

# **Attachment F**

## **Public Submissions**



File: 22258

January 29, 2024

City of Kitchener  
Planning Division – 6<sup>th</sup> Floor  
200 King Street West  
Kitchener, ON N2G 4G7

Attn. Natalie Goss, MCIP, RPP  
Manager, Policy and Research

**Re: Growing Together  
Protected Major Transit Station Area – Land Use and Zoning Framework  
Report No. DSD-2024-005  
Stanley Black & Decker - 60 Ottawa St., 97 Kent St. & 449 Charles St. E**

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On behalf of Stanley Black & Decker (SBD) we have prepared this letter in response to Staff Report DSD-2024-005 – Growing Together – Protected Major Transit Station Area Land Use and Zoning Framework.

As you are aware we have held meetings with yourself and other City Staff regarding the current City initiatives affecting the Stanley Black & Decker Properties located along Ottawa Street, Kent Street and Charles St. E. The above-mentioned properties are all within the Borden Protected Major Transit Station Area. Through the Growing Together initiative the SBD properties have not been recommended for inclusion in the land use (Official Plan) or zoning amendments as proposed. These properties have been withheld at this time pending the completion of the Naturalization Study and Environmental Assessment for Schneider and Shoemaker Creeks. The Environmental Assessment (EA) is being undertaken to plan for a workable design solution to mitigate flooding issues. Widening and naturalizing the creeks is proposed to provide greater public safety.

The Proposed Official Plan Amendment is intended to implement a new land use planning framework for seven of the City's Protected Major Transit Station Areas. Directly adjacent to the SBD properties within the Borden Station Area, the proposed OPA will implement a Strategic Growth Area C Designation along Charles Street East and at the southwest corner of Ottawa St. and Charles St. It is our request that the SBD parcels also be included within the Strategic Growth Area C designation at this time. Recognizing that the limits of future development on the SBD parcels will be defined through the completion of the Schneider and Shoemaker Creek EA.





Based on a review of previously identified flood fringe and candidate flood fringe areas on the SBD properties, it is estimated that there could be approximately 5.2 hectares (13 acres) of development land available following the completion of the Schneider and Shoemaker Creek EA process.

Designating the SBD properties at this time, provides the owners and the City with a clear direction and understanding of the redevelopment potential within the Borden Station Area.

Similarly, we request the SBD properties be rezoned SGA-4 zone consistent with the proposed adjacent zoning along Charles Street East and Ottawa Street. A floodplain overlay could be implemented at this time with a note identifying floodplain limits to be defined through completion of Schneider & Shoemaker Creek EA Process. This approach implements the long-term vision and regulations for development within the Borden Station Area. Development would not proceed until such time as the floodplain limits are refined and approved.

We appreciate the opportunity to comment on this significant undertaking and would be happy to discuss further with you.

Yours truly,  
**GSP Group Inc.**



Brandon Flewwelling, MCIP, RPP  
Development Planning Manager

cc. Jonathan Berg – Stanley Black & Decker  
Peter Benninger



March 1, 2024

[growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

Attn: Natalie Goss - Manager Policy & Research  
City of Kitchener  
Planning Division, 6th floor  
200 King Street West  
Kitchener, ON N2G 4G7

Dear Ms. Goss:

**RE: GROWING TOGETHER / DRAFT OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS  
PERIMETER DEVELOPMENT CORPORATION, 25 BREITHAUPT STREET, KITCHENER - OUR  
FILE 0709I**

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We are writing on behalf of our client, Perimeter Development Group, with respect to the above noted matter. This letter has been prepared as a follow up to our earlier correspondence, dated November 29, 2023 and September 22, 2023, and our more recent meeting held on February 28, 2024. We appreciate staff's willingness to consider our position and have prepared this letter to provide further justification in support of our request.

In previous correspondence we had requested that the Strategic Growth Area C designation be extended to include Perimeter's lands on the north side of Breithaupt Street and that these lands, together with Perimeter's lands on the south side of Breithaupt Street be zoned SGA-4. A conceptual concept plan was prepared to demonstrate how the surface parking lot located on the north side of Breithaupt Street could be developed within the SGA-4 framework. We understand that the original request would be a departure from the approach staff have applied along the north side of Breithaupt Street, and staff's hesitation to implement this request as a result. **As such, we have amended our original proposal to instead request that the SGA-4 zoning be applied only to 25 Breithaupt Street (located at the southeast corner of Breithaupt Street and King Street West).**

In our opinion this request is appropriate given:

- 25 Breithaupt (referred to herein as the subject lands) is already proposed to be designated Strategic Growth Area C;
- The subject lands are located within an MTSA and are located less than 250 metres from the Central Station ION stop;
- The subject lands are located directly across from other SGA-4 lands (Station Park), which have been approved with a building height of 50 storeys;

- The subject lands are located adjacent to the Region’s future multi-modal hub;
- The subject lands are of an appropriate size to accommodate a tower that is fully compliant with the SGA-4 zoning; and
- The subject lands do not abut any SGA-1 or low rise residential lands.

As requested, we have prepared a preliminary concept plan which demonstrates that 25 Breithaupt Street can be developed within the SGA-4 regulations. The concept plan is attached herein.

Applying the SGA-4 zoning to 25 Breithaupt Street is further supported by draft Official Plan policies. Policy 3.C.2.18 sets the same minimum density requirements for the Downtown and Midtown Protected Major Transit Station Areas (“PMTSA”), demonstrating that lands outside the Downtown are envisioned for high-density, transit-supportive development.

The preliminary concept plan for the subject lands (see attached) also demonstrates that the test set out in Policy 15.D.2.5 for sites seeking a change to the Official Plan and/or Zoning By-law can be satisfied. The following factors are to be considered:

*a) compatibility with the planned function of the subject lands and adjacent lands;*

The subject lands are located within the Strategic Growth Area and Protected Major Transit Station Area, which is intended for transit supportive intensification. The preliminary concept plan illustrates that a high-rise residential tower, set above a podium base can be accommodated, creating a compact, pedestrian-friendly form. The SGA-3 zoning on the lands to the north and east provides appropriate transition to lower density lands in the broader surrounding area. The subject lands are sufficiently separated from low rise residential development, and are located immediately across from lands that have been approved with a height of 50 storeys.

*b) suitability of the lot for the proposed use and/or built-form;*

The podium and tower represented in the preliminary concept plan meet the SGA-4 zoning regulations. This includes the proposed setback, tower length and tower separation regulations included in the draft zoning framework.

*c) lot area and consolidation as further outlined in Policy 3.C.2.11;*

The subject lands meets the minimum lot area requirements and lot consolidation is not required. The concept plan demonstrates that the subject lands are of a sufficient size to accommodate high density development.

*d) compliance with the City’s Urban Design Manual and Policy 11.C.1.34;*

The proposed SGA-4 zoning would allow for a compact, dense, transit-oriented form of development in proximity to the downtown and less than 250 metres from an existing ION station. The preliminary concept plan further demonstrates that the subject lands can support a point tower and podium form while meeting the regulations and guidelines, including tower separation, floor plate area, and tower

placement. Specific compliance with the Urban Design Manual and Policy 11.C.1.34 would be analyzed through a future Site Plan Approval application, as appropriate.

*e) cultural heritage resources, including Policy 15.D.2.8; and,*

There are no cultural heritage constraints on the subject lands that would limit the development of a high-rise residential or mixed use building. Through site specific applications an HIA would be required given the adjacent heritage resource, however the same would apply to lands already proposed to be zoned SGA-4 east of Breithaupt Block.

*f) technical considerations and other contextual or site specific factors.*

Other technical considerations would be investigated through detailed planning applications, as appropriate. Contextually, the proposal is appropriate. The lands have frontage on a public street and can be designed in compliance with all proposed zoning standards.

Given the direction to intensify the PMTSAs, the long-term potential to intensify 25 Breithaupt Street, and the ability to comply with the SGA-4 zoning and meet the test within Policy 15.D.2.5, we believe the request to amend the proposed Zoning for 25 Breithaupt Street represents good planning and should be supported.

**In summary, our formal request is that the City apply the SGA-4 zoning to 25 Breithaupt Street as discussed on February 28 and as supported through this submission.**

We once again thank staff for their consideration.

