: Eric Riek

Email: eric.riek@kitchener.ca

Phone: 519-741-2200 ext. 7330

Date of Comment:

- I plan to attend the meeting (questions/concerns/comments for discussion)
- I do NOT plan to attend the meeting (no concerns)
-

1. Site Specific Comments & Issues:

- No specific concerns.

2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

Zoning Bylaw Amendment:

- No sanitary capacity concerns.
- For the OPA/ZBA a Water Distribution Report is required to the satisfaction of Engineering Services in consultation with Kitchener Utilities and the Region of Waterloo.

A City for Everyone

Working Together – Growing Thoughtfully – Building Community

Craig Dumart

From: Trevor Heywood <theywood@grandriver.ca>
Sent: Monday, April 3, 2023 9:38 AM
To: Craig Dumart
Subject: RE: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Hey Craig,

These properties are not regulated by the GRCA and we have no comment.

Thanks,

Trevor Heywood B.Sc.(Env.)
Resource Planner
Grand River Conservation Authority

400 Clyde Road, PO Box 729
Cambridge, ON N1R 5W6
Phone: 519-621-2763 ext. 2292
Email: theywood@grandriver.ca
www.grandriver.ca | [Connect with us on social media](#)

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: March 31, 2023 3:47 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Straus <Ellen.Straus@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Feds <vped@feds.ca>; Planning <planning@grandriver.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; Tom Ruggle <Tom.Ruggle@kitchener.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Please see attached. Additional documentation can be found in AMANDA folders 23-105799 & 23-105798 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener
200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7

City of Kitchener
Zone Change Comment Form

Address: 97-101 Park Street and 186 -194 & 200 Victoria Street South

Owner: Enter project address.

Application #: OPA-ZBA

Comments Of: Urban Design- Planning

Commenter's Name: Pegah Fahimian

Email: Pegah.fahimian@kitchener.ca

Phone: 519-741-2200 Ext. 7342

Date of Comments: Apr 25, 2023

I plan to attend the meeting (questions/concerns/comments for discussion)

No meeting to be held

I do NOT plan to attend the meeting (no concerns)

1. Documents Reviewed:

- Urban Design Brief, Arcadis IBI Group, March 24, 2023
- Architectural Package and shadow study by IBI Group, March 17, 2023
- Wind Study - Pedestrian Level Wind – SLR Consulting, March 15, 2023

2. Site-Specific Comments & Issues:

I have reviewed the updated/revised documentation noted below that has been submitted to support an OPA and ZBA to accommodate a 42-storey, mix-use development consisting of 436 residential units and 3 commercial units on the ground floor.

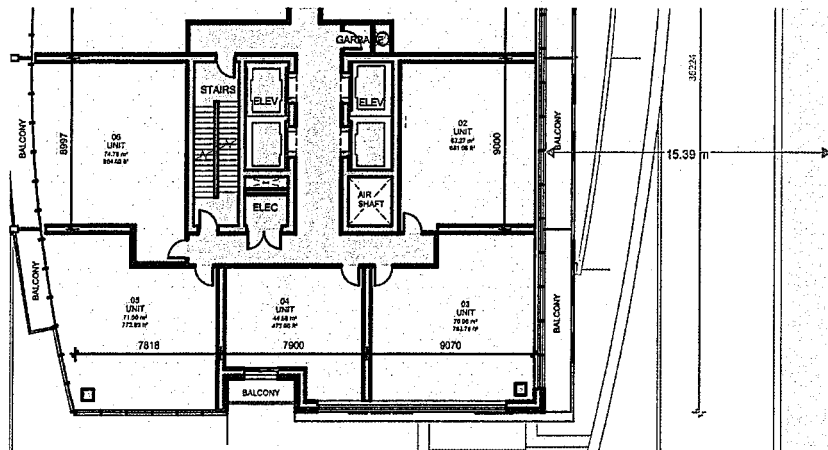
While the concept of residential intensification on this site is positive, and many previous staff comments have been incorporated into the proposal, some design modifications must be addressed in the Site Plan Application to create a development proposal that is well-designed and appropriate for this site and neighbourhood.

Updated Design Brief- March 24, 2023

Tall Building Design Analysis: The proposal needs to fully meet the tall building guidelines, specifically with regard to separation, as the guidelines are an excellent compatibility test for proposals exceeding their zoning permissions. The tower separation distance for the proposed tower is estimated to be 23m. Off-site separation on the east side is important in this context, where the site abuts low-rise residential planned for future development. The applicant shall prepare an updated urban design brief demonstrating that adequate off-site tower separation and adequate on-site amenity space are provided to the satisfaction of the City of Kitchener.

City of Kitchener
Zone Change Comment Form

- The proposed tower separation of 19m from levels 14-42 on page 29 urban design brief does not match the proposed setbacks on the submitted architectural package. Design modifications should be provided to meet the required off-site separation.



Building Design: 5-storey pedestrian-scaled podium along Victoria Street distinguished by the tall tower, step-backs and intended architectural treatment. The proposed relative height accommodates human-scaled built form along streetscapes while accommodating compatibility matters. Contemporary architectural style and details are to be refined through the site plan process.

On-site Amenity area:

- Required amenity space calculations are contained in the Urban Design Manual and include two parts – one for a general amenity area and one for children’s play facilities in multiple residential developments. $(2m^2 \times \#units) + (2.5m^2 \times \#bedrooms - \#units) = \text{outdoor amenity space}$.
 $(2 \times 464) + (2.5 \times 557 - 464) = 928 + (1392 - 464) = 1857 \text{ sq.m}$
- The UDB did not provide any commentary or precedent images related to “the provision of robust on-site amenity space for all ages and abilities.” Additional information should be provided regarding the various on-site amenity spaces in the UDB (common, individual, indoor, and outdoor).
- The Urban Design Brief should include text and conceptual images that demonstrate the commitment to providing sufficient and appropriate amenity space for all potential residents on site

Shadow Studies, IBI Group, 2023:

The submitted shadow analysis is acceptable as it confirms that the proposal-maintained access to at least 5 hours of cumulative direct sunlight to nearby sidewalks and open spaces.

City of Kitchener
Zone Change Comment Form

Wind Study - Pedestrian Level Wind – SLR Consulting, March 15, 2023

A further quantitative wind study coupled with a detailed wind tunnel analysis will be required as part of the full site plan application package. A revised design proposal should be developed that addresses the wind impacts outlined in the submitted wind study.

