

# Staff Report



Development Services Department

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**REPORT TO:** Heritage Kitchener

**DATE OF MEETING:** January 9, 2024

**SUBMITTED BY:** Garrett Stevenson, Director, Housing and Development Approvals,  
519-741-2200 ext. 7070

**PREPARED BY:** Jessica Vieira, Heritage Planner, 519-741-2200 ext. 7291

**WARD(S) INVOLVED:** Wards 9 & 10

**DATE OF REPORT:** December 11, 2023

**REPORT NO.:** DSD-2024-009

**SUBJECT:** Growing Together – Heritage Implementation Measures

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## RECOMMENDATION:

For information.

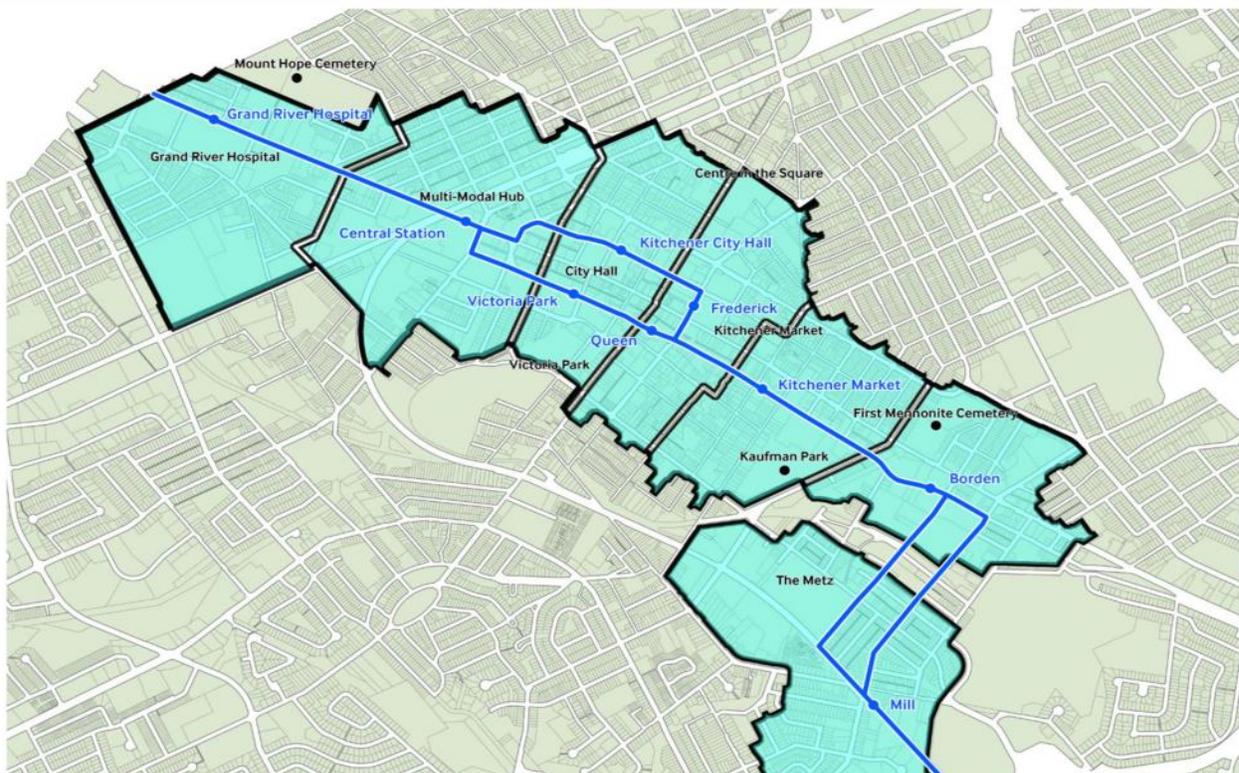
## REPORT HIGHLIGHTS:

- The purpose of this report is to inform Heritage Kitchener and Council on the recommended approach to continued cultural heritage conservation through the *Growing Together* project and the proposed policy changes intended to further cultural heritage measures.
- The key finding of this report is that the proposed Official Plan policy and zoning by-law changes are not anticipated to result in loss of cultural heritage resources. The existing heritage tools currently in use – including Heritage Conservation District Plans, designation, and the ability to request heritage studies in certain situations - remain in effect. Further, the proposed Official Plan amendments include the introduction of new policies intended to implement and protect cultural heritage landscapes.
- There are no financial implications.
- In November 2023 three drop in sessions were held and materials were posted on the Growing Together engage page for the community and stakeholders to review draft Official Plan and Zoning By-law amendments. These amendments included proposed policy changes intended to further cultural heritage conservation measures. Community engagement also includes consultation with the Heritage Kitchener Committee.
- This report supports the delivery of core services.

