



SHAPING GREAT COMMUNITIES

January 26, 2024

File No. 22301

Office of Mayor and City Council
Planning Division, 2th Floor
200 King Street West
Kitchener, ON N2G 4Y9

Attention: Chair Singh and Members of Planning & Strategic Committee

Dear Chair Singh:

**Re: Growing Together
Protected Major Transit Station Area Land Use & Zoning Framework
Report No. DSD-2024-005
169 to 183 Victoria Street South**

On behalf of 1000002286 Ontario Ltd. and Legion Heights Victoria Inc., please accept the following commentary and response to the Growing Together – Protected Major Transit Station Area Land Use and Zoning Framework (Report No. DSD-2024-005). This correspondence should be reviewed in conjunction with our correspondence dated November 30, 2023 (see attached)

1000002286 Ontario Ltd. and Legion Heights Victoria Inc. acquired the properties at 169 to 183 Victoria Street South with the intent of providing for a medium-density residential development project, which initially included an 8-storey apartment building with a total of 125 dwelling units along with underground parking.

The proposed development was subject to Pre-Submission Consultation on April 12, 2023, at which it was determined that an application for Zoning By-law Amendment would be required to address a site-specific variances to the existing zoning, including setbacks, podium height and parking. The project consulting team is actively working on all required supporting studies and reports with the hopes of submitting a formal application for Zoning By-law Amendment in the near future.

The property is proposed to be located within a Protected Major Transit Station Area in the Official Plan Amendment for the “Growing Together” initiative, which are areas intended to support transit through accommodating future growth and development through a mix of residential, office, institutional and commercial uses that provide for connectivity to various modes of transportation and have streetscapes and built forms that are pedestrian and transit friendly.

The properties are proposed to be designated as Strategic Growth A in the Official Plan Amendment as part of Staff Report DSD-2024-005, which permits all forms of residential development as well as a range of non-residential uses that will support complete communities. Development within a Strategic Growth Area A will have a maximum building height of 8 storeys (with opportunities to increase building height to a maximum of 10 storeys through the implementing by-law, where

appropriate) and a minimum FSR of 0.6. The development concept has been further refined to include a 10-storey tower with a total of 138 dwelling units, which is reflective of the objective and intent of the Strategic Growth Area A designation and policies.

The properties are proposed to be zoned SGA-2: Mid Rise Growth Zone in the Zoning By-law Amendment as part of Staff Report DSD-2024-005, which permits a range of low and medium-rise residential uses with a maximum building height of 8 storeys, a minimum FSR of 1.0, no maximum FSR and no minimum parking requirement. In addition, the SGA-2 Zone requires a maximum building height of 20 metres for development within 15 metres of a low-rise residential zone, and a minimum rear yard setback of 7.5 metres for development abutting a low-rise residential zone.

1000002286 Ontario Ltd. and Legion Heights Victoria Inc. supports the proposed Protected Major Transit Station Area and Strategic Growth Area A designation as well as the proposed SGA-2: Mid Rise Growth Zone intended for the subject properties identified as part of Staff Report DSD-2024-005. However, we continue to have concerns with the provision to limit building height to a maximum of 20.0 metres for development within 15.0 metres of a low-rise residential zone. The requirement to include podiums and building step backs on a mid-sized residential development project may have a very significant impact on building design and layout optimization, particularly on smaller or awkwardly shaped parcels of land. We believe that the potential impacts associated with building scale and size can be mitigated through appropriate building design considerations on a site-by-site basis rather than a standard requirement applied to all Protected Major Transit Station Areas.

1000002286 Ontario Ltd. and Legion Heights Victoria Inc. believes that the Growing Together initiative is a positive, comprehensive policy and regulatory initiative undertaken by the City that will continue to encourage investment in transit station areas; they are generally supportive of the strategic policy and regulatory framework as proposed. We look forward to continuing to work and collaborate with staff as we move forward with redevelopment plans for the subject site.

On behalf of 1000002286 Ontario Ltd. and Legion Heights Victoria Inc. we respectfully request to be notified of all meetings, reports and decisions related to the Growing Together initiative in the future. Please don't hesitate to contact me if you have any questions or would like to discuss further.

Sincerely,
GSP Group Inc.

Kristen Barisdale

Kristen Barisdale, MCIP, RPP
Vice President, Planning

cc. Nasir Salem, 1000002286 Ontario Ltd. and Legion Heights Victoria Inc.

Andrew Bousfield, ABA