3. Comments on Submitted Documents

Architectural Floor plans- IBI Group, March 17, 2023

- This project should play a significant role in reinforcing the character of Victoria Street. There is a need for public art, well integrated into the architecture of the building, and I suggest the following as options.
 - Public Art (sculpture, mural, digital)
 - Living wall (interior or exterior, but visible/prominent)
 - Enhanced architecture at the corner
 - Community-oriented space
 - Enhanced exterior lighting (coloured, programmable, patterned, etc.)
- Incorporate creative facade ideas on curtain walls with advanced exterior lighting that could help to control public flow and could improve the building design. Digital media facades make buildings tell stories and strike a perfect balance of aesthetic structures and illumination art (for example, sustainable and digital technologies within the curtain wall, colour light-emitting diode or LED Display Video walls; and Photometric system for ‘interactive skin’ to illuminate the screen after dark, digitally printed fritted glass)
- Residential and commercial entrances should be clearly identified and offer access from the public realm and the private parking side of the building. The proposed main entrance will be further enhanced to create visual interest at the street edge. (For example, cantilevered entrance canopy, corrugated-metal panels and fritted glass.
- Balconies may be staggered in a creative pattern to lighten the structure and provide private outdoor space for the units.
- The building facades fronting Victoria should contain an appropriate amount of glazing and articulation, particularly along the lower 5m where the building addresses the sidewalk.
- The underground parking structure should have a sufficient setback from the property lines to accommodate the necessary soil volume to support required large-statured, high-canopy trees. Within site, required tree plantings can be accommodated on the garage slab but will still require standard minimum soil volumes.
- All at-grade parking should be wrapped with active uses.
- The location of residential and commercial garbage storage, loading area and Passenger pick up /drop-off area should be noted on the site plan.

City of Kitchener
Zone Change Comment Form

- The area between the building's face and the property line should be well integrated with the street and public realm to deliver high-quality, seamless private, semi-private and public spaces.
- Provide natural surveillance by employing high percentages of glazing, active uses at ground level and incorporating more units with windows and balconies on the main facade with views onto the street
- The building 's interface and relationship with the street and adjacent properties should be thoroughly explored.
- The proposed towers should have unique top features that are architecturally excellent, highly visible and makes a positive contribution to the image of Kitchener developing skyline.
- 3-bed units are desirable as they provide more living space for families. A higher percentage of these units might help with community engagement.
- All utility locations, including the meter room and transformer room to be shown on the layout. Building-mounted or ground-based AC units should be located away from public view and fully screened.
- Wind assessment and shadow study is required for outdoor amenities and the pedestrian realm.

Summary:

In summary, Urban Design staff support the zone change/official plan amendment. While the concept of residential intensification on this site is positive, and many previous staff comments have been incorporated into the proposal, Urban Design staff recommend that the applicant shall prepare an updated urban design brief demonstrating that adequate off-site tower separation and adequate on-site amenity space are provided to the satisfaction of the City of Kitchener.

Craig Dumart

From: Angela Mick
Sent: Thursday, May 11, 2023 1:26 PM
To: Craig Dumart
Subject: Re: 200 Victoria St., Condo Fire Flow Analysis

Hi Craig,

I've approved this report.

Angela

Sent from my Bell Samsung device over Canada's largest network.

From: Craig Dumart <Craig.Dumart@kitchener.ca>
Sent: Thursday, May 11, 2023 9:04:14 AM
To: Angela Mick <Angela.Mick@kitchener.ca>
Subject: FW: 200 Victoria St., Condo Fire Flow Analysis

Please let me know if this addresses your concerns.

Craig Dumart, BES, MCIP, RPP

Senior Planner | Planning Division | City of Kitchener
(519) 741-2200 ext 7073 | TTY 1-866-969-9994 | craig.dumart@kitchener.ca



From: Galbraith, Dave <dave.galbraith@arcadis.com>
Sent: Thursday, May 11, 2023 2:27 AM
To: Craig Dumart <Craig.Dumart@kitchener.ca>; Emir Ceric <Emir.Ceric@IBIGroup.com>; Betty White <Betty.White@IBIGROUP.COM>; Tsimenidis, Christian <christian.tsimenidis@arcadis.com>
Subject: Fwd: 200 Victoria St., Condo Fire Flow Analysis

Hi Craig - updated fire flow assessment attached.

Craig Dumart

From: Paul Yeandle >
Sent: Tuesday, April 4, 2023 6:17 PM
To: Craig Dumart

You don't often get email from [why this is important](#)

Victoria st cannot sustain that amount of extra traffic. All this does is put a strain on all of us that live here and pay taxes already for roads that will constantly be busy as hell. It's all about money, taxes and profits fuck the residents right

Craig Dumart

From: jhaalboom jhaalboom
Sent: Monday, May 1, 2023 8:27 PM
To: Craig Dumart
Subject: Victoria/Park St tower

Craig Dumart/Senior City Planner

Craig - Where are these 40 storey somethings going to end? I have to ask what social supports are in place...how are we planning for the future and the unforeseen troubles in 15 and 20 years...You may say 'It isn't going to happen and it's different today...But let's think about Mooregate Crescent...I don't think one can deny the presence of a troubled neighbourhood! How about the south side of Chicago with its 15 blocks of high rise and Jamestown in Toronto, another high rise ghetto. So you want to build up, but there is no proof that up means desired density! One person per apt and that can be in a 2 bedroom and bedroom studio. Is there no room for 4-5-6 storey style with units having 3 and 2 bedrooms where one is likely to get families with likely 4-5 people occupying them.

So if you want the tower, then why is there a jump across Park to have more towers in the Park - Victoria corner...why is there not an insistance of the opposite side of Park on Victoria...to be used first?

Recently I was in the Netherlands...it too has a need for housing, even though it has one of the highest densities, 3 times per area, same space as Boston, Mass...I travelled north to south and east to west, I did not see in any cities having 40+ storeys apt. at tram stations and along tram lines! And there is lots of green space to offer to its residents. Where is our green? Victoria Park will be shot and is at capacity!

Interestingly when we at the Region were selling intensification, we did not show this type of development..Intensification meant 3-4-5 storey units with lots landscaping and maybe at most a 15 storey apt but always with the townhouses. This is what the public accepted.

Jean Haalboom

Craig Dumart

From: v Zumbrunn <v.zumbrunn@cityofkitchener.com>
Sent: Tuesday, April 25, 2023 11:44 PM
To: Craig Dumart
Subject: Comments on development at Victoria and Park St/Kitchener

You don't often get email from [v.zumbrunn@cityofkitchener.com](#) [portant](#)

Hello Mr. Dumart:

I am a resident of [redacted] and would like to convey my concerns regarding the proposed 97-101 Park St and 186-194 & 200 Victoria St S development.

I have lived in my apartment for 17 years, and have seen a tremendous increase in traffic on Victoria Street over the years. I don't feel that the city has adequate plans for the increased traffic flow on Victoria St as more and more high density condos/developments are built in this area. It's become increasingly dangerous for residents, children, seniors, cyclists and pets.

The scale of this development is huge, and per the plans, potentially an additional 353 vehicles will be added to the traffic flow. How is the city going to accommodate this intensity? I don't see how Victoria St can be expanded/lanes added, etc?

This is a poor proposal, and the impacts to the residents of the neighbourhood, the safety of children walking to school, cyclists, etc. need to be studied and addressed. There are already serious traffic hazards in this area that need to be assessed. I have seen numerous serious car accidents at the intersection of Victoria and Park St. The city needs to look at this historical data. This is a poor choice of location for a development of this scale.