## BACKGROUND:

Kitchener is growing, and much of that growth is centred around the ION LRT system and its associated stations. These areas are identified as Protected Major Transit Station Areas (PMTSAs) by the Region of Waterloo. Directing development to well-served areas contributes to sustainable city-building, creates complete communities, and provides the greatest benefit to the greatest number of people. As such, PMTSA's have unique provincial and regional policies, with intensification around transit being a core fundamental principle of Ontario's Planning Framework. To implement these policies, the City of Kitchener has launched *Growing Together*, a continuation of the ongoing planning review process that began with Planning Around Rapid Transit Stations (PARTS) and advanced through the Neighbourhood Planning Review (NPR) project. *Growing Together* involves updates to the City's planning framework, including necessary updates to cultural heritage policies such as the implementation of cultural heritage landscapes located wholly within the PMTSAs outlined below. While the Regional Official Plan identified a total of 10 PMTSAs, *Growing Together* focuses on seven areas west of the expressway (Figure 1). The seven PMTSAs are as follows:

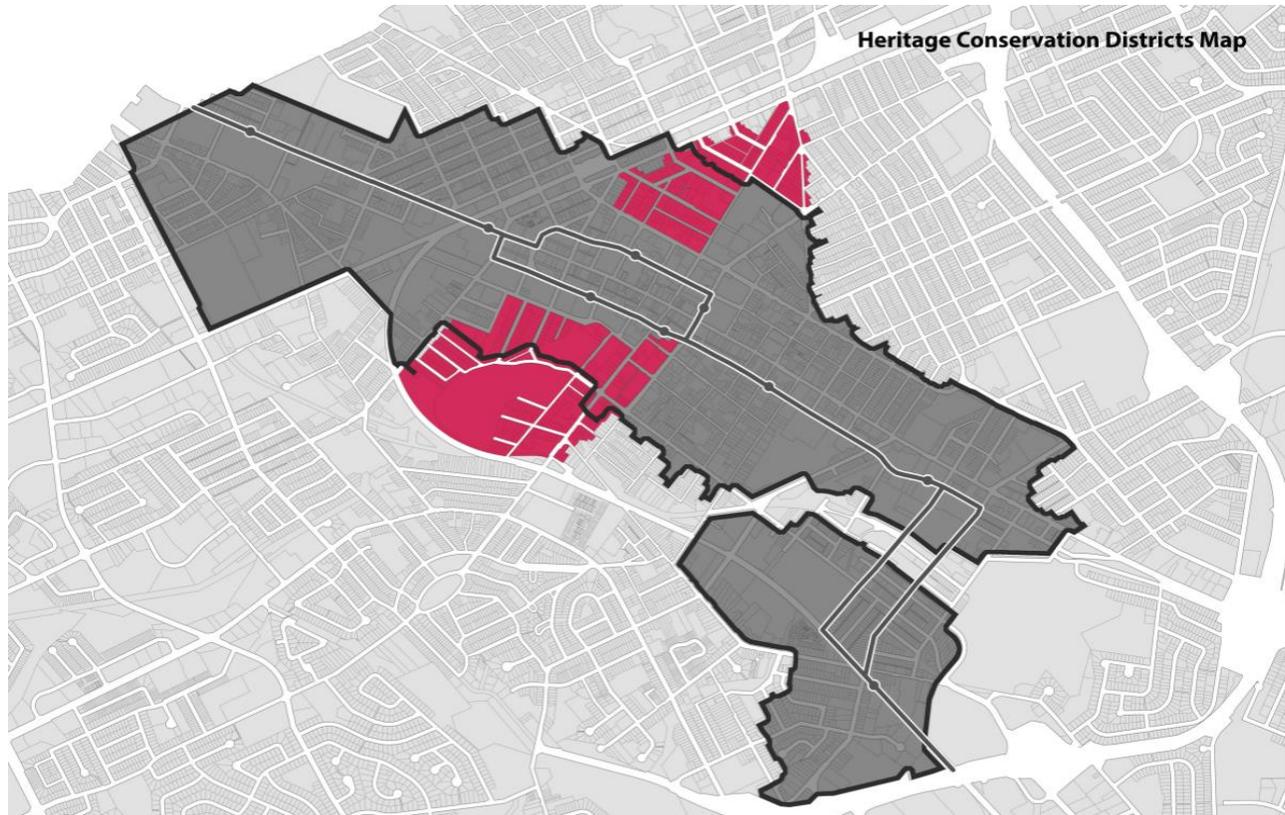
- Grand River Hospital;
- Central Station Innovation District;
- Victoria Park & Kitchener City Hall;
- Frederick & Queen;
- Kitchener Market;
- Borden; and
- Mill.