**MHBC**



Andrea Sinclair, MUDES, BES, MCIP, RPP  
Partner

cc. Craig Beattie  
Garett Stevenson

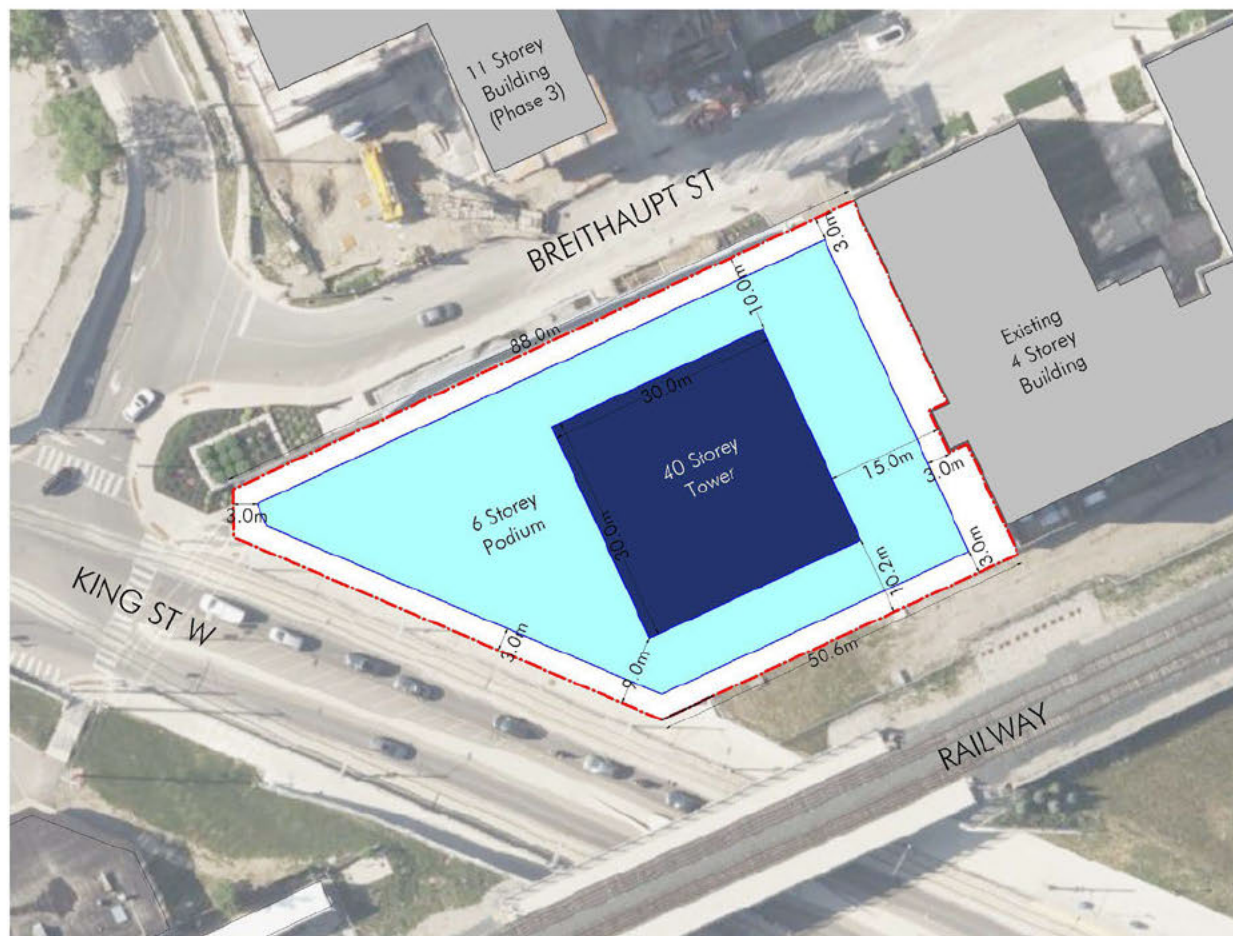
*Attach.*

# **Attachment 1**

## **Concept Plan Illustrating SGA-4 Compliance**



Regulations for SGA-3 & SGA-4	Required	Proposed
<b>For Entire Building</b>		
Minimum lot width	30.0m	±88.0m
Minimum lot area	1500m <sup>2</sup>	±3,633m <sup>2</sup>
Minimum yard setback	3.0m	±3.0m
Minimum building base height	3 storeys	6 storeys
Maximum building base height	6 storeys	6 storeys
Minimum floor space ratio	2.0	13.1
Minimum street line ground floor building height	4.5m	4.5m
Minimum façade openings	10%	TBD
Minimum street line façade openings	20%	TBD
<b>For storeys 37 and above</b>		
Minimum lot width	48.0m	±88.0m
Minimum lot area	2400m <sup>2</sup>	±3,633m <sup>2</sup>
Minimum front and exterior side yard	6.0m	±9.0m
Maximum building length	36.0m	±30.0m
Maximum floor plate area	900m <sup>2</sup>	900m <sup>2</sup>
Physical separation	15.0m	15.0m



February 28, 2024

City of Kitchener – Planning Division  
200 King Street West, 6<sup>th</sup> Floor  
PO Box 1118  
Kitchener, ON  
N2G 4G7

Attention: Natalie Goss  
Manager, Policy and Research

Reference: Growing Together, Official Plan Amendment  
98 – 102 Weber St East, 217 – 233 Lancaster Street East  
Strategic Growth Area B Designation

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Thank you for the opportunity to meet with staff on February 23, 2024 to discuss the various properties I am involved with. Further to that discussion, and the letters submitted November 27, 2023, November 30, 2023, and December 13, 2023, I am submitting this letter to request that staff **designate the lands illustrated below as Strategic Growth Area B within the Official Plan Amendment** proposed through the Growing Together Study.

Per the letter submitted November 27, 2023, the lands at 98 – 102 Weber Street East and 217 – 233 Lancaster Street East are under common ownership/controlling interest. As a result, the lands have largely merged on title. To rectify this, a Pre-submission Consultation Meeting was held on September 19, 2024 to consider the severance of the Lancaster-fronting homes to create individual, standardized parcels. The residual lands, along with 98-102 Weber Street will remain merged to create a mid-rise redevelopment site (Figure 1). During the Pre-submission Consultation Meeting, staff advised of the anticipated changes to the Zoning By-law through the Growing Together Study. In response, no applications have been advanced in anticipation of these changes.

The Growing Together Study current proposes to rezone, and redesignate, the land assembly. The entire assembly is anticipated to be zoned Strategic Growth Area Two (SGA-2) in the proposed Zoning By-law, however, it stands to be split-designated in the Official Plan. Currently, 98 Weber Street is identified as Strategic Growth Area B while the balance of the lands are identified as Strategic Growth Area A. In an effort to avoid split designation of assembled lands, it is requested that staff 'square off' the SGA-B designation to align with the ultimate severances (Figure 2). Alternatively, if staff prefer, the designation could be extended to the Cedar Street intersection including the assembled lands.

Prior to contemplating any changes to land use designations or zoning, staff have requested that the following be provided:

- Proof of consolidated ownership;
- Viable development concept; and,
- Planning justification for proposed OP Policy Section 15.D.2.5.