Kind regards,

V Zumbrunn

Craig Dumart

From: Sonny Lee
Sent: Tuesday, April 25, 2023 9:36 PM
To: Craig Dumart
Subject: comments re proposed development at 200 Victoria St S

[You don't often get email from <https://aka.ms/LearnAboutSenderIdentification>]

Hello -

I am writing to express my concern regarding the proposed 42 storey development proposed for 200 Victoria St S and the surrounding neighborhood.

I am a resident of the apartment complex across the street

During business hours, traffic on Victoria St at this location is already too busy and hazardous, especially since Victoria St narrows to 1 lane each way at this stretch, and heavy trucks use this road. I have witnessed several collisions at the nearby Victoria and Park intersection during rush hour, and this is at a wider section of Victoria.

As a cyclist commuter, it is difficult and potentially hazardous to cross Victoria St to get to more cycling-friendly Walnut St during these hours. Further, this is also the stretch where dedicated bike lanes vanish on Victoria St eastwards, making travel on Victoria St proper dangerous given the speed, volume, and type of traffic.

In addition, we have to transport our children to and from an out-of-catchment school (Sandhills P.S.), entailing a left hand turn from our apartment driveway exit that is likewise difficult during those hours.

Victoria St S already has several high-density high-rises close to Kitchener Central Station, and more are planned. The addition of yet another large development on Victoria St, especially at the proposed location that is both narrow and distant from major N-S connectors, will significantly aggravate the already difficult traffic situation and lower the quality-of-life for current residents in this neighborhood.

- Sonny Lee

Craig Dumart

From: Ed Speers
Sent: Tuesday, April 25, 2023 6:56 PM
To: Craig Dumart
Cc: Debbie Chapman
Subject: Proposed New Building at 97-101 Park St. & 186-194 and 200 Victoria St. S.

[You don't often get email from <https://aka.ms/LearnAboutSenderIdentification>]

Dear Sir,

I am a resident at 205 Victoria St. S. and I've been mulling over the impact of the proposed new building that would be pretty much directly across Victoria street from where I live. I am concerned on a number of fronts and I'll freely admit my concerns are very selfish in nature, although I think I am not alone by any means.

First, is the infrastructure in area sufficient to support that many more people living here? After all the other buildings constructed along Victoria street these last couple of years with all the new tenants I wonder if the sewers, water mains and electrical service are sufficient for that many more people? I have no doubt that the proposed building that would be across Park street from the one we are discussing here, the one that the city turned down, will come back with some modifications that will make it a more viable project for the city to approve so how much more can the existing infrastructure take? At what point is Victoria Street torn up for major refurbishing of these services? How do we get in and out of our homes during that time? How much inconvenience will we suffer while this goes on?

Second, what is the impact on traffic flow? It can be quite difficult to get out of the driveway to the buildings at h now, how much harder will that be when these additional buildings are erected and occupied? It seems to me that there is no space to add any width to the roadway so how are the extra vehicles going to be accommodated and at what cost to the existing residents?

Third, the number of parking spaces at this new building. The plan calls for 436 dwelling units plus some commercial occupants it seems but there are only 353 parking spaces. How many spaces are reserved for the commercial enterprises and how many for residents of the building? I understand from the comments I received from the last project that the developers plan on attracting residents that depend on public transit rather than owning and driving cars and I suppose that this project is the same. That is a nice idea but I think it's extremely optimistic, perhaps bordering on fantasy. I understand that there are examples that they can name where that ratio has worked but I question whether it will work here. I would suggest that for every dwelling unit where the residents depend on public transit that there will be at least one other unit where they would like 2 parking spaces because they need two incomes to support the rent payments required. In addition, what about visitor parking? Those 436 units will have a constant flow of visitors and without nearly enough parking spaces for one car per unit where will the visitors park? The building I live in has a generous amount of visitor parking and I believe that is very deliberate and well planned. I'm sure our lot will be full of visitors from the building across the street because there are very few alternatives in this area.

I am all in favour of new construction and the idea of building up rather than out, increasing population density to conserve farmland and all, however I think there may be areas in the city that would accommodate those additions without being concerned about the limitations that this older part of the city contend with.

Yours,
Ed Speers

Tuesday, April 25, 2023

Hello, Craig Dumart
City of Kitchener

RE: Park St/Victoria St Proposed Development

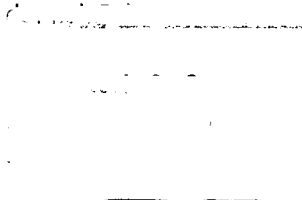
We own a business that is located directly across from proposed site location.
We will be attending the Zoom meeting April 27/23 and we have a few questions/comments/concerns for this proposed development.

- 1) Have all scenarios been considered for business owners: If so, what are the plans?
Access to my business daily during business hours (Customers and Employees) at 199 Victoria St. S. Kitchener
Access to my business daily during business hours for large transport truck deliveries/pickups at 199 Victoria St. S. Kitchener
Access to the Emergency Vehicle Easement that travels through the driveway of 199 Victoria St. S. Kitchener
Damage to building foundations/structures/etc. of existing buildings?
- 2) Is there a timeline? Start date, length of time to complete?
- 3) Proposed road closures/detours and length of time for these?
- 4) Compensation for any lose of business due to reduced access because of construction/road closures/detours/aggravated customers/etc?
- 5) When should we expect a decision by the city of Kitchener?
- 6) For the record, I am against this development.

Thank you for your time.

Regards,

Donna Kuepfer



Craig Dumart

From: Dillyn Lankin
Sent: Monday, April 24, 2023 3:18 PM
To: Craig Dumart
Subject: Proposed development

You don't often get email from [Dillyn Lankin](#). [Learn why this is important](#)

Dear Craig Dumart,

I am writing to express my opposition to the proposed 42-storey building for 97-101 Park St and 186-194 & 200 Victoria St S. I am a homeowner on Walnut St, and if this proposal goes through, I will live in the shadow of a 42-storey building.

I want to be clear that I generally support high density settlement. If this project was drastically modified to address the "missing middle" in Kitchener (i.e. mid-rise buildings ranging from 5 to 11 storeys), I would support it. I oppose the current proposal because the building is far too tall for a neighbourhood that is primarily detached family homes.

In addition to the negative impact this project would have on wind, traffic, and sunlight, there is a psychological toll that comes with living in the literal shadow of a looming building that blocks out the sky. If this project goes through, it will absolutely reduce my quality of life and make me feel displaced in my own home and neighbourhood.

I understand that we are in a housing crisis. My job is in street outreach, and I work directly with those most impacted by the lack of affordable housing. Projects like this one do not address this issue, and instead contribute to gentrification because they cater to well-off individuals and couples, many of whom do not even currently live in the city. I love my home and my neighbourhood. I live across the street from an affordable housing complex, and I value the socioeconomic diversity of my street. I hope to live out the rest of my days here, but I will likely leave if this project goes through. Please oppose this proposal.

Thank you for your time.