**Figure 1: Growing Together – the 7 Protected Major Transit Station Areas**

## REPORT:

There are two Heritage Conservation Districts (HCDs) whose boundaries overlap with the defined boundaries of the PMTSA's. They include the Victoria Park Area Heritage Conservation District and the Civic Centre Neighbourhood Heritage Conservation District (Figure 2).



**Figure 2: The HCD's (identified in red) within the boundaries of Growing Together**

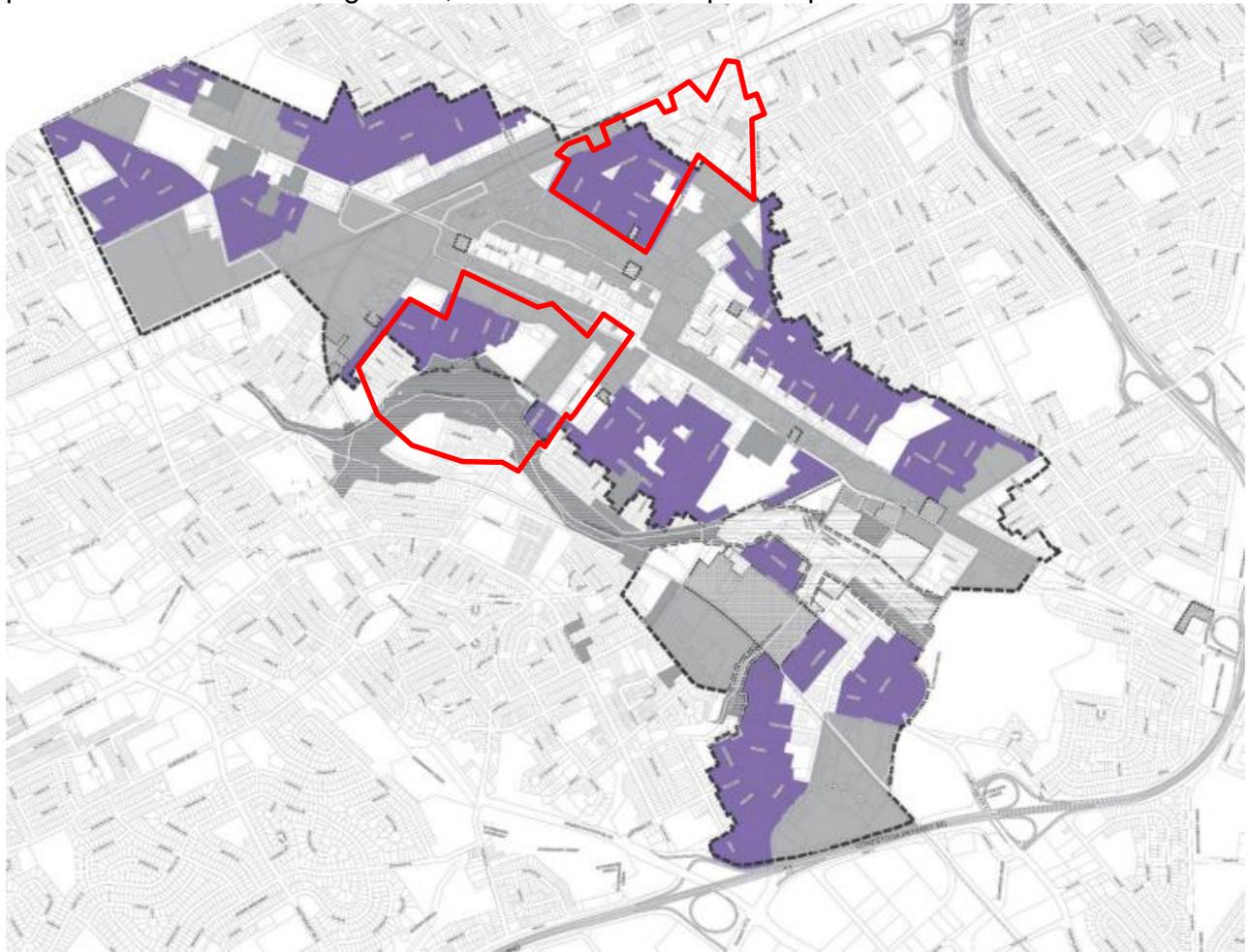
There are also 14 Cultural Heritage Landscapes (CHL's) that have properties located within the PMTSAs (Figure 5):