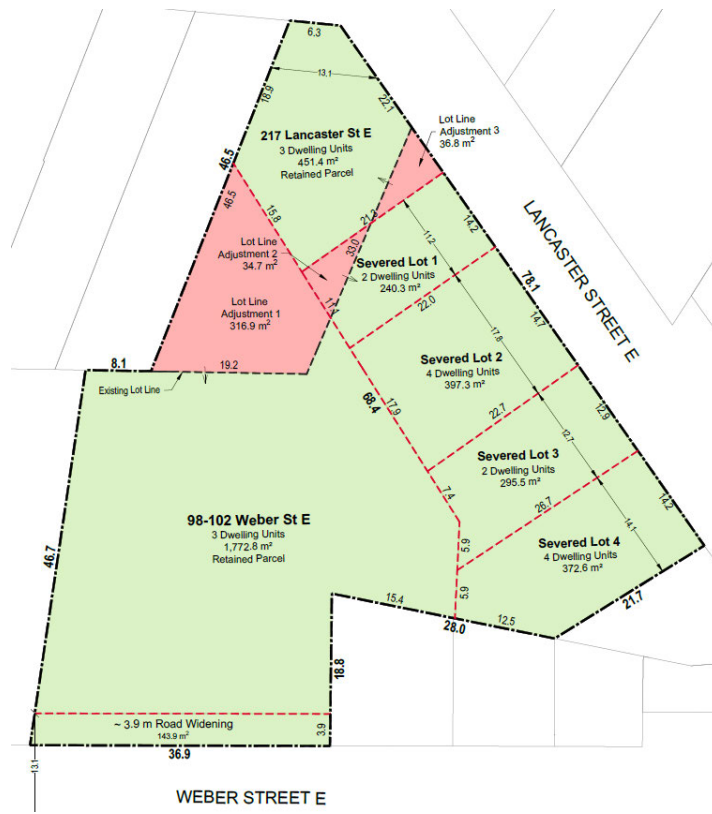


Figure 1: Approximate Lot Divisions

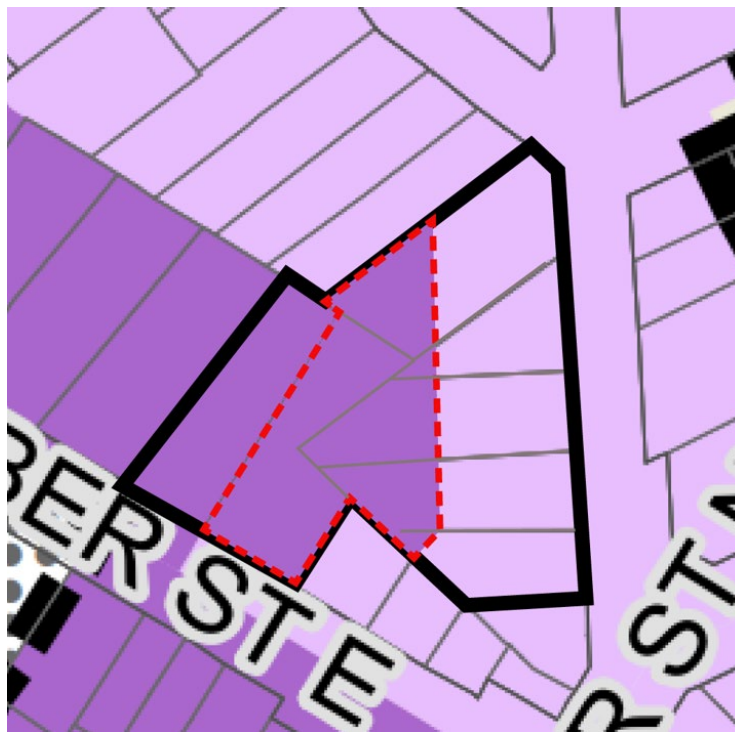


Figure 2: Proposed SGA-B Expansion Area



In response, please find below:

- Proof of Consolidated Ownership

Proof of consolidated ownership was provided through the November 27, 2023 letter. Geowarehouse Reports confirmed that 98-102 Weber Street and 221 – 233 Lancaster Street are under the ownership of 1678838 Ontario Inc while 217 Lancaster Street is under the ownership of William Reitzel, a controlling partner of the numbered company.

- Viable development concept

The property is slated to be zoned SGA-2 in the proposed zoning by-law, however, no concept has been prepared to date. The SGA-2 Zone permits up to 8 storeys, which is consistent with the SGA-A designation. Should the SGA-B designation be applied to the lands, site-specific provisions would be necessary to realize the increased height permitted by the SGA-B designation. A viable development concept will be required to support the approval for any site-specific zoning considerations.

- Conformity with Section 15.D.2.5

Section 15.D.2.5 of the draft Official Plan Amendment states:

*Notwithstanding Policy 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or special zoning regulation(s), seek to amend the Zoning By-law to change land use permissions, and/or seek to amend this Plan to change from one land use designation to another, will consider the following factors:*

- a) compatibility with the planned function of the subject lands and adjacent lands;*
- b) suitability of the lot for the proposed use and/or built-form;*
- c) lot area and consolidation as further outlined in Policy 3.C.2.11;*
- d) compliance with the City's Urban Design Manual and Policy 11.C.1.34;*
- e) cultural heritage resources, including Policy 15.D.2.8; and,*
- f) technical considerations and other contextual or site specific factors*

Identifying the subject lands as SGA-B is consistent with Section 15.D.2.5, per the following:

- a) compatibility with the planned function of the subject lands and adjacent lands;*

The SGA-B designation is compatible with the adjacent lands and appropriate for the planned function of the subject lands. The lands are currently split designated and the proposed extension would avoid such a condition. Zoning provisions that consider transition to low-rise residential areas are integrated into the applied zone. As such, the proposed designation will be compatible with the lands.

- b) suitability of the lot for the proposed use and/or built-form;*

The lands will be consolidated to create an irregular redevelopment parcel. The site will be suitable for mid-rise redevelopment given its location on Weber Street, an active transportation corridor and its proximity to Downtown Kitchener as well as the ION LRT system. The proposed development will conform to the applicable zoning regulations will be able to accommodate a mid-rise building in a variety of forms. The proposed changes will avoid split-designation and allow additional flexibility to the

potential redevelopment, subject to staff review and approval. As such, the site is suitable for the proposed designation.

*c) lot area and consolidation as further outlined in Policy 3.C.2.11;*

As noted above, the current lot fabric is irregular and merged on title. Future consent applications will normalize the existing residential parcels along Lancaster and create a slightly irregular redevelopment site. The lot area, however, will be sufficient to accommodate a mid-rise building in a variety of forms. Given this, the extension of the designation on the entire parcel is appropriate.

*d) compliance with the City's Urban Design Manual and Policy 11.C.1.34;*

While development concepts have been explored, a final plan has not been completed. With that said, any development on the lands will be subject to site plan approval and, ultimately, review and approval by staff. As such, future development on the lands will be in compliance with the Urban Design Manual and OP Urban Design policies.

*e) cultural heritage resources, including Policy 15.D.2.8; and,*

There are no cultural heritage resources on the subject lands.

*f) technical considerations and other contextual or site specific factors.*

As noted in previous letter, there is an existing stormwater management pipe that bisects the subject lands. This pipe will need to be relocated should the property be redeveloped. The proposed extension of the designation will have no bearing on this, or other servicing on the lands.

Given the above, the subject lands are consistent with Section 15.D.2.5 and, as such, the extension of the SGA-B designation would be appropriate.

I trust that the provided information is sufficient to consider the request. Should you require any additional information, or wish to discuss further, please feel free to contact the undersigned.

Regards,  
Bill Reitzel

[REDACTED]

[REDACTED]

February 16, 2024

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

Via email to [growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

Attention: Natalie Goss  
Manager, Policy and Research

Reference: 455-509 Mill Street  
Growing Together, Proposed Zoning

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The Butler Group Consultants Inc. are planning consultants for Polocorp Inc. regarding the lands located at 455 – 509 Mill Street in Kitchener (the “Subject Lands”). The Subject Lands were subject to Official Plan and Zoning By-law Amendments (the “Amendments”) that were approved in May 2023. The Amendments will facilitate the redevelopment of the lands for a ~1,500 units mixed-use community comprised of a mix of residential unit typologies, commercial and community space, indoor and outdoor amenities spaces. The community will be closely integrated into the Mill ION Station to create a true transit-oriented community.

On January 29, 2024, the Planning and Strategic Initiatives Committee considered the Official Plan and Zoning By-law Amendments proposed through the Growing Together Study. During that meeting, I delegated to address the Committee regarding the proposed zoning on the lands at 455 – 509 Mill Street (the “Subject Lands”). I noted that the Strategic Growth Area 4 (SGA-4) Zone category is proposed to be applied to the lands immediately adjacent the Mill ION Station, however, the Subject Lands have been excluded; rather, the lands will carry over the site-specific entitlements granted through May 2023 approvals. Unfortunately, this results in a meaningful discrepancy between the entitlements of the Subject Lands and those that are adjacent, particularly those related to maximum permitted floor space ratio, maximum building heights and minimum parking requirements. Ultimately, the PSIC deferred any decision related to the OPA and ZBA and requested staff to further consult with stakeholders.

Given this, a meeting with The Butler Group Consultants, Polocorp Inc. and City staff has been scheduled for February 23, 2023. As we have previously requested, **we ask that Staff consider minor changes to the current site-specific regulations for the Subject Lands to allow for:**

- No maximum floor space ratio;
- No maximum building height; and,
- No minimum parking requirement.

**STAFF NOTE: During in-person meeting on Feb 23rd, agreement was reached that a path forward could be removal of the site-specific provision for parking, with the other site-specifics remaining in place. Staff evaluated this approach and determined that the best option would be to take a consistent approach and remove site specifics for minimum parking across the Growing Together PMTSAs in accordance with our recommendation for no parking minimums across the 4 SGA zones.**



The proposed site-specific regulations would align with the proposed SGA-4 Zone and afford the Subject Lands the same entitlements granted, as-of-right, to the surrounding properties. The balance of the site-specific provisions would remain as approved to facilitate the redevelopment of the Subject Lands in general alignment with the previously considered concept plan. Should those provisions be granted to the Subject Lands through a 'blended' zoning by-law, the Subject Lands could yield additional housing within the community than previously contemplated.