Sincerely,

Dillyn Lankin

Craig Dumart

From: linda axman >
Sent: Monday, April 24, 2023 11:12 AM
To: Craig Dumart; Debbie Chapman
Subject: opposition to proposed development involving 97-100 park and 186-194 Victoria st

You don't often get email from

[earn why this is important](#)

Firstly am strongly opposed to the encroachment of these large residential towers on our Cherry Hill Neighborhood! Was there not to be a moratorium on exceedingly high high-rises going beyond the south side of park street? That was brought forth at the meeting dealing with the proposed 3 story condo structure already in the works on the south side of Park street!! These buildings will create traffic chaos in our neighborhood when we are already facing speeding cars on our streets. There needs to be a height limit on these buildings!! Has a shadow study been conducted as many of us are concerned about our established gardens not receiving the proper amount of natural light. I am not opposed to densification but not to the height of these proposed structures! I love my quiet little hood nestled near downtown and it seems like we'll soon be living in downtown Toronto....and not in the area I once loved. Condo developments are typically 90% purchased by investors and rent commands are usually in excess of what the average person can afford. We need more affordable housing and need to cap the height and the amount of investment condos which are approved if they do not provide accessible and affordable housing!!

Linda Axman



Virus-free. www.avg.com

Craig Dumart

From:
Sent: Tuesday, April 18, 2023 12:59 PM
To: Craig Dumart
Cc: Debbie Chapman; jgraham@regionofwaterloo.ca; Garett Stevenson
Subject: 86-194 and 200 Victoria Street S. and 97-101 Park St.

Some people who received this message don't often get email from

[Learn why this is important](#)

Mr Dumart,

As part owner of 28 Henry St., Kitchener, I wonder why I did not receive any notice (postcard) of the proposed development at 186-194 and 200 Victoria Street S. and 97-101 Park St. Our home is approximately 120 metres from the proposed development.

When we bought this home seven years ago, we researched our surroundings completely and decided that the Official Plan and Bylaws allowing for up to ten (10) storeys of development at the top of the street would be acceptable. We proceeded with the purchase, invested many hours and a great deal of money making the house into our Forever Home. This plan is being rapidly and forcibly removed from us by the changes being wrought in our surroundings. At what time did the Official Plan change from allowing for four storey development to 42 storeys being built? This is even more than the grotesque height of the development at Park & Victoria (38 storeys). At our advanced age, we have no choice but to stay where we are or be forced to move into one of the extremely small condos being constructed, which is NOT going to happen. Do you have any empathy at all for local residents?

Furthermore, is anyone addressing the resultant volume of traffic? You do realise that there is at least one significant accident a week on average at the Park and Victoria intersection, don't you? With the increased traffic flow which will be the result of nearly 1,600 units being built in the vicinity, it will be impossible to navigate in and out of Henry St. and Theresa St. safely. It is not just the projected residents' vehicles, but all of the required service vehicles for their life style which will produce chaos. Much of the extra traffic will use Henry as a shortcut, as already happens, to avoid the Park and Victoria intersection thus making this street, with its blind hill, even more dangerous than it is currently for the families, particularly those with children, who live here. Where are all the visitors and other extra cars using these developments going to park? The answer is 'on Henry and Theresa', particularly during construction. What a cash cow for the City Parking Enforcement Department, if they ever come and check. What a nightmare for anyone wanting to drive along Victoria St. South.

When we moved here, Victoria Park was a Jewel in Downtown Kitchener. Now, even before the next two developments are built, the Parks Department is struggling to keep up with the maintenance. The residents in the neighbourhood do not use the Park on the weekends as it is so over-subscribed and under-serviced. In the last three years, camping has been allowed, contrary to by-laws and this, coupled with overuse, particularly on the weekends, makes the Park more of a blight on the City's landscape than the oasis that was originally intended. And you want more people in the neighbourhood?

When will this Development Ridiculousness end?

Yours,

Jane Reed,

Response to the Development Proposal for 186 Victoria Street South

Submitted to Craig Dumart, Senior Planner

City of Kitchener

It is disheartening to review another proposal for a development that far exceeds the current zoning and falls short of many of the urban design policies set out in the city's Official Plan. This continues the trend of developers and city planners failing to recognize that Victoria Street South is situated in two established neighbourhoods – Cherry Park and the historic neighbourhood of Victoria Park. Instead, the developer and city planners recognize only the very recent development to the east of this development on Victoria Street. Developers make the case that the Victoria Street towers are not adjacent to the residential streets, but the City of Kitchener Official Plan definition of adjacency includes separation by a road:

City of Kitchener Official Plan - A Complete & Healthy Kitchener

Adjacent - lands, buildings and/or structures that are contiguous or that are directly opposite to other lands, buildings and/or structures, separated only by a laneway, municipal road or other right-of-way (A-1)

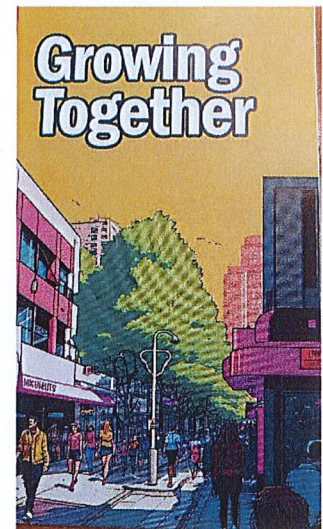
Your post card regarding this proposed development states that “We want to hear from you!” At every opportunity, residents make the case to city planners that developments along Victoria Street are within established neighbourhoods and yet city planners continue to dismiss this reality. The actions of city planners undermine the claim that you want to hear from residents.

I recently viewed the Building Together card deck, the purpose of which I assume is to support the planning decisions being made by the city. The image on the front of each card is representative of nothing that has been built along Victoria Street South including the proposed development for 186 Victoria. You only need to look at the promising image on the card and compare it to the proposed development to see how city planners continue to mislead residents as to what *Growing Together* actually looks like.

Lack of Transitions

The image shows a transition from low rise buildings to tall buildings. The practice of planning for transitions in building heights in order to achieve of good urban design is well established. The need for transitions is documented in the City's Official and Urban Design Manual:

Official Plan – Section 15 Land Use Policies – Urban Growth Centre –Streetscape



GWEN WHEELER

1

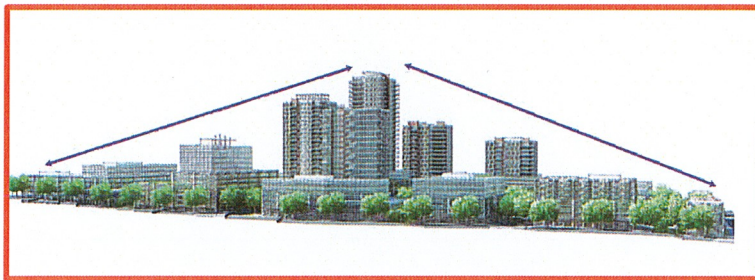
15.D.2.32 Where new development or redevelopment is proposed between two land use districts or between a land use district and a central neighbourhood, the scale and massing of both sides of the street should be coordinated to provide a uniform streetscape and pedestrian experience.

Urban Design Manual – Major Transit Station Areas – Compatibility – Scale and Transition

Higher density development adjacent to established neighbourhood areas is to provide a suitable transition in scale, massing, building height, building length and intensity through setbacks, stepbacks, landscaping and compatible architectural design/material selection.