- Rockway Gardens
- Gildner Green Neighbourhood
- Gruhn Neighbourhood
- Mount Hope Cemetery
- Union Boulevard
- Iron Horse Trail
- Canadian National Railway Line
- Victoria Park Neighbourhood
- Victoria Park
- Jubilee Drive
- Cedar Hill and Schneider Creek Neighbourhood
- Onward Avenue Neighbourhood
- Fire Mennonite Cemetery
- St Peters Lutehran Cemetery.

## **Official Plan Amendments**

Through the Growing Together project, Planning Staff are proposing the application of new land use designations to the PMTSAs using several different evaluation criteria. The policies of the HCD Plans and consideration towards the protection of CHLs formed part of this evaluation criteria.

The land use proposed within the HCDs is primarily Strategic Growth Area A (SGA-A) (Figure 4). This proposed land use limits new buildings to low and mid-rise forms and is appropriate for existing low-rise, predominately residential neighbourhoods. Building heights are limited to eight storeys, and development proposals for buildings over this height allowance will require an Official Plan Amendment. Compatible non-residential uses are permitted within this designation, such as small shops and personal services.



**Figure 3: Strategic Growth Area A (SGA-A) with approximate locations of HCD's**

## **Compatibility with Heritage Conservation Districts**

The Civic Centre Neighbourhood and Victoria Park Area HCDs are comprised primarily of low-rise dwellings that are residential in use and provide for a human scale. There are some specific areas, focused mainly around the perimeters of the districts, that have been redeveloped for higher-rise forms of housing or converted to office and commercial uses.

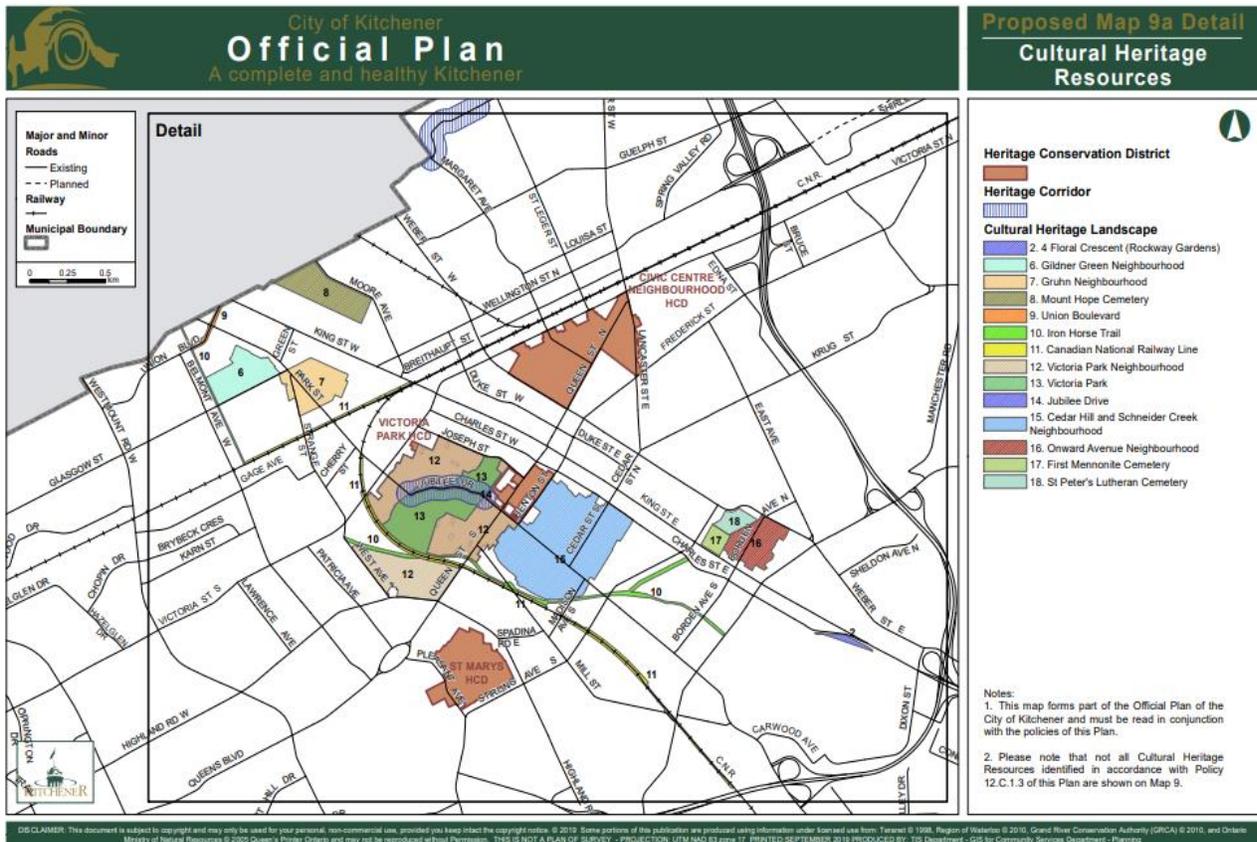
The SGA-A land use is proposed to allow for development that is appropriate for and continues to support the identified characteristics of the HCDs. This includes modest infill, integrated redevelopment, or development on the few sites where new buildings can be constructed without the demolition of existing structures.