Ahead of the February 23, 2024, meeting, staff have indicated that prior to any consideration for changes to the zoning the following is to be provided:

- *Proof of lot ownership;*
- *A conceptual design that demonstrates compliance with the desired zone; and,*
- *A scoped planning justification addressing proposed Official Plan policy 15.D.2.5.*

Further to above, please consider the following information:

- Proof of Ownership

The Subject Lands are wholly owned by Polocorp Inc. as contemplated through previous development applications.

- Concept Design

Find attached Development Concept considered at the time of the May 2023 Official Plan and Zoning By-law Amendment approvals. The Development Concept would remain compliant with the proposed site-specific provisions as the previously approved zoning was tailored to this design. The proposed regulations contemplating FSR, building height and parking requirements will allow for flexibility, consistent with the surrounding lands, while retaining the fundamental concept. Specifically, this could allow for area used for parking podium to be utilized as living space, or allow for additional building heights should the airport height restrictions change. Should this occur, the concept would remain compliant with the proposed site-specific zoning.

- Conformity with Official Plan Section 15.D.2.5

Official Plan Amendment Section 15.D.2.5 requires that any changes to the Zoning By-law will consider the following:

- a) *compatibility with the planned function of the subject lands and adjacent lands;*

The proposed changes to the site-specific by-law will align the entitlements of the Subject Lands with the adjacent SGA-4 Zoned lands, in regard to building heights. Further, the removal of the maximum FSR and minimum parking requirements will align with all SGA zones within Major Transit Station Areas (MTSA). Given this, the proposed changes to the zoning by-law will be compatible with the planned function of the adjacent lands.



*b) suitability of the lot for the proposed use and/or built-form;*

The suitability of the lot was demonstrated through the Official Plan and Zoning By-law Amendment applications approved in May 2023. The proposed changes to the site-specific zoning will not impact the suitability of the lands to accommodate the proposed use. In fact, the proposed changes will allow for more suitable development as the site-specific provisions will facilitate a more transit-oriented community and additional dwelling units within the MTSA.

*c) lot area and consolidation as further outlined in Policy 3.C.2.11;*

The lot area is an assembly of multiple parcels and has an area of 21,738 square metres and, as such, does not require any form of reduction.

*d) compliance with the City's Urban Design Manual and Policy 11.C.1.34;*

The Development Concept was considered in the context of the Urban Design Manual and Policy 11.C.1.34 of the Official Plan through the previously approved OPA and ZBA applications. The proposed site-specific provisions will not negatively impact the conformity with the design guidelines.

*e) cultural heritage resources, including Policy 15.D.2.8; and,*

There are no cultural heritage resources on the property.

*f) technical considerations and other contextual or site-specific factors.*

The Subject Lands and the associated development of them went through extensive consideration including detailed engineering, geotechnical environmental study with no concerns. The proposed site-specific provisions will not impact previous considerations or approvals.

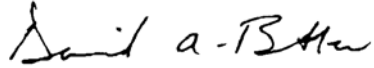
Given the above, the proposed the site-specific provisions to allow for no maximum floor space ratio, no maximum building height or no minimum parking requirement are consistent with Section 15.D.2.5 of the proposed Official Plan policy.

Further to the above, we acknowledge that Staff have indicated that the Growing Together Study and associated OPA and ZBA's are not intended to consider site-specific provisions for individual properties. We ask, however, that this property be afforded special consideration given how recent the previous approvals were granted relative the implementation of the SGA zoning. Furthermore, it is highly probable that Polocorp Inc. will be the primary driver of intensification at the Mill ION Station and will facilitate substantial public improvements for access and use of this Station. Additional zoning flexibility will assist in the implementation of the City's Growing Together vision.



We trust that the above is sufficient to consider our request. Should you have any questions ahead of the February 23 meeting date, please feel free to contact the undersigned, otherwise, we look forward to the opportunity speak with you.

Respectfully submitted,

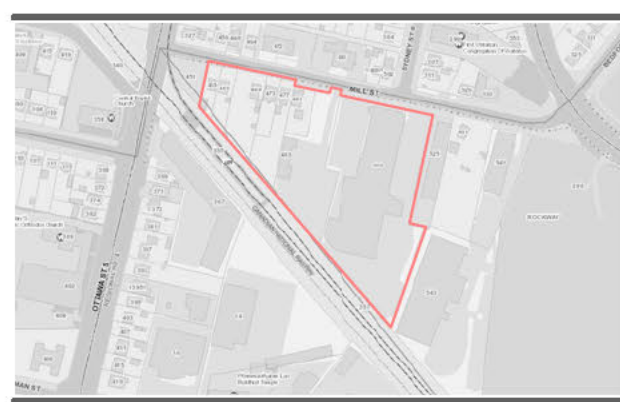
A handwritten signature in black ink that reads "David A. Butler". The signature is written in a cursive style with a large initial 'D' and 'A'.

David A. Butler MCIP, RPP

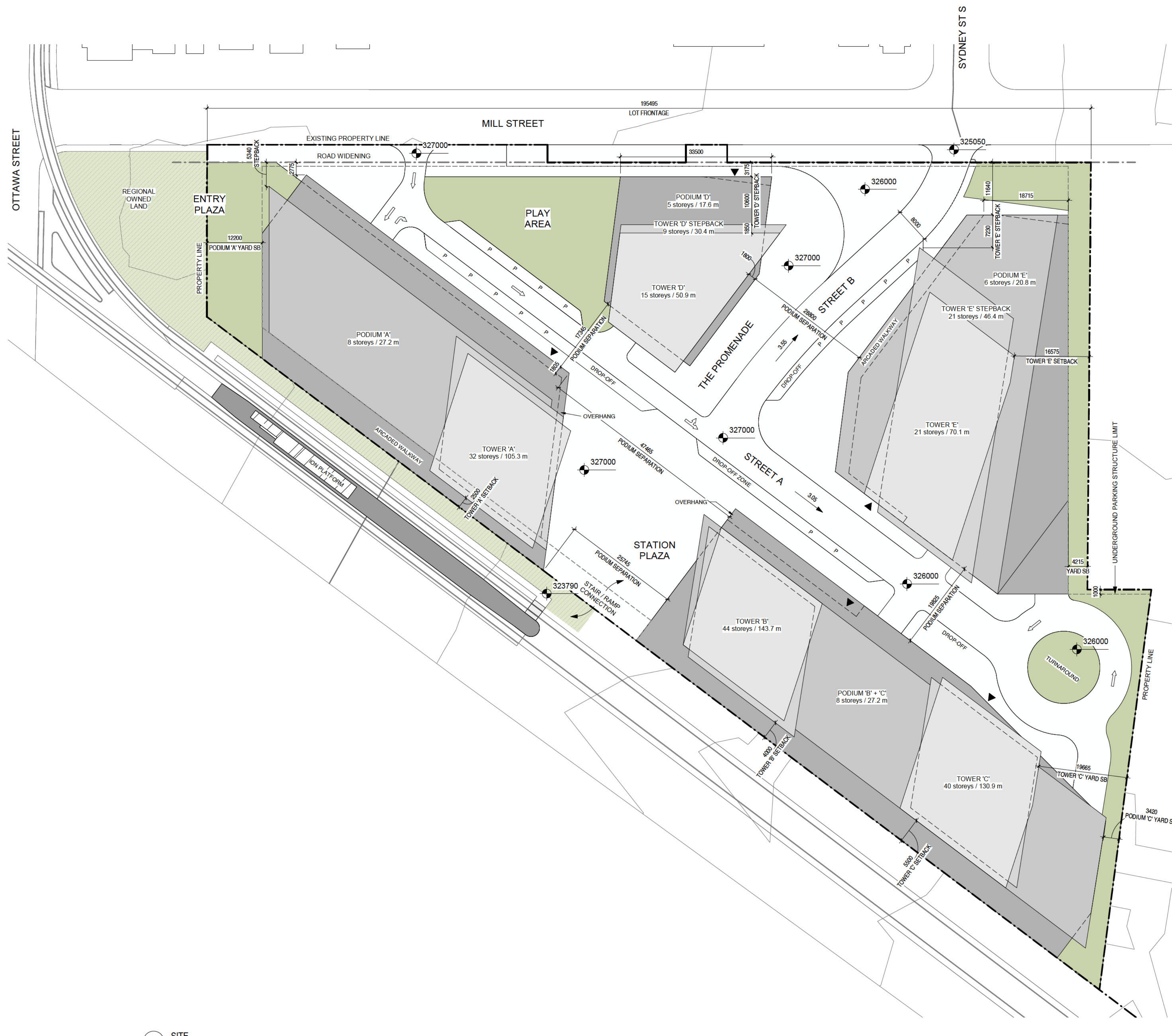
CC: Joseph Puopolo, Polocorp Inc  
Matthew Warzecha, Polocorp Inc



