

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

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CITY OF KITCHENER

130 - 142 Victoria Street South

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

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**SECTION 1 – TITLE AND COMPONENTS**

This amendment shall be referred to as Amendment No. ## to the Official Plan of the City of Kitchener (2014). 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 the Official Plan by adding Site Specific Policy Area 7 to Map 4 - Urban Growth Centre (Downtown) and by adding associated Site Specific Policy Area 15.D.2.70 to the text of the Official Plan.

**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,

- d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- 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. 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.

The Ministry of Municipal Affairs and Housing is proposing 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 in effect at the time this report was prepared.

**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 and 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 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 to 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 2.2.1.4 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.

Policy 2.2.3 requires that Urban Growth Centres be planned to accommodate significant population growth with a minimum density target of 200 residents and jobs per hectare.

Policy 2.2.4 requires that planning be prioritized for MTSAs on priority transit corridors, including zoning in a manner that implements the policies of the Growth Plan. MTSAs 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 (MTSAs) that are required to achieve the minimum density target of 160 residents and jobs combined per hectare.

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.

The subject lands are located within the delineated built up area, and within the Urban Growth Centre and Central Station Major Transit Station Area. The proposed development represents intensification and will help the City achieve density targets in the UGC and 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.

**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 and are within the Central Station Major Transit Station Area (MTSA) and the Urban Growth Centre (UGC). MTSA's and UGCs are appropriate locations for intensification. The proposed development conforms to Policy 2.D.1 and 2.D.2 of the ROP as this development provides for the physical infrastructure and community infrastructure to support the proposed mixed use 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 Region of Waterloo have indicated they have no objections to the proposed applications or to higher density on the subject lands (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 to a complete community with 249 residential units and 1,150 square metres of non-residential commercial and office space. Considerable thought for the orientation and placement of the building, podium heights, building step backs, and vehicular and pedestrian connections to Victoria Street South and Bramm Street have been incorporated into the design for this high intensity mixed use development.

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 the Urban Growth Centre (UGC), which is the city's primary focal point for intensification. Staff is of the opinion that the proposed Official Plan Amendment will support a development that complies with the City's policies of the UGC and also contributes to the vision for a complete and healthy city.

#### Land Use Designation – Urban Growth Centre - Mixed Use

The subject lands are designated 'Urban Growth Centre - Mixed Use' (Map 4) of the Official Plan (2014). The Urban Growth Centre is planned to achieve a minimum density of 225 residents and jobs per hectare and is planned to accommodate a significant share of the city's population growth. Policies of the Urban Growth Centre support reduced parking rates where they are supported by Transportation Demand Management (TDM) measures, and parking designs that locate/screen parking from view of the public realm and discourage new surface parking lots. Priority is given to pedestrian, cycling and transit over vehicular circulation and accommodation. Development is required to have regard for and contribute to the public realm, and high quality urban design is expected.

The Mixed Use land use designation permits a broad range of uses at different scales and intensities. Policies of the Mixed Use designation encourage developments to achieve a high standard of urban design, and to be pedestrian-oriented and human-scaled in order to positively contribute to the public realm. Developments are required to be compatible with surrounding areas, be transit-supportive and cycling and pedestrian-friendly. Over time it is intended that the Mixed Use areas shall intensify and provide a balanced distribution of commercial, multiple residential and institutional uses.

Consideration of the policies of the Urban Growth Centre- Mixed Use designation are provided below. The applicant is proposing to add Site Specific Policy 15.D.2.70 to allow a maximum Floor Space Ratio (FSR) of 13.7 whereas the current Official Plan policies allow for a maximum FSR of 5.0 for developments which provide for below-grade parking.