No loss of cultural heritage resources is anticipated as a result of Growing Together. The existing heritage tools currently in use – including HCD Plans and the policies within that direct how development should occur, designation, and the ability to request heritage studies in certain situations - remain in effect. Further, Growing Together has introduced additional Official Plan policies and refined existing ones to ensure continued compatibility between the Official Plan and policies and guidelines of the HCD's. Among other things, a new policy is proposed which outlines that should conflict between the policies of the Official Plan and policies of a HCD Plan occur, then the HCD plan prevails. This new policy is in accordance with the policies of the *Ontario Heritage Act*.

### Cultural Heritage Landscape Policies

In addition to ensuring compatibility with designated heritage resources, the amendments proposed through Growing Together will also implement greater recognition and protection of CHLs. CHLs can be defined as geographical areas that may have been modified by human activity and that are identified as having cultural heritage value or interest by a community.

Through the Kitchener Cultural Heritage Landscape Study prepared by the Landplan Collaborative Ltd. in 2014 and approved by Council in 2015, an inventory of 55 CHLs were identified. Through the Lower Doon Land Use Study Implementation Project completed in 2023, one of those CHLs has been implemented. Growing Together will implement 14 additional CHLs that are within its boundaries, by identifying them on Map 9a (Figure 5) and introducing new policies within the Official Plan. By identifying the CHLs on Map 9a, the submission of heritage studies, including Heritage Impact Assessments and/or Heritage Conservation Plans, can be required for development, redevelopment, and site alteration of a property within a CHL. This is a key policy that will now be able to be implemented across 14 CHLs as work on detailed CHL specific policies continues. The new policies also outline requirements for the design of developments or redevelopment within a CHL to support, maintain, and enhance major characteristics and attributes and be compatible with the existing area.



**Figure 4: Map 9a of the Official Plan - Cultural Heritage Landscapes (CHL's)**

### Cedar Hill Cultural Heritage Landscape Implementation

Through a comprehensive review and analysis of the Cedar Hill and Schneider Creek Neighbourhood CHL, that occurred through the City's Neighbourhood Planning Review process, detailed policies have been developed and are proposed to be implemented through Growing Together. These policies identify gateway locations and significant views or vistas within the CHL. At the key gateway locations, careful consideration of built form is encouraged to protect and enhance the CHL during development or redevelopment. Appropriate transitions, building height, and setbacks are encouraged to contribute to and enhance the pedestrian experience and enjoyment of the area.

As noted above, detailed review and analysis for the remaining 13 CHLs within the PMTSA's is scheduled to be completed at a later date. The formulation of CHL-specific policies, like those proposed for the Cedar Hill and Schneider Creek Neighbourhood, requires a complete and holistic understanding of the unique attributes and characteristics of each CHL. In the interim, by identifying the 14 CHLs within the Official Plan, relevant heritage studies can be required through the development review process. The additional review and analysis of the CHLs within the PMTSAs, along with a review of the remaining CHLs will commence in 2025 once the current review of properties on the Municipal Heritage Register is completed in 2024.