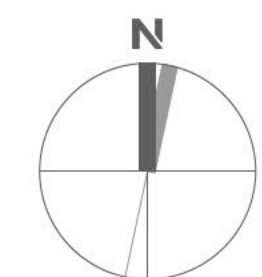




Key Plan SCALE: NTS



Zoning Data for the City of Kitchener 2019-051 SECTION 6.3 Regulations (Table 6-2)	Required (MIX-3 Zone)	Provided	Conforms	Proposed Zoning (MIX-3 Site-Specific)
Minimum lot width	15 m	195.5 m	Yes	As per MIX-3 Zone
Minimum front yard setback (after road widening)	1.5 m	3.2 m	Yes	As per MIX-3 Zone
Minimum exterior side yard setback	1.5 m	N/A	Yes	As per MIX-3 Zone
Minimum rear yard setback (Podium)	7.5 m	0.0 m	No	0.0 m
Minimum rear yard setback (Tower)	7.5 m	2.5 m	No	2.5 m
Minimum interior side yard setback (Podium)	4 m	West - 0 m East - 3.4 m	No	West - 0 m East - 3.4 m
Minimum interior side yard setback (Tower)	4 m	16.6 m	Yes	As per MIX-3 Zone
Minimum yard setback abutting a residential zone	4.5 m	N/A	Yes	As per MIX-3 Zone
Minimum ground floor building height for any building with street line façade	4.5 m	4.8 m	Yes	As per MIX-3 Zone
Minimum building height	11 m	50.9 m	Yes	As per MIX-3 Zone
Maximum building height	32 m	143.7 m	No	The lesser of 487 m above sea level or 145 m
Maximum number of storeys	10 storeys	44 storeys	No	44 storeys
Minimum number of storeys in the base of a mid-rise building or tall building	3 storeys	5 storeys	Yes	As per MIX-3 Zone
Maximum number of storeys in the base of a mid-rise building or tall building	6 storeys	8 storeys	No	8 storeys
Minimum street line setback for midrise buildings and tall buildings	3 m	5.34 m	Yes	As per MIX-3 Zone
Minimum floor space ratio	0.6	7.9	Yes	As per MIX-3 Zone
Maximum floor space ratio	2	7.9	No	8.5
Maximum total retail gross floor area within a multi-unit building, multi-unit development, mixed-use building, or mixed-use development	10,000 m <sup>2</sup>	+/- 2,600 m <sup>2</sup>	Yes	As per MIX-3 Zone
Minimum percent of non-residential gross floor area	20%	1.5% (Commercial)	No	1.0 %
Minimum ground floor street line façade width as a percent of the width of the abutting street line	50%	26.7% (52,215m)	No	25.0 %
Minimum percent street line façade openings	50%	50%	Yes	As per MIX-3 Zone
Minimum landscaped area	15%	41% (8,924 m <sup>2</sup> )	Yes	As per MIX-3 Zone
Number of residential units	N/A	1500		
Site Area	N/A	21,738 m <sup>2</sup> 5.37 ac		
Total GFA	N/A	169,497 m <sup>2</sup>		



OPA / ZBA

No.	DATE	ISSUE
13	FEB.06.23	RE-ISSUED FOR OPA/ZBA
8	JULY.13.22	ISSUED FOR OPA/ZBA

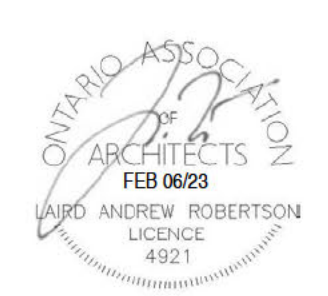
Zoning Data for the City of Kitchener 2019-051 SECTION 5.6 Regulations (Table 5-5)	Required (Multiple Dwelling)	Provided	Conforms	Proposed Zoning (MIX-3 Site-Specific)
Minimum parking spaces	0.9 per dwelling unit (1,350 spaces)		No	0.55 spaces per dwelling unit (Approx. 825 spaces)
Minimum Visitor Parking spaces	0.1 per dwelling unit (150 spaces)	0.73 per dwelling unit (1,150 spaces)	No	0.05 spaces per dwelling unit (Approx. 75 spaces)
Maximum Parking spaces (incl. visitor)	1.3 per dwelling unit (1,950 spaces)		Yes	As per Section 5.6
Minimum Class A Bicycle stalls	0.5 per dwelling unit (750 stalls)	0.5 per dwelling unit (Approx. 1,100 stalls)	Yes	As per Section 5.6
Minimum Class B Bicycle stalls	6 where more than 20 dwelling units are on a lot	6 where more than 20 dwelling units are on a lot (Approx. 50 stalls)	Yes	As per Section 5.6

(1) Visitor parking spaces shall be shared between uses and unassigned.

Zoning Data for the City of Kitchener 2019-051 SECTION 5.9 Regulations (Table 5-6)	Required (Barrier-Free Accessible Spaces)	Provided	Conforms	Proposed Zoning (MIX-3 Site-Specific)
Number of Parking Spaces Required based on Proposed Zoning (MIX-3 Site-Specific): 900 spaces	2, plus 2% of total required parking spaces (20 spaces)	24 parking spaces	Yes	As per section 5.9



1243 KING ST. E., KITCHENER, ON, N2G 2K8 | 519.590.1636



PROJECT NO. 21-033  
 PROJECT DATE NOV 21  
 DRAWN BY Author

SITE PLAN

**A100**

1 SITE  
 1:500





February 18, 2024

City of Kitchener – Planning Division  
200 King Street West, 6<sup>th</sup> Floor  
PO Box 1118  
Kitchener, ON N2G 4G7

Via email to [planningapplications@kitchener.ca](mailto:planningapplications@kitchener.ca)

Attention: Natalie Goss  
Manager, Policy and Research

Reference: 23 – 31 Cedar St North and 18 – 26 Madison Ave North  
Growing Together  
Consolidated SGA-2 Zone

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Further to the letter dated January 30, 2024, and ahead of the meeting with City staff scheduled for February 23, 2024, Polocorp is submitting this letter to reiterate our request for the lands identified below to be included as Strategic Growth Area B (SGA-B) in the Official Plan Amendment and Strategic Growth Area Two (SGA-2) in the Zoning By-law Amendment. This request follows the letters submitted August 9, 2023, November 29, 2023 and December 13, 2023 which, together, provided the following information:

- Proof of lot ownership;
- A viable development concept; and,
- Planning justification addressing OP Policy Section 15.D.2.5.

This request also follows correspondence with City staff that occurred prior to the January 29, 2024 PSIC meeting through which staff encouraged Polcorp to delegate at the meeting to request a modification to the recommendations. Staff confirmed their support for the proposed changes by way of phone call and email (see correspondence with Adam Clark dated January 26, 2024). Ultimately, decisions related to the amendments were deferred and staff were requested to continue consultation with stakeholders. Polocorp’s January 30, 2024 letter sought confirmation from staff that the requested changes would be reflected in the final amendments. To date, confirmation has not been provided as, as such, the February 23, 2024 meeting has been scheduled.