#### PARTS Central Plan

The subject lands are located within the PARTS Central Plan which is a guiding document for land uses within and around rapid transit station stops. The PARTS Central Plan made recommendations for amendments to the Official Plan designations within MTSAs, which have not yet been implemented. Some of the primary recommendations are to encourage the development of underutilized sites with higher density live-work environments and to increase housing supply with multi-unit residential while protecting existing stable neighbourhoods. The subject lands were identified as High Density Mixed Use in the PARTS Central Plan. The proposed development provides for a higher density housing option and the proposed amendment is in keeping with the PARTS Central vision for development.

#### Neighbourhood Planning Review (NPR)

The subject lands are not within an NPR area as they are located within the designated Urban Growth Centre.

### Growing Together

The Growing Together project is the continuation of the City's ongoing planning review process that began with Planning Around Rapid Transit Station Areas 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 priorities. The subject lands have been identified in the Growing Together: Draft Approach to Growth and Change as Strategic Growth Area - Four (SGA4) Zone which is contemplated to have no height or density limits, and no parking requirement. The proposed development aligns with the direction of Growing Together.

### Parkland

The Proposed Development includes private indoor and outdoor rooftop amenity spaces for residents of the proposed development. The parkland dedication requirement for this submission and will be assessed at the time of Site Plan Approval and will be subject to the Parkland Dedication Policy in effect.

### Urban Design

Policies of the Urban Growth Centre require high quality urban design for buildings, signage, and streetscapes to enhance street life and create local pride and interest and the City encourages innovation and architectural excellence in urban development. Further direction on contributing to high quality design for particular areas of the Urban Growth Centre (Downtown) is contained in the Urban Design Policies 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.

Streetscape – Both the Victoria Street South and Bramm Street frontages are 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, and the building design incorporates a recessed ground floor along the Bramm Street frontage which enhances the pedestrian realm and provides a weather protected sidewalk along Bramm Street. This area will be secured as publicly accessible enhancement to the public street through the future site plan process.

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 6<sup>th</sup>, 21<sup>st</sup>, and 25<sup>th</sup> floors which mitigate overlook issues and shadow impacts.

The tower placement has been oriented towards Victoria Street with massing broken up vertically by articulation and variation in building materials. Furthermore, balconies for the residential units are included on all elevations. Ground floor commercial units and residential lobby space are proposed which will further enhance and activate the streetscape.

Tall Building Guidelines - The proposed development has 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.

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.

Staff is supportive of the development concept as provided for in the Addendum to Urban Design Brief (see Appendix 'F') and recommend that Council endorse the Development Concept for implementation through the Site Plan review process.

### Public Health and Safety

Official Plan policies seek to minimize and mitigate land use conflicts between sensitive land uses and natural hazards, sources of noise and vibration, potential contamination, and aviation safety hazards.

- A portion of the subject properties are in the flood fringe portion of a Two-Zone Floodplain policy area. Lands located in the flood fringe are developable, subject to a permit being issued by the Grand River Conservation Authority (GRCA). The GRCA has reviewed the subject applications and have no objections to the development proposal.
- A Record of Site Condition is required prior to residential uses being permitted and a Holding Provision is recommended in this regard.
- An Environmental Noise Feasibility Assessment was submitted in support of the applications to evaluate traffic, rail and stationary noise sources as well as rail vibration. The Region and CN Rail have reviewed the report and have requested that Holding Provisions be applied to the lands through the site-specific zoning to require completion of a detailed stationary noise study and updated rail noise and vibration assessment report prior to residential uses being permitted.
- The subject lands are located outside of lands regulated by Transport Canada's Region of Waterloo International Airport Zoning Regulations (AZR). The owner may be required to submit Land Use Proposal Submission Forms to NAV CANADA and an Aeronautical Assessment Forms to Transport Canada to notify them of the location of the new tall building and any temporary cranes.

### 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. Policy 3.C.2.22 states that until such time as Station Area Plans are completed and the Official Plan is amended, 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. These 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.

The proposed Official Plan Amendment and Zoning By-law Amendment applications support a high-density mixed-use development. The proposed building will result in a built form that fosters walkability within a pedestrian-friendly environment that allows walking and cycling to be safe, comfortable, barrier-free and a convenient form of urban travel. A Streetscape Plan has been prepared demonstrating that the design of the buildings will feature a high quality public realm which will contribute to the pedestrian experience along Bramm Street and Victoria Street South. This plan will be further implemented through the Site Plan review process.