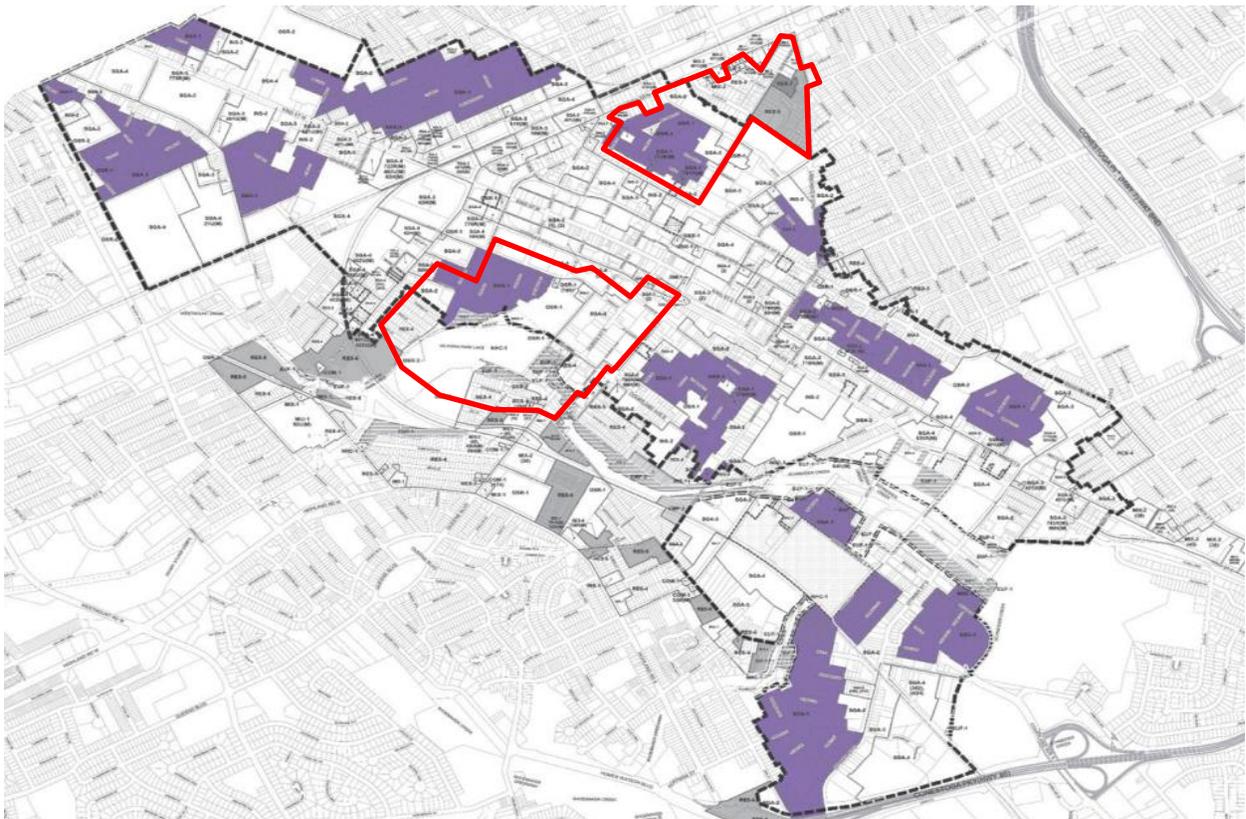
## **Zoning By-law Amendments**

Growing Together determined the application of new zones within the PMTSAs using several different evaluation criteria. The policies of the HCD Plans and consideration towards the protection of cultural heritage landscapes formed part of this evaluation criteria. The new zoning proposed for the HCDs is primarily low-rise, with limited select areas identified as being appropriate for the zones that support medium or high-rise development.

### **Strategic Growth Area One (SGA1) Zone**

The SGA-1 zone permits low-rise building forms and have a maximum height allowance of 11 metres (three storeys). Other fundamental regulations that apply to this zone include minimum lot widths and areas dependent on building size and unit counts and minimum setbacks. There are no minimum parking requirements. The SGA-1 zone is intended to support missing middle infill housing and complementary non-residential uses such as small shops, cafes, and home businesses. The majority of the lands within the Civic Centre Neighbourhood HCD and the existing residential neighbourhoods to the northwest of the Victoria Park Area HCD are proposed to be this zone.

This zoning is proposed to apply to some parts of the Cultural Heritage Landscapes. With the proposed amendments to the Official Plan, Heritage Impact Assessments and/or Heritage Conservation Plans can now be required for development, redevelopment, and site alteration of properties within a CHL even if the property is not listed or designated.