“concentrating height and density closest to LRT stops.” UDM – Part A Major Transit Station Areas

In the section on designing for tall buildings, Kitchener’s Urban Design manual illustrates what transitions should look like.



Other cities also include requirements for transitions in their urban design. The following is from the City of Ottawa’s Urban Design Guidelines for Tall Buildings.

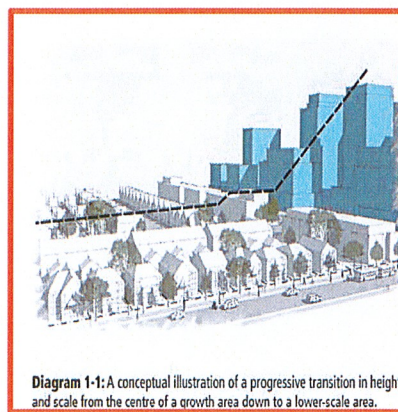
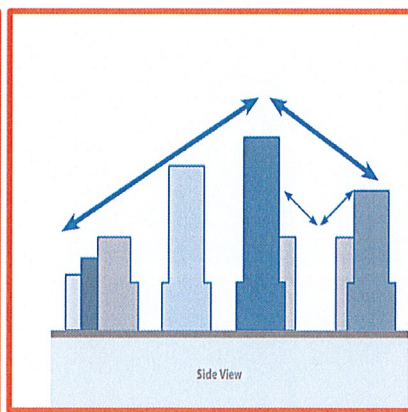


Diagram 1-1: A conceptual illustration of a progressive transition in height and scale from the centre of a growth area down to a lower-scale area.

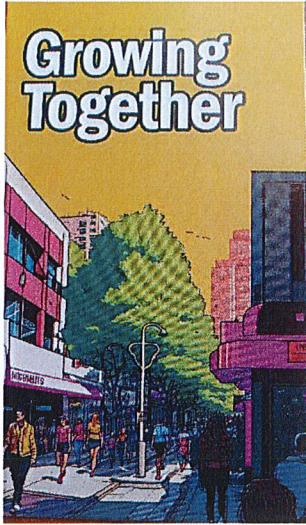


And the illustration on the right is from Mississauga’s Downtown Built Form Standards.

The chart below shows what development along Victoria Street looks like with the height of buildings increasing as you go further from the LRT stops. This is the reality of *Building Together*.



Lack of Tree Lined Streets.



Look at the wonderful tree lined street that illustrates the promise of *Growing Together*. To date, none of the condominium developments on Victoria Street South have planted a single tree. The city's Official Plan and Urban design guidelines repeatedly refer to tree lined streets:

Official Plan – Section 15 Land Use Policies – Urban Growth Centre – Preamble

Downtown should have green, pedestrian-friendly streets...

Official Plan – Section 11 Urban Design – Neighbourhood design

11.C.1.30 The City will, through the Site Plan Control process:

d) provide landscaping which enhances each building or project as

well as streetscape;

Urban Design Manual- City Wide Design – Design for Sustainability

Provide street trees along all streets with sufficient soil volume to ensure healthy, mature canopy.

Urban Design Manual- City Wide Design – Street Design

Provide street trees with the goal of creating a continuous mature tree canopy wherever possible.

Urban Design Manual – Design for Tall Buildings – Public Realm – Streetscape

Provide a high-quality, sustainable streetscape and landscape design

While I'm glad to see the Park Street entrance to the development is well landscaped, once again the Victoria Street elevation lacks any landscape features.

Proposed Public Amenity Spaces

The development includes two proposed public amenity spaces: on the 33rd floor of the tower and one that is part of the Park Street entrance. In 2022 the city reviewed and revised the Parks Dedication Policy. At that time there was discussion about the value of privately owned public spaces (POPS). The Director of Parks, Niall Loble, clearly stated the shortcomings of POPS. In addition, Troy Glover from the University of Waterloo spoke to council about research showing the failure of POPS. He stated that management and design features make POPS

exclusive and inaccessible to the public. This will most certainly be the case for the proposed public amenity on the 33rd floor of this development. Professor Glover's concluded that POPS are intentionally inaccessible, and that developers are being opportunistic when they propose POPS as part of a development. We know from the city's review of park space that there is a critical need for more parks in some neighbourhoods. Providing this developer with a credit against parkland dedication fees will further cripple the city's ability to provide much needed parkland for the thousands of new residents living along Victoria Street.

Affordable Housing

It has also become clear that intensification along Victoria Street is not solving the problem of affordable housing. In February of 2022, the Waterloo Region Record published an article by Dawn Cassandra Parker ([Larger builds lead to less-livable cities](#)) in which she explained: *Investors smell upzoning like sharks smell blood in the water, with similar responses. Expectations for approval of high density builds drive land prices too high for cheaper lowrise high-density builds to be economically viable.* When city planners endorse an increase in FSR like the one being proposed for this development land prices go up. Parker goes on to say *Dismantling urban design protections such as setbacks, stepbacks and shadowing guidelines is a terrible idea. While it may result in larger builds, it won't result in more viable cities.*

Please consider the need for intensification equally with other city priorities such as tree canopy, equitable access to greenspaces, affordable housing, family friendly housing and vibrant streetscapes. This is what I would like you to hear from me: Do more to achieve the vision you convey in ***Building Together***.

Gwen Wheeler

r, Ontario

April 18 , 2023

Craig Dumart

From: Christine Beard
Sent: Wednesday, May 10, 2023 10:33 AM
To: Craig Dumart
Subject: Re: 97-101Park and 186,194,200 Victoria St

You don't often get email from [craig.dumart@kitchener.ca](#). [Learn why this is important](#)

Craig,

Not sure if I can still comment on this or the other developments at Victoria/Park.

One of my concerns about the lack of parking for the developments relates to my personal inability to use transit/bike to get to work (just too dangerous) - which would be improved by the LRT extension.

I'm just in the USA at a transportation conference and hearing that developers need to invest in the regional transportation system where parking is not provided. Is this happening for these Victoria/Park developments?

Thanks

Christine

[Sent from Yahoo Mail for iPhone](#)

On Thursday, April 13, 2023, 4:24 PM, Craig Dumart <Craig.Dumart@kitchener.ca> wrote:

Hi Christine,

Thank you for providing comments. I have added you to the email distribution list to keep you informed on the proposed development This is for a new development for a 42 storey building. It is separate from the project that was recently approved by the Province at the corner of Victoria and Park Street.

Craig Dumart, BES, MCIP, RPP

Senior Planner | Planning Division | City of Kitchener
(519) 741-2200 ext 7073 | TTY 1-866-969-9994 | craig.dumart@kitchener.ca





Want to know more
about planning?

short videos
mapping tool
walking tours
and more!

From: Christine Beard
Sent: Wednesday, April 12, 2023 8:21 PM
To: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: 97-101Park and 186,194,200 Victoria St

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Craig,

Can you clarify if this new development proposal for a 40story tower is in addition to the one that was rejected last year? Or a new completely different one?