The subject lands are located in close proximity to the Central ION stop and the multi-modal transit hub. Bus transit is easily accessible with a stop for GRT Route 20

available on Victoria Street South. The subject site has excellent access to walking and cycling trails, such as the Iron Horse Trail, Cherry Park Trail and the downtown cycling grid. 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. Secure and weather protected bicycle parking is required as part of the Zoning By-law and is proposed to be located in several bike rooms within the building.

The Official Plan also includes policies which support reduced parking rates in support of active transportation and transit in intensification areas. The subject lands are located in the Urban Growth Centre which is the City's primary intensification area, and has good access to transit, the cycling network. The subject building has been designed with a below-grade parking structure to accommodate 27 parking spaces, including 3 barrier free spaces, and at grade short term loading/delivery spaces are provided off of the private laneway. The proposed development provides 1 secure and weather protected bike parking space per unit, and the proposed built form will contribute positively to the streetscape and enhance the pedestrian experience. Other TDM measures including unbundled parking, and transit information packages are also proposed. Staff is of the opinion that the proposed development will help to increase density in an area well served by nearby transit and rapid transit while being context sensitive to surrounding lands and provides excellent access to off-road pedestrian and cycling facilities.

#### 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 development is contemplated to include a range of unit types including one, two and three bedroom units, and live-work units, which 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.

A Preliminary Sustainability Statement and Energy Report were submitted in support of the applications. Staff have reviewed the reports and find that 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. These measures will be further detailed through the Site Plan Approval stage.

### Cultural Heritage

Policies of the Official Plan seek to conserve cultural heritage resources. The property municipally addressed as 142 Victoria Street South (and located within the subject lands) is listed as a non-designated property of cultural heritage value or interest on the City's Municipal Heritage Register. The buildings at 130 and 138 Victoria are not considered to have heritage value. The subject lands are also located within the Warehouse District Cultural Heritage Landscape, a significant cultural heritage landscape as per the Kitchener Cultural Heritage Landscape Study (CHLS) which was prepared by The Landplan Collaborative Ltd and approved by Council in 2015.

A Heritage Impact Assessment (HIA) was prepared and recommends demolition of the existing listed structure at 142 Victoria Street South. The HIA was considered by the Heritage Kitchener Committee at its June 7, 2022, meeting and does not require further consideration. The final approval of the HIA and the Salvage and Documentation Plan will be made conditions of Site Plan Approval.

The HIA assessed the three buildings and found that only 142 Victoria Street South had heritage value, meeting 1 out of 9 criteria of *Ontario Regulation 9/06*, used to evaluate the cultural heritage value of the buildings. However, due to the recent changes brought about by Bill 23 to the *Ontario Heritage Act*, 142 Victoria Street South would not be a candidate for designation, as any property must now meet two or more criteria to be considered for designation. The building could remain listed as a non-designated property of cultural heritage value on the City's Municipal Heritage Register until January 1, 2025, after which it will be de-listed and cannot be put back on the Register for the next five (5) years, i.e. - January 1, 2030. Due to the conclusions of the cultural heritage evaluation of all three buildings, and with 142 Victoria Street South not meeting the criteria needed for designation under Part IV of the Ontario Heritage Act, the HIA recommends demolition as the preferred option, with conservation through documentation including measured drawings, photographic documentation, and reuse/salvage of materials and elements including the date stone and front entrance and other building materials such as bricks in interior common spaces, and documenting with plaquing and signage. In addition, a photographic curtain wall is proposed to represent 142 Victoria Street South in the building elevation of the new development as a commemorative feature.