**Figure 5: Strategic Growth Area One (SGA-1) Zone with approximate locations of HCDs**

Strategic Growth Area Two (SGA-2) Zone

The SGA-2 zone permits mid-rise building forms and has a height allowance of up to 8 storeys. Other fundamental regulations of the SGA-2 zone includes minimum lot widths and areas dependant on the size of the building, stepback requirements for upper storeys of the buildings, yard setbacks of 3.0 metres, and the provision of set amounts of landscaping and amenity space. There are no minimum parking requirements. The SGA-2 zone is intended to support missing middle and mid-rise infill housing along with a range of non-residential uses such as offices, shops, and services.

The exterior areas of the Civic Centre Neighbourhood HCD – primarily those properties which front onto Weber Street – are proposed to be zoned SGA-2. There are few areas within the Victoria Park area proposed for this zone.

This zoning is proposed to apply to some parts of the Cultural Heritage Landscapes. With the proposed amendments to the Official Plan, Heritage Impact Assessments and/or Heritage Conservation Plans can now be required for development, redevelopment, and site alteration of properties within a CHL even if the property is not listed or designated.



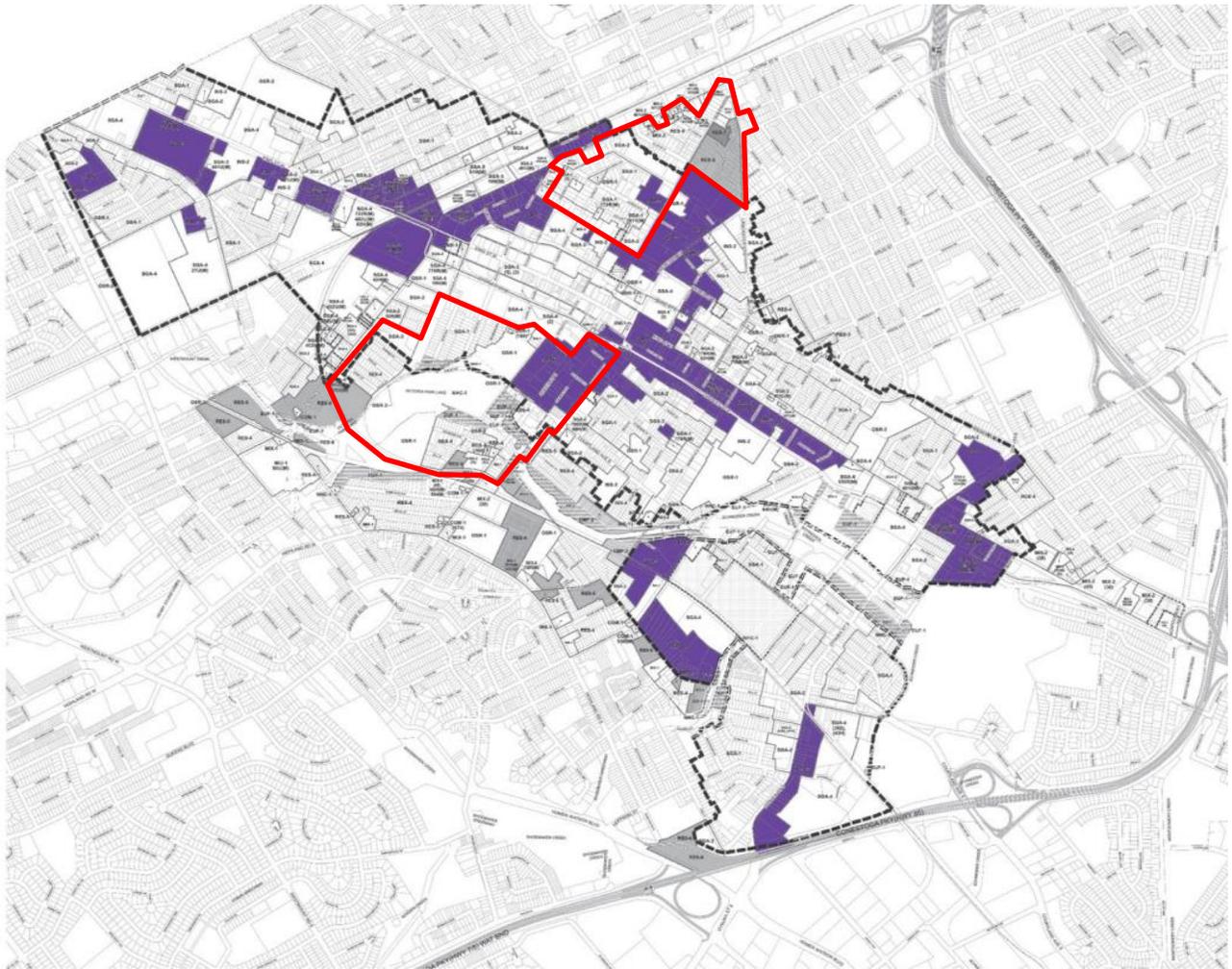
**Figure 6: Strategic Growth Area Two (SGA-2) Zone with approximate locations of HCDs**