My comments are as follows based on what I can see.

There should be one parking spot at minimum per unit.

It is not realistic to have a mixed use development with commercial use when there is not sufficient parking. Take a look at all the vacant storefronts near the University in the new condos. Business cannot survive with only locals (presumably condo dwellers) as customers. Parking is a necessity given that most people still need to drive. Note parking at Vincenzos/Bauer exceeds the units at Bauer in Waterloo and is successful.

This tower is too tall - the adjacent condos are tall for the neighborhood at 26 stories. Adjacent to a residential neighborhood 40 floors is excessive.the tower should at minimum be no tall er than garment towers.

There are too many one bedroom condos being built in Kitchener. I'm presuming this one is the same. This is not a Seniors neighborhood and couples/singles often become families in need of 2 bedrooms. There is a shortage of entry level family housing in this city. Build more 2 and 3 bedroom condos. 2/3 of the new development should be for families.

Lastly, given that the block would become one of the densest neighborhoods in the City - the City Parking lot on Bramm should be converted to a City Park.

Again adequate parking for the development is important.

I applaud the addition of bike parking. The City should ensure this is more than a little secure given bike theft levels.

Christine Beard

[Sent from Yahoo Mail for iPhone](#)

Craig Dumart

From: J S <
Sent: Thursday, April 13, 2023 11:48 AM
To: Craig Dumart
Subject: Park St and Victoria St

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[why this is important](#)

Hi Craig,

I received notice of the second development proposal at Park and Victoria St - 97-101 Park and 186-194 Victoria. Will there be a chance to submit feedback after the neighbourhood meeting? I noticed it says feedback to be submitted by Apr 25, but I'd prefer to attend the meeting and understand more about the project before submitting feedback if possible.

Thanks,

- Janine Stanic (she/her)

Craig Dumart

From: PARKE
Sent: Wednesday, April 12, 2023 3:50 PM
To: Craig Dumart
Subject: 97-101 Park St. and 186-194 & 200 Victoria St. S.

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Dear Mr. Dumart

In response to the invitation received yesterday (April 11) for the upcoming neighbourhood meeting, I am grateful for the opportunity to voice my thoughts and concerns on this proposed development. I will not be able to join in for the Virtual Zoom Meeting scheduled on Apr 27, 2023 thus I am emailing you directly.

I live at a mid-rise apartment building and when trying to make a left-hand turn from our driveway, I have experienced the traffic congestion coming from the intersection of Park St. and Victoria St. S. and also from the other direction heading from the intersection of Victoria St. S. and West Ave. With the train passing periodically nearby, holding up the traffic, shall I say it is double the challenge.

I foresee only more problems with congestion with the addition of more high rise buildings at the proposed location. What measures are you taking to track present day traffic? Are you accounting for Victoria St. S. being a major artery in this part of our city with ambulances, firetrucks and/or police several times a day on a typical day? What impact would this have on the neighbourhood during construction?

Looking forward to hearing about the decision.

Yours truly

Ms. Cheryl Parke

Craig Dumart

From: Helen H <helen.hiebert@cityofkitchener.com>
Sent: Tuesday, April 4, 2023 10:11 PM
To: Craig Dumart
Subject: Fwd: MyKitchener Notification - proposed development

You don't often get email from [helen.hiebert@cityofkitchener.com](#). [Learn why this is important](#)

Hi Craig,

I only heard about the meeting regarding the proposed development down the street from me via the email alert below which I've signed up for. I thought it was practice to notify residents within a radius via a postcard. Am I wrong about that?

I'm very interested in the planned developments for my neighborhood given my understanding that, to date, the city or Region hasn't flagged any concern on traffic congestion or local parks (I.e Victoria Park). I would like to know if that's because the traffic and park impact is only assessed per application Vs the collective impact of development applications within the same area.

Helen

----- Forwarded message -----

From: MyKitchener <noreply@kitchener.ca>
Date: Tue, Apr 4, 2023 at 9:06 PM
Subject: MyKitchener Notification (39 PARK ST)
To: <[helen.hiebert@cityofkitchener.com](#)>

Hello Helen Hiebert,

Here's your MyKitchener update:

Events

- [Neighbourhood Meeting - Proposed Development \(97-101 Park Street and 186-194 & 200 Victoria Street South\)](#) on Thursday, Apr. 27 2023 at 07:00 PM

[View all Events](#)

News

- [E-bike and e-scooter program beginning in Waterloo Region](#)

[View all News](#)

Job opportunities

- There are new job opportunities available! [View all job opportunities](#) at the City of Kitchener

Craig Dumart

From: Dave Steffler
Sent: Thursday, April 27, 2023 1:31 PM
To: Craig Dumart
Subject: Re: Feedback re: proposed development along park St Victoria St S

You don't often get email from [learn why this is important](#)
Thanks Craig. :)

On Wed, Apr 26, 2023 at 10:25 AM Craig Dumart <Craig.Dumart@kitchener.ca> wrote:

Good morning,

Thank you have taking time to provide comments on the proposed development at 186-194 Victoria Street South and 97-101 Park Street. You have been added to the email distribution list to keep you informed on future meetings and updates. Staff look forward to discussing the proposed development with residents at the neighbourhood meeting this Thursday.

Have a great day.

Craig Dumart, BES, MCIP, RPP

Senior Planner | Planning Division | City of Kitchener

(519) 741-2200 ext 7073 | TTY 1-866-969-9994 | craig.dumart@kitchener.ca

From: Dave Steffler <dave.steffler@kitchener.ca>
Sent: Monday, April 24, 2023 11:24 PM
To: Craig Dumart <Craig.Dumart@kitchener.ca>
Cc: Theresa Hanley <treegirl73@hotmail.com>; Debbie Chapman <Debbie.Chapman@kitchener.ca>
Subject: Feedback re: proposed development along park St Victoria St S

You don't often get email from [ant](#)
Hello Craig Dumart,

A couple of weeks ago we received a notice in the mail about a proposed development along 97-101 Park St and 186-194 and 200 Victoria St S. As per the notice I am submitting comments.

I live at 36 Henry St. Over the years we have removed part of a driveway and converted it to vegetable gardens. In addition to vegetable gardens we have two small greenhouses (one of them used to be used as a chicken coop) for growing greens. We have also planted the following fruit bushes and trees: several red currant bushes, several gooseberry bushes, a number of haskap bushes, a goji berry bush, a serviceberry tree, a plum tree, two apple trees, two pear trees, two elderberry bushes, a goumi berry tree, a grape vine, a blackberry bush, three kiwi vines, several blueberry plants, two hazelnut trees, both red and black raspberries, a jostaberry, rhubarb, etc. We have done all of this because we are striving to reduce our ecological footprint by growing as much food as possible. However, given the height of this proposed development we are very concerned about the shadow that would be created by it, i.e. the reduced amount of sunlight for growing food. We suspect that there are others with gardens and/or solar panels (or thinking of investing in solar panels and/or creating gardens) who would also be impacted by the shadow that this proposed development would cause in the Victoria Park Heritage Conservation district (the shadow would impact on the heritage qualities of part of the district, essentially negating some of these heritage and historic qualities). Hence, we are opposed to the height of this proposed development - it will have a negative effect on neighbourhood efforts to live more sustainably and would negatively impact a section of the Victoria Park Heritage Conservation District.