Through the review process, the applicant worked with planning and heritage staff to improve the built form. Through this process staff and the applicant explored options which would have resulted in retention of the façade in situ, however this solution did not support the overall design of the podium, and desired ability to activate the street line façade. Heritage Planning staff are supportive of the revised development plans and note that comments provided by staff have been incorporated into the overall

design. The option included in the Addendum to the Urban Design Brief (Appendix 'F') is the preferred option from a heritage commemoration perspective.

### Holding Provisions

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 and will not be removed through a by-law amendment until such time as a Record of Site Condition has been acknowledged by the Province, an updated Stationary Noise Study has been reviewed and approved by the Region of Waterloo, and an updated noise and vibration report has been reviewed and approved to the satisfaction of CN.

### **Proposed Official Plan Amendment and Conclusions**

The proposed high-rise, high-density mixed-use development is appropriate in the Urban Growth Centre. Policies support a compact urban form that encourages 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 rapid transit. The building and development will contribute to a high quality public realm. Through the Site Plan Approval process, the applicant will be required to make parkland dedication.

The Official Plan Amendment proposes that the land use designation be changed from 'Mixed Use' to 'Mixed Use with Site Specific Policy Area 7' to permit a Floor Space Ratio (FSR) of 13.7. 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".

## **SECTION 4 – THE AMENDMENT**

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

- a) Part D, Section 15.D.2. is amended by adding Site Specific Policy 15.D.2.70 as follows:

**"15.D.12.70. 130-142 Victoria Street South**

Notwithstanding the Mixed Use land use designation and policies within the Urban Growth Centre, on lands municipally known as 130-142 Victoria Street South, a Floor Space Ratio (FSR) of 13.7 will be permitted.

A Holding provision pursuant to Section 17.E.13 will apply to residential uses. The Holding provision will not be removed until such time as:

- a) A Record of Site Condition has been acknowledged by the Province and a release has been issued by the Region.
  - b) A detailed stationary noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo.
  - c) The City is in receipt of correspondence from CN indicating that an updated Noise and Vibration Assessment Report has been completed to their satisfaction, and that a CN Agreement, environmental easement for operational noise and vibration emissions, and a restrictive covenant regarding implementation and maintenance of noise isolation measures have been entered into, granted and registered, as may be required by CN."
- b) Amend Map No. 4 – Urban Growth Centre (Downtown) by adding Specific Policy Area "7. 130-142 Victoria Street South (Policy 15.D.2.70)" to the 'Area of Amendment', as shown on the attached Schedule 'A'.

APPENDIX 1 - NOTICE OF PUBLIC MEETING

# NOTICE OF PUBLIC MEETING

for a development in your neighbourhood  
130-142 Victoria Street South



Concept Drawing

### Have Your Voice Heard!

Planning & Strategic Initiatives Committee

Date: **September 18, 2023**  
Location: **Council Chambers,  
Kitchener City Hall  
200 King Street West  
or Virtual Zoom Meeting**

Go to [kitchener.ca/meetings](http://kitchener.ca/meetings)  
and select:

- Current agendas and reports (posted 10 days before meeting)
- Appear as a delegation
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or contact:

**Katie Anderl, Project Manager**  
[katie.anderl@kitchener.ca](mailto:katie.anderl@kitchener.ca)  
519.741.2200 x7987



Mixed Use



25 Storeys



Floor Space Ratio of 13.7

The City of Kitchener will consider applications to amend the Official Plan and Zoning By-law to permit the lands at 130-142 Victoria Street South to be developed with a 25-storey mixed use building that would include 249 dwelling units and 4 retail units. The applicant is proposing to amend the existing policies and regulations to increase the maximum Floor Space Ratio (FSR) from 2.0 to 13.7, to increase the maximum permitted building height from 13.5 metres to 80 metres, and to permit the proposal to use Urban Growth Centre Parking rates rather than Mixed Use Corridor parking rates.

APPENDIX 2

Minutes of the Meeting of Planning and Strategic  
Initiatives Committee – September 18, 2023



APPENDIX 3

Minutes of the Meeting of City Council - DATE