### Strategic Growth Area Three (SGA-3) Zone

The SGA-3 zone permits high-rise building forms and have a height allowance of up to 25 storeys. Other fundamental regulations of this zone include minimum lot widths and areas dependent on building size, minimum yard setbacks of 3 metres or greater when adjacent to a low-rise zone, and the provision of set amounts of amenity space. There are no minimum parking requirements. The SGA-3 zone is intended to support missing middle, mid-rise, and high-rise housing along with a full range of non-residential uses.

There are limited areas within the HCDs that are proposed to be zoned SGA-3. The SGA-3 zone is proposed to be applied primarily along the Queen Street South corridor within the Victoria Park Area HCD. The Queen Street South corridor is identified as an area of intensification and transition within the Victoria Park Area HCD Plan, with higher rise building forms already present. Examples include 150 Queen Street South, 221 Queen Street South, 242 Queen Street South, 310 Queen Street South, and 112 Benton Street. Accordingly, the HCD Plan contains policies which direct new development to this area and outline how it should progress in order to conserve heritage resources while enhancing the historic and civic character of the area. Heritage permits would still be required for alterations or new construction, and City Staff retain the ability to request heritage studies be completed for significant work. Recent development applications that have been received by the City and reviewed by Heritage Planning Staff and Heritage Kitchener have demonstrated that, through the heritage review process, significant redevelopment and the construction of tall-buildings can be undertaken in a manner that still protects and conserves our cultural heritage resources. Examples include 16-20 Queen Street North and 88 Queen Street South.

This zoning is proposed to apply to some parts of the Cultural Heritage Landscapes. With the proposed amendments to the Official Plan, Heritage Impact Assessments and/or Heritage Conservation Plans can now be required for development, redevelopment, and site alteration of properties within a CHL even if the property is not listed or designated.



**Figure 7: Strategic Growth Area Three (SGA-3) Zone with approximate locations of HCDs**

#### Strategic Growth Area Four (SGA-4) Zones

There are no SGA-4 zoned properties proposed within the Heritage Conservation Districts. This zoning is proposed to apply to some parts of the Cultural Heritage Landscapes. With the proposed amendments to the Official Plan, Heritage Impact Assessments and/or Heritage Conservation Plans can now be required for development, redevelopment, and site alteration of properties within a CHL even if the property is not listed or designated. This will help in ensuring that development proposals of any scale will consider and conserve the characteristics of the CHL.

#### **STRATEGIC PLAN ALIGNMENT:**

This report supports the delivery of core services.

#### **FINANCIAL IMPLICATIONS:**

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

### **COMMUNITY ENGAGEMENT:**

INFORM – This report has been posted to the City’s website with the agenda in advance of the Heritage Kitchener meeting. The draft Official Plan and Zoning By-law amendments were posted to the Growing Together Engage WR project page in early November. To inform residents of the *Growing Together* project, over 10,000 postcards were circulated. Advertisements of the November drop-in sessions were placed in the WR Record.

CONSULT & COLLABORATE – The *Growing Together* project utilized an interactive workshop format as the primary means of community engagement. Thirteen unique engagements totalling over 72 hours and involving more than 1,100 members of the community. This included a mix of residents within the project area, members of the broader community, and identified key stakeholders. The feedback obtained from the workshops was utilized in developing the draft land use and zoning direction that has now been released.

### **PREVIOUS REPORTS/AUTHORITIES:**

There are no previous reports/authorities presented to Heritage Kitchener related to this matter. Additional Information on the Growing Together project can be found at [www.engagewr.ca/growingtogether](http://www.engagewr.ca/growingtogether)

**REVIEWED BY:** Rosa Bustamante, Director, Planning and Housing Policy/City Planner  
Natalie Goss, Manager, Policy & Research

**APPROVED BY:** Justin Readman, General Manager, Development Services Department

### **ATTACHMENTS:**

- Attachment A – Draft Official Plan Amendment
- Attachment B – Draft Official Plan and Land Use Mapping
- Attachment C – Draft Zoning By-law Amendment
- Attachment D – Draft Zoning Mapping
- Attachment E – Excerpt of Heritage Related Proposed and Amended Policies