The shadow created by this proposed development would also impact home heating costs during the winter - another negative effect as it pertains to the neighbourhood trying to live more sustainably.

Regarding gardens, is there garden space in the design of this proposed development? The notice from the City about this proposed development cites some elements of it, i.e. mixed use, vehicle parking spaces and bicycle parking spaces but nothing about garden space, green space and trees. As it is, Victoria St is severely lacking in trees, which is very disappointing given that there have been some relatively new developments along it. A couple of these newer developments are even within, or on the edge of, the Innovation District. There is nothing innovative about the drab, sterile and uninspiring streetscape left in front of them.

We are also concerned about affordability of the proposed dwelling units. It seems like these developments are not being built with affordable housing in mind but rather with profit in mind.

Craig, these are some of my concerns.

Thanks in advance for your interest in this.

Sincerely,

Dave Steffler

RITCHIE, CIV

1428 110

519-

Craig Dumart

From: jason ringer
Sent: Tuesday, April 25, 2023 5:46 PM
To: Debbie Chapman; Craig Dumart
Subject: 97-101 Park st and 200 Victoria st

You don't often get email from jason.ringer@cityofkitchener.com. [Learn why this is important](#)

Hello,

I am writing regarding the 97-101 Park St. and 186-194 & 200 Victoria St. S proposal one the corner of Victoria Street South and Park Street in Kitchener.

The tallest towers rival the tallest building in the Kitchener-Waterloo Region, DTK Condos, which is 39 storeys. Unlike the DTK Condos, though, it is located near established low rise neighbourhoods.

The current buildings occupying the land parcel that will be developed are only 2 storeys; the proposed development will be a substantial departure from the current skyline. According to the design report, the towers will cast long shadows over homes located in the Victoria Park neighbourhood, along Park Street, as well as within the Cherry Park neighbourhood.

As a resident of Park Street I am concerned about how the new development will impact the enjoyment of my property, which will be in the shadow of the tower.

I am concerned about the loss of natural sunlight on my property and my street, which will greatly impact the enjoyment of my home and neighbourhood. In turn, I am concerned about the value of my home and the loss of the heritage feel of my neighbourhood resulting from being so close to such a large imposing development.

I am also very concerned about the traffic patterns around Victoria Street and Park Street, through Victoria Park along Jubilee and along residential streets that connect to Jubilee; my neighbourhood already has an issue with high volumes of drivers and aggressive driving.

It is understood that these towers will be built in order to densify the downtown; there are already many existing towers near Victoria Park, however, these are generally not near detached homes, or are much shorter where they are near detached homes. The heights of the proposed towers are much taller than any existing tower beside Victoria Park: over 20 storeys plus taller!

I am also concerned about how such dense development will affect the fabric of the City itself. Added height and density in the downtown core will not automatically result in healthy, livable, safe and attractive communities.

Since 2016, several towers have been completed along Victoria Street South. Each development got progressively taller as new developments moved westwards from the intersection of King Street and Victoria Street.

- 1 Victoria – 19 storeys – completed in 2016 ^[1]

- One Hundred Tower A – 21 storeys – completed in 2020^[1]
- One Hundred Tower B – 17 storeys – completed in 2020^[1]
- Garment St Condos – 28 storeys – complete in 2021^[1]

The 97-101 Park St. and 186-194 & 200 Victoria St.S. are considerably higher than recently completed buildings along Victoria Street. For example, at 42 storeys, the tallest tower in the Victoria and Park Towers development, would be like having both the towers at the One Hundred development stacked on top of each other plus an additional 4 storeys!!!!

Ideally, in order to better integrate into the existing streetscape and minimize negative impacts to current residents, new developments should be getting shorter as they approach established low rise neighbourhoods, not taller.

With the understanding that this parcel of land will be redeveloped in some form, I would ask that the heights of the proposed towers be greatly reduced (particularly those facing onto Park and Victoria Street) to better fit the current streetscape of the existing surrounding neighbourhoods. I suggest:

- Reducing the heights of the towers to a mid-rise scale (5-11 storeys) which would fit in more harmoniously with the existing neighbourhoods nearby.
- Increasing the set back of the towers from the road to reduce shadows on neighbouring properties.
- Stepping back of the towers (shorter near the road, taller near the back) similar to the One Hundred Towers development along Victoria Street

Another point I would also like to bring to your attention is the noise levels. With the completion of the LRT and three towers that are already complete on Victoria St. S the traffic and noise levels are considerably higher from what they used to be. My fear is that these new builds will aggressively raise these levels further and have an even greater impact on residents enjoyment of their homes.

As I just received the notice of this proposal in mail today on deadline day to submit a response to this I was not given sufficient time to real dig into all the information available. This is extremely disappointing and disheartening as it leaves the impression that regardless of how the residents in this well established heritage community feel our thoughts and feelings will not be heard.

Sincerely,
Jason Ringer

Sent from my iPhone

April 25, 2023

Craig Dumart
Senior Planner
City of Kitchener
PO Box 1118
Kitchener, ON N2G 4G7

Dear Mr. Dumart,

I am writing on behalf of the Victoria Park Neighbourhood Association (VPNA) Development Committee in response to the proposed development at 86-194 and 200 Victoria Street South and 97–101 Park Street. Although this development is located in the Cherry Park Neighbourhood, Victoria Park residents live directly across the street and will be affected, as will others living and working in the downtown area. Our Development Committee's purpose is to advocate for sustainable and livable development in and around Victoria Park. Our four priorities for development, are to:

- Provide a supply of affordable homes, based on the City's 2020 report, *Housing for All*;¹
- Balance green spaces with development;
- Develop with climate change in mind;
- Include the community as an integral part of the development process.

We would like to stress that most downtown residents understand the need for, and benefits of, urban intensification. We prefer to see our surrounding farmland and wildlife habitats preserved, rather than disappear under urban sprawl. We also want to see a vibrant and thriving downtown. What we need is a more diverse approach to intensification, and a healthy mix of housing options that will continue to accommodate people from a different range of backgrounds, incomes, and family compositions.

¹ [1] *Housing for All: a blueprint for a more caring community*, December 2020, is the City of Kitchener's comprehensive strategy to realize the right to housing and make housing affordable using the tools and resources available to a local municipality. In defining affordability, it calls for the following:

- 450 Supportive Housing and 5,000 Community Housing units for those whose household incomes range from \$23,314 to \$37,266 and \$37,267 to \$49,932;
- 9,000 Affordable Rental Housing units for those whose household incomes range from \$49,933 to \$63,263;
- Affordable Home Ownership for those households earning \$63,262 to \$77,566.

We have reviewed the supporting documents related to the developer's application and are pleased to see that this development incorporates a number of features that are important to those of us living in the urban neighbourhoods surrounding downtown Kitchener. These include: 62 three-bedroom units that will enable families to live in the urban core; green space and the protection of a number of mature trees on the site; consideration of water conservation objectives, rainwater harvesting and "low-water use landscaping", a public plaza that will be accessible to the community; and some bicycle parking.