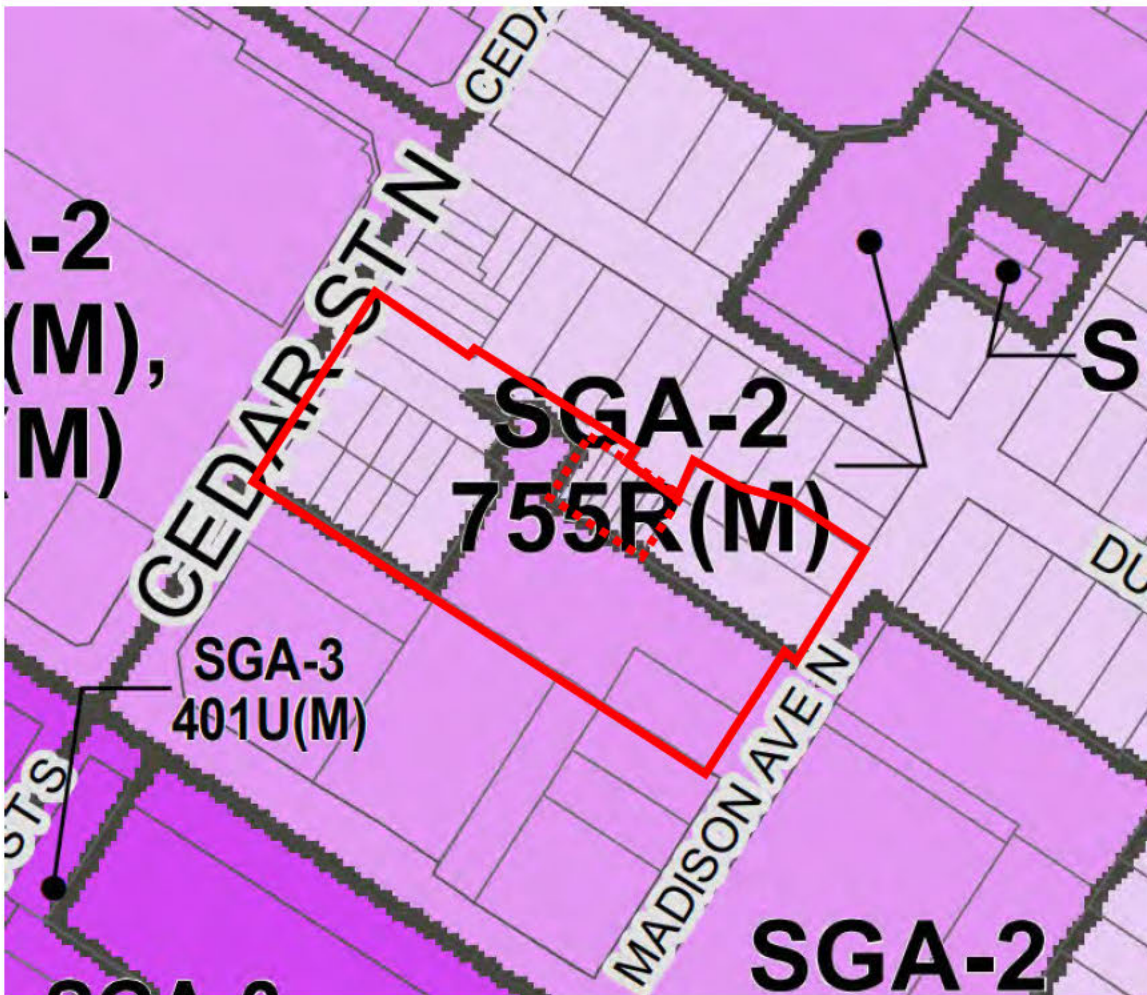
Given the above, and further to previously submitted materials, please find below confirmation of the information requested by staff to support any changes to land use designations or zoning:



Proof of Lot Ownership

Further to the letter submitted November 29, 2023, please find the attached Geowarehouse Property Reports confirming consolidated lot ownership of the lands municipally described as 23 – 31 Cedar St N and 18 – 26 Madison Ave N by Reitzel Bros General Contractors Inc. and R & W Reitzel Investments. The two companies are held by the same principal partners and, as such, can be consolidated. Please note that the November 29, 2023 letter only identified Reitzel Bros General Contractors Inc as the landowners, however, this has been further clarified to include R & W Reitzel Investments, as well.

It should also be noted that the area identified with dashed red line below are independently titled parking spaces and do not form part of the common ownership. The spaces form a small, gravel parking lot that is accessed over 31 Cedar Street North (owned by Reitzel Bros General Contractors Inc). While the spaces do not form part of the Subject Lands, the ownership group own the access to the spaces and have maintained a good working relationship with each of the title holders. Given this, it is reasonable to consider these lands as forming part of the assembly and, as such, should be subject to the same land use designations. Further, given the interrelationship between the parking spaces with the assembled lands, the Development Concept discussed below utilizes the entire parcel.



## Development Concept

A Development Concept was submitted with the letter submitted November 29, 2023 by Polocorp and has been reattached to this letter for reference. The Development Concept demonstrates that approximately 200 units could be located on the lands and would be fully compliant with the SGA-2 Zone as they have been published, to date. The Development Concept is comprised of two 8-storey buildings that extend from Cedar Street through to Madison Avenue. Buildings are set back and stepped back as required by the SGA-2 Zone. The concept would provide a mid-rise multi-unit development form that is encouraged by Official Plan policy and Design Guidelines.

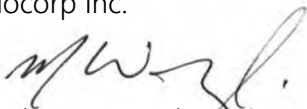
As noted above, the Development Concept utilizes the separately titled parking space parcels. These spaces are currently accessed over 31 Cedar Street North. Access is constrained and the spaces and drive aisle are gravel and in poor condition. It is anticipated that any future development would integrate much-improved parking spaces to the owners in compensation for the lands. Should an agreement with the owners not come to fruition minor modifications to the Development Concept could be made to ensure full compliance with the SGA-2 Zone. Should staff require confirmation of this, please request and Polocorp will provide.

## Official Plan Policy 15.D.2.5

Polocorp submitted a letter on December 15, 2023 that outlined the conformity of the proposed changes to Section 15.D.2.5 of the proposed OPA. This letter has been attached for reference.

Given the above, we trust that the information provided is sufficient to reflect the requested changes to the final mapping. The Subject Lands are held under common ownership, can accommodate a viable development concept and is consistent with Section 15.D.2.5 of the OPA. Further, staff have previously indicated their support for the change. We look forward to speaking with staff on February 23, 2024 and receiving further confirmation of the requested changes. Should you require any additional information ahead of the meeting please feel free to contact the undersigned.

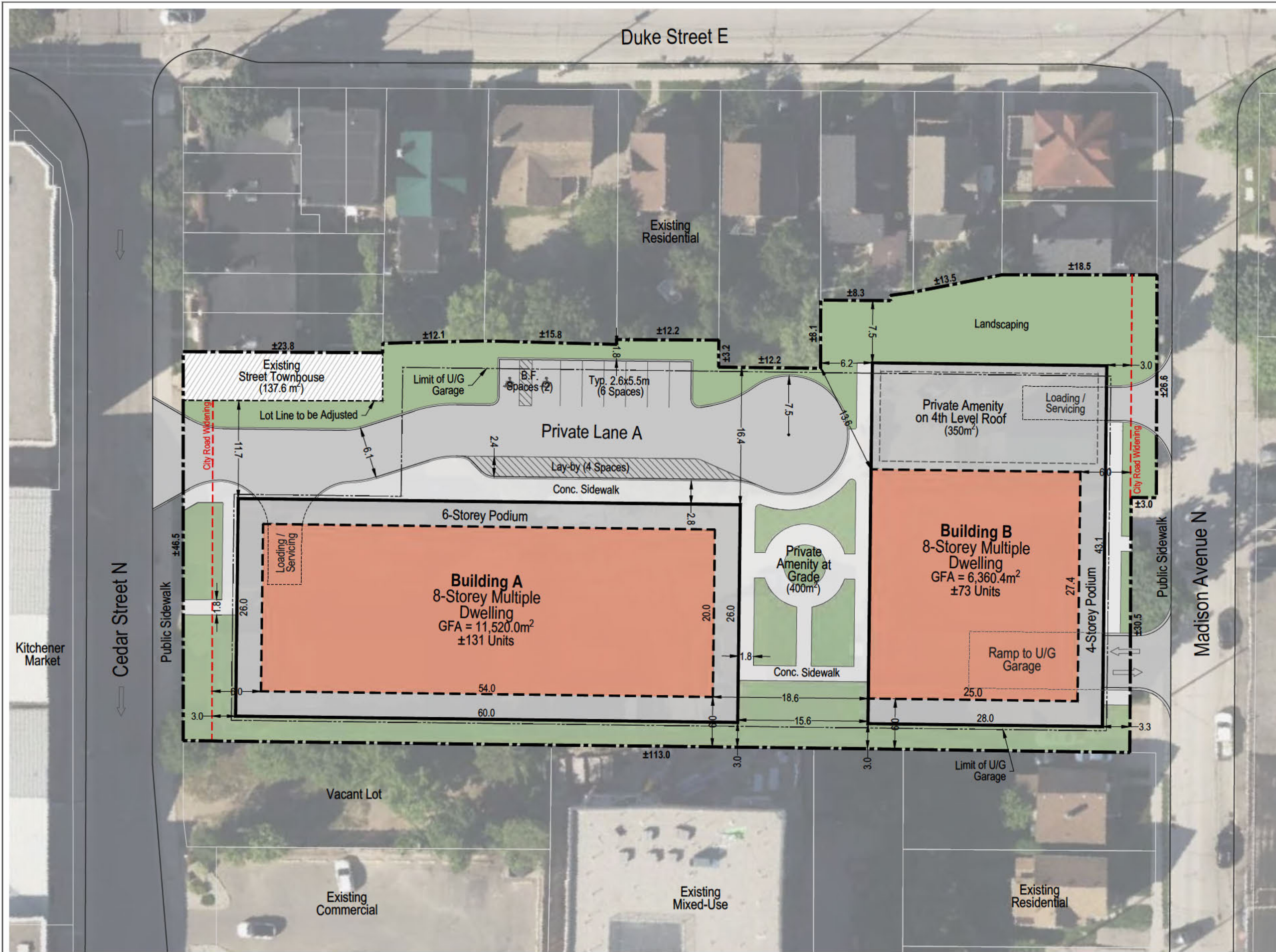
Sincerely,  
Polocorp Inc.