The following comments and recommended changes are related to our four priorities.

Affordability – The developer does not note any plans to provide affordable housing. Kitchener is experiencing a serious housing crisis for people in low to moderate income brackets. Affordable units are being renovated or torn down to make way for more expensive units and new developments, adding to the housing crunch for our most vulnerable citizens.

Recommendations:

- In response to the affordable housing crisis, as a minimum, at least 5% of all new units should be affordable, as established in Bill 23's plans for inclusionary zoning, and according to its extremely moderate definition of "affordable". Even though this aspect of the new legislation has not yet been implemented, the developer would be able to demonstrate that he is civically responsible by meeting this need and not just building for profit.

Green Spaces – Although the City of Kitchener Official Plan states that it is committed to creating "a safe, secure and walkable community dedicated to pedestrian activity," all of the new high rises in downtown Kitchener are being built right up to the sidewalk. This creates a very poor pedestrian experience by leaving no room for trees or green space and by increasing the heat island effect of "a concrete jungle". This is especially true of the new developments along Victoria Street between King and Park Streets and cannot be allowed to continue as development continues along Victoria.

Recommendations:

- That the development be set back from the sidewalk the same distance as other houses on the block between Park and Walnut to allow for green space, rainwater infiltration and trees. There are several reasons for this:
 - first, walkability and the pedestrian experience are greatly enhanced by tree canopy and greenery; the trees especially provide essential shade for pedestrians on the hottest days;
 - second, both the trees and additional green space will help to clean the air, offset the heat island effect of concrete and tall buildings, and help make up for habitat loss due to the insertion of this new development;
 - third, that ribbon of green space will provide the opportunity to introduce rain gardens under the vegetation, reducing runoff from extreme wet weather events and mitigating the potential for flooding;

- and finally, the use of pollinator plants in that space will add beauty and habitat for essential insects and birds.

Climate Change – In 2019, the City of Kitchener joined all other Region of Waterloo municipalities in declaring a climate emergency. It is incumbent on all new developments to maximize ways of protecting the environment and minimizing their greenhouse gas emissions.

Little is said about the developer's specific plans to conserve energy and water, other than to note that these issues will be addressed in the Site Plan Application. An environmentally sustainable building needs to include design and construction features based on materials selection, water usage, energy efficiency, responsible land use, and other considerations. It's not something that can be added on later in the process. We are eager to know exactly what the developer will do to build with climate change in mind, since we are already experiencing negative changes in our climate.

The developer does note that there will be 353 parking spaces for cars but doesn't specify the number of EV charging stations. He further notes there will be 296 bicycle parking spaces provided in the garage. Given plans for 436 units, and the likelihood that more than one person in many units will have a bicycle, substantially more bike parking is needed, including for visitors. As some residents are likely to want e-bikes, EV charging stations will be needed for these, as well as for cars.

Recommendations:

- That maximum efforts be made to construct all aspects of the building with climate change in mind, including: sufficient EV parking for the future; energy sources, choices, and conservation; water conservation; rain water run-off and heat mitigation; choice of building materials; bird die-off from collisions with tall building windows (not just the ones at ground level). Some specific recommendations include:
- That all car parking be equipped with EV charging stations.
- 400 bicycle parking spaces be provided and that there be 40 EV bicycle charging stations.
- That water conservation considerations include: leak monitoring and detection; sub-metering of water use in individual units; rainwater harvesting for plant watering (and ideally the pool); ensuring all water using fixtures (particularly toilets) are MaP Premium HETs to align with Region of Waterloo water conservation priorities.
- That use of fossil fuels for space/water/pool heating and cooking be minimized; that air source or ground source heat pumps be used to the heat the building if at all possible; that electric/induction stoves be standard; and the incorporation of solar panels be considered. Building low-carbon now saves future retrofit costs and should be considered essential.

- That green roof elements be incorporated into the rooftop patio to provide public education, rainwater collection, and reduce the heat island effect and temperature on the patio.

Community Engagement – During the pre-application stage, there is a great deal of discussion that takes place between developers and planners, prior to any consultation with citizens. Both developers and planners usually seem to be committed to a design that is already far advanced before citizens have a say. It is our belief that it would be helpful to all – developers, planners, and citizens – if the community were engaged earlier in the process. Citizens know their neighbourhood “on the ground” and usually have excellent insights into ways development can contribute to the community in positive ways, both for existing and future residents.

Recommendation:

- That a Citizens’ Engagement Committee be formed, composed of residents from affected neighbourhoods, including Victoria Park, the developers’ representatives, and City Planners, to ensure ongoing consultation and communication throughout the development process.

We are committed to a positive and collaborative approach to development in our neighbourhood. We want to work with developers, city staff, and other neighbourhoods to continue to make our City a healthy, vibrant, and inclusive place to live.

Thank you for your consideration of our comments and recommendations. We would like to be informed of all opportunities to contribute to this development process and we look forward to hearing from you.

Sincerely yours,

Peggy Nickels

Peggy Nickels, Chair
VPNA Development Subcommittee
c/o Victoria Park Neighbourhood Association
Downtown Community Centre

CC Councillor Debbie Chapman, City of Kitchener, Debbie.chapman@kitchener.ca
Garett Stevenson, Interim Director of Planning, City of Kitchener,
Garett.Stevenson@kitchener.ca
Members of the Victoria Park Neighbourhood Association Development Committee

Craig Dumart

From: Claire D'Alton ·
Sent: Wednesday, April 26, 2023 12:18 AM
To: Craig Dumart
Subject: comment on 97-101 Park st. and 186-194 & 200 Victoria St. S

You don't often get email from [nt](#)
Hi Craig Dumart,

My comment and concern: I have lived on Park Street for twenty-three years now and we have been in constant construct for more then half that time.

We have put up with noise pollution, dust every where and traffic congestion and large truck all day and night.

Obviously, the people who live in the homes in this area do not matter.

We are given very little notice, as it comes out in a card like junk mail

Maybe someone can let us know how long we have before this all starts and how long it will take to complete.

Look forward to the meeting.

Thank you.
Claire D'Alton
26 Park St.



Claire D'Alton (she/her)
Intermediate Administrative Assistant/
UHIP Plan Advisor
International Student Support

Phone:
Email:

75 University Avenue West, Waterloo
Ontario, Canada N2L 3C5
Office: Rm. 2A02, Arts Building

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Craig Dumart

From: Michael Brisson <mbrisson@kitchener.ca>
Sent: Wednesday, May 3, 2023 8:54 AM
To: Craig Dumart
Subject: 97 Park / 200 Victoria
Attachments: 677489_Rail Vibration Assessment.pdf

Hi Craig,

Do you have a link to the 2 tower proposal for this site as mentioned in this vibration report letter ?

Thanks

Michael

https://app2.kitchener.ca/AppDocs/OpenData/AMANDADataSets/677489_Rail%20Vibration%20Assessment.pdf

Sent from my iPad