Matthew Warzecha MCIP RPP  
Director of Development and Planning

CC: Bill Reitzel, Reitzel Bros General Contractors Inc





## CONCEPT PLAN

204-Unit Residential Development  
 23-29 Cedar Street N &  
 18-30 Madison Avenue N  
 City of Kitchener

Site Data (SGA-2 Zone)		
	Required	Provided
Gross Site Area	N/A	5,735.4m <sup>2</sup>
Min. Net Site Area	1,500m <sup>2</sup>	5,377.9m <sup>2</sup>
Min. Lot Width (Summed)	30.0m	103.5m
Min. Landscaped Area	20%	34.2%
Min. Street Facade Openings	20%	>20%
Private Amenity	4.0m <sup>2</sup> /unit	>4.0m <sup>2</sup> /unit
Total Gross Floor Area	N/A	17,880.4m <sup>2</sup>
Min. Floor Space Ratio	2.0	3.3
Parking Spaces	N/A	±150
No. of Units (avg. 70 m <sup>2</sup> )	N/A	±204
<b>Building A (±131 Units)</b>		
Max. Bldg Height	8 storeys	8 storeys
Min. Setbacks		
All Yards (Entire Bldg)	3.0m	3.0m
Front Yard (Floors 7+)	6.0m	6.0m
Max. Bldg Length (Floors 7+)	60.0m	54.0m
Max. Floor Plate (Floors 7+)	2,000m <sup>2</sup>	1,080m <sup>2</sup>
Gross Floor Area	N/A	11,520m <sup>2</sup>
<b>Building B (±73 Units)</b>		
Max. Bldg Height	8 storeys	8 storeys
Min. Setbacks		
All Yards (Entire Bldg)	3.0m	3.0m
Front Yard (Floors 7+)	6.0m	6.0m
Max. Bldg Length (Floors 7+)	60.0m	27.4m
Max. Floor Plate (Floors 7+)	2,000m <sup>2</sup>	602.8m <sup>2</sup>
Gross Floor Area	N/A	6,360.4m <sup>2</sup>

NOTE: This concept should be considered as a preliminary demonstration model that illustrates an 'order of magnitude' development scenario for the site. The number of units, floor area and parking supply are approximate and subject to more detailed design as well as municipal planning approvals.

**POLOCORP**

Scale: 1:450  
 Project: #2070c  
 Date: November 28, 2023  
 Drawn By: GFE

379 Queen Street South  
 Kitchener, ON N2T 1W6  
 polocorpinc.com  
 519-745-3249





December 13, 2023

City of Kitchener – Planning Division  
200 King Street West, 6<sup>th</sup> Floor  
PO Box 1118  
Kitchener, ON N2G 4G7

Via email to [planningapplications@kitchener.ca](mailto:planningapplications@kitchener.ca)

Attention: Natalie Goss  
Manager, Policy and Research

Reference: 23 – 31 Cedar St North and 18 – 26 Madison Ave North  
Growing Together  
Conformity with Draft OP Policy 15.D.2.5

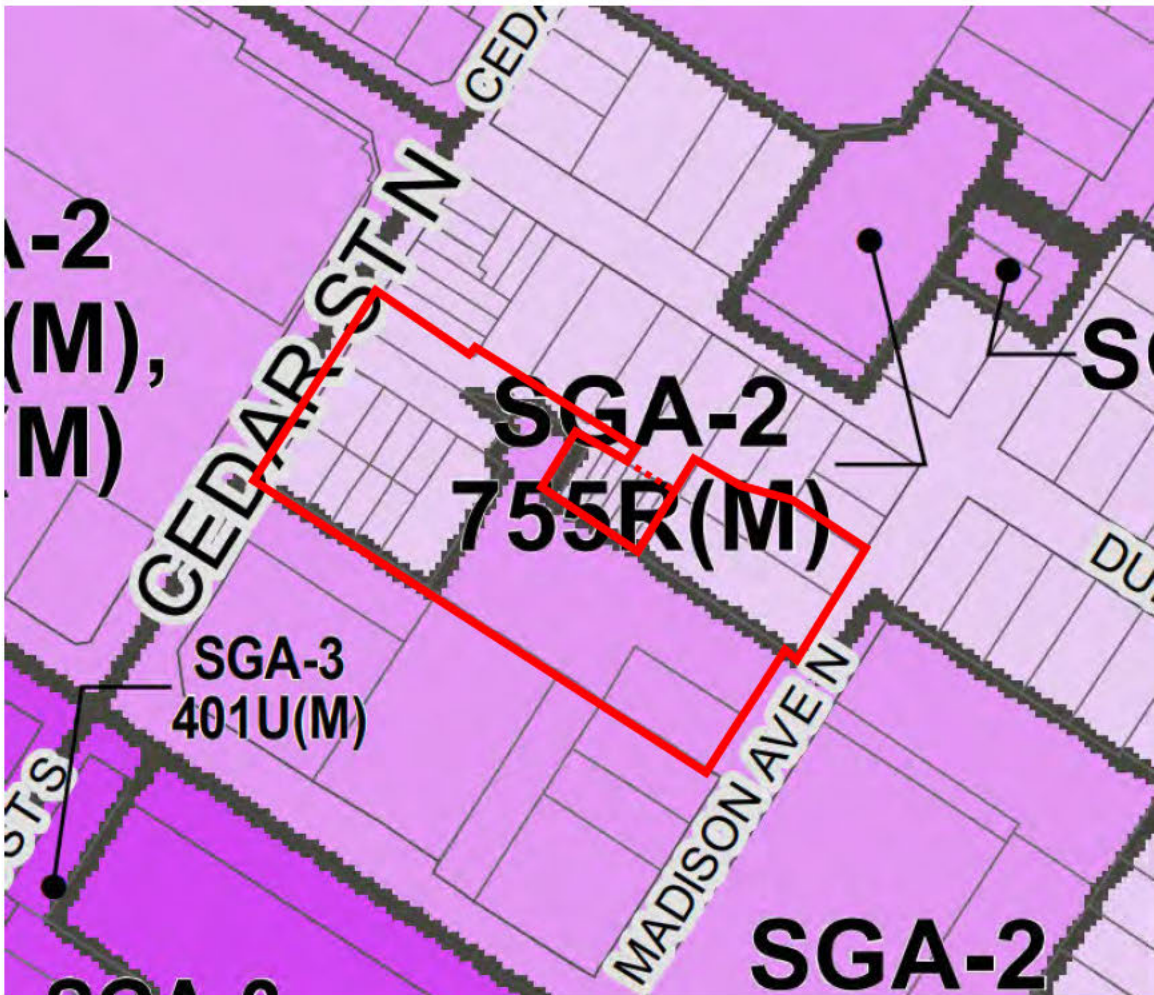
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On November 29, 2023 Polocorp Inc submitted a letter requesting that the land municipally described as 23 – 31 Cedar St N and 18 – 26 Madison Ave N, inclusive of the unaddressed lands central to the block, be uniformly identified as SGA 2 Zone within the final Zoning By-law Amendment. Included in the letter was confirmation of lot consolidation/ownership as well as a conceptual design demonstrating compliance with the SGA 2 Zone. Further to this information, please consider the following:

Section 15.D.2.5 of the Draft Official Plan Amendment states:

*Notwithstanding Policy 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or special zoning regulation(s), seek to amend the Zoning By-law to change land use permissions, and/or seek to amend this Plan to change from one land use designation to another, will consider the following factors:*

- a) compatibility with the planned function of the subject lands and adjacent lands;*
- b) suitability of the lot for the proposed use and/or built-form;*
- c) lot area and consolidation as further outlined in Policy 3.C.2.11;*
- d) compliance with the City's Urban Design Manual and Policy 11.C.1.34;*
- e) cultural heritage resources, including Policy 15.D.2.8; and,*
- f) technical considerations and other contextual or site specific factors.*



Zoning the lands SGA-2 would be consistent with proposed Section 15.D.2.5 of the Official Plan, as described below.

*a) compatibility with the planned function of the subject lands and adjacent lands;*

Zoning the land SGA-2 Zone would be consistent with the proposed zoning of the abutting lands to the east, west and south. Doing so would follow a natural line through the blocks that aligns with the adjacent transition between zones to the east.

The south side of the block is identified as SGA-2 and, as such, has a planned function to accommodate mid-rise infill development. By rounding out the SGA-2 Zone, as described, the lands can fulfill this function. If the zoning were to remain as currently proposed, the setback requirements from the SGA 1 Zone, and existing development on the adjacent block, would significantly encumber the development potential of the lands.





February 16, 2024

City of Kitchener – Planning Division  
200 King Street West, 6<sup>th</sup> Floor  
PO Box 1118  
Kitchener, ON N2G 4G7

Via email to [growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

Attention: Natalie Goss  
Manager, Policy and Research

Reference: 95 – 109 Weber St East; 64 – 74 Cedar St North; and, 14 May Place  
Growing Together Study  
Comments on Recommended Zoning By-law

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On January 29, 2024 the Planning and Strategic Initiatives Committee considered the Official Plan and Zoning By-law Amendments considered through Growing Together Study. Prior to the meeting, Polocorp Inc had, on behalf of RJMR Investments, submitted letters dated August 29, 2023 and November 24, 2023 regarding the rezoning of the above-described lands (the "Subject Lands"). Further, a Pre-submission Consultation for an Official Plan and Zoning By-law Amendment was completed on December 5, 2023 to consider same. All correspondence with the City of Kitchener, to date, has requested that the Subject Lands be considered for higher-density residential redevelopment. The Committee ultimately deferred any decision related to the OPA and ZBA and requested staff continue consultations with stakeholders.

Given the above, Polocorp continues to request that the **Subject Lands be identified as Strategic Growth Area 3 (SGA3) Zone within the recommended Zoning By-law Amendment** proposed through the Growing Together Study. A meeting between Polocorp and City Staff has been scheduled for February 23, 2023 to discuss this request. Ahead of this meeting, Staff have requested the following information to consider the proposed zoning:

1. *Proof of lot ownership;*
2. *A conceptual design that demonstrates compliance with the desired zone; and,*
3. *A scoped planning justification addressing proposed Official Plan policy 15.D.2.5.*

Given the above, please consider the following:

## Consolidated Ownership

The Subject Lands are under common ownership by R.J.M.R Investments Inc as provided within our November 24, 2023 submission. For reference, Geowarehouse Property Reports showing ownership of 95 – 109 Weber Street East, 64 – 74 Cedar Street North and 14 May Place are appended for reference.

Please note that the unserved, and unaddressed, parcel on May Place is not owned by R.J.M.R Investments Inc, however, the opportunity to consolidate it with the Subject Lands may arise in the future. Given this, it is requested that any zoning applied to the Subject Lands also be applied to this parcel. As the parcel is not currently under the same ownership as the Subject Lands, the Development Concept provided below does not include it.



Figure 1: Subject Lands

## Conceptual Design

Previously submitted Concept Plans contemplated a 25-storey residential building utilizing the SGA-3 regulations, however, minor site-specific provisions would have been necessary. Please find attached a revised Development Concept illustrating an 18-storey residential building including 6 storey podium and private, ground-level amenity space. The Development Concept is estimated to accommodate a total of ~146 residential units. The attached Concept fully complies with the regulations of the SGA-3 zone as they have been published to date. Building setbacks and physical separations are provided



from the required yards using the anticipated required road widenings. Please see the SGA-3 Zoning Regulations analysis table provided below.

<i>Table 1: SGA-3 Zoning Regulations</i>			
<i>Regulation</i>	<i>Required</i>	<i>Provided</i>	<i>Complies</i>
Min Setback – All yards	3m	3m	Yes
Min Base Height	3 storeys	6 storeys	Yes
Max Base Height	6 storeys	6 storeys	Yes
Min. Floor Space Ratio	2.0	5.2	Yes
Max Building Height	25 storeys	18 storeys	Yes
Storeys 13 - 18			
Min Lot Area	1,800 m <sup>2</sup>	2,632 m <sup>2</sup>	Yes
Min Lot Width	36 m	71.5 m	Yes
Min Front Yard (Floors 7-18)	6.0 m	6.0 m	Yes
Min Exterior Yard (Floors 7 – 18)	6.0 m	6.0 m	Yes
Max Building Length	54 m	24 m	Yes
Max Floor Plate	1,200 m <sup>2</sup>	533 m <sup>2</sup>	Yes
Min. Physical Separation	9.0 m	9.0 m	Yes

It should be noted that, should the unaddressed parcel be consolidated with the Subject Lands, the Development Concept would continue to comply.

Official Plan Conformity, Section 15.D.2.5

Section 15.D.2.5 of the proposed Official Plan Amendment states:

*Notwithstanding Policy 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or special zoning regulation(s), seek to amend the Zoning By-law to change land use permissions, and/or seek to amend this Plan to change from one land use designation to another, will consider the following factors:*

- a) compatibility with the planned function of the subject lands and adjacent lands;*
- b) suitability of the lot for the proposed use and/or built-form;*
- c) lot area and consolidation as further outlined in Policy 3.C.2.11;*
- d) compliance with the City's Urban Design Manual and Policy 11.C.1.34;*
- e) cultural heritage resources, including Policy 15.D.2.8; and,*
- f) technical considerations and other contextual or site specific factors.*

Zoning the Subject Lands SGA-3 would be consistent with Section 15.D.2.5 of the Official Plan, as described below:



a) compatibility with the planned function of the subject lands and adjacent lands;

The Subject Lands are located at the intersection of Weber Street and Cedar Street within the defined Downtown Urban Growth Centre per the Official Plan. Weber Street is a Regional Road while Cedar Street is Major Community Collector Street, per Map 11 of the Official Plan, and features a dedicated bike lane. They are ~300 metres from the Market ION Station, ~200 metres from King Street East and ~130 metres from the Kitchener Farmers Market. Given the central location of the Subject Lands, the area is well-suited to accommodate medium to high-density redevelopment. This planned function is supported by the draft Official Plan Amendment proposed by the Growing Together Study which applies the Strategic Growth Area B designation to the Subject Lands. The Strategic Growth Area B designation, per the Official Plan Amendment, is "...intended to accommodate significant intensification..." and "...serve as a transition between Low Rise Residential Uses within Strategic Growth Area A designation...".

The zoning of the Subject Lands as SGA-3 would be appropriate and compatible with the surrounding context as it would facilitate the appropriate transition between existing high-density development to the low/medium-density lands to the north. The following provides further context to the planned functions of the surrounding lands and the compatibility of the SGA-3 Zone.

West: The lands on the south side of Weber Street East, west of the Subject Lands are slated for, or currently existing as, high-density residential development. The lands are proposed to be designated SGA-B within the proposed Official Plan Amendment and SGA-3 within the Zoning By-law. The lands immediately west of the Subject Lands at 83-87 Weber Street East, however, are not included within the Growing Together Study and are approved for a high-density 32-storey residential tower which exceed both the SGA-B and SGA-3 permissions. The lands at Weber Street and Scott, (63 Scott Street) are an existing 11-storey residential tower. Northwest of the lands is another 11-storey residential tower. The SGA-3 Zone would facilitate the redevelopment of the Subject Lands at a scale similar to, or lower than, those on lands immediately to the west. As such, the SGA-3 Zone will be compatible with the existing, and approved, character to the west.

North: The lands on the north side of Weber Street, immediately opposite the Subject Lands are identified as SGA-A and SGA-2 in the Growing Together Study. These lands are planned to accommodate medium-density residential uses of up to 8-storeys. Lands immediately opposite the Subject Lands at 98-102 Weber Street have completed a Pre-submission Consultation to propose a 6 to 8-storey residential building. Slightly west, the north side of Weber Street is slated to be designated SGA-B, which could accommodate slightly higher densities. Further north, along Lancaster Street East the natural topography of the land slopes up ~3-5 metres. Lands on the south side of Lancaster Street are proposed to be SGA-1 which permits up to 4 storeys. Should the Subject Lands be zoned SGA-3, a transition from 32 storeys west of the Subject Lands, to ~18 storeys on the Subject Lands, to ~8 storeys on the north side of Weber Street, to ~4 storeys on Lancaster could occur. Given this, the SGA-3 Zone would facilitate an appropriate and ideal transition in height and density with the lands to the north and

are compatible with the planned function of the surrounding lands. Further, this is consistent with the planned function of the SGA-B land use designation, described in the Official Plan Amendment above.

East: As with the lands to the north, lands to the east are proposed to be designated SGA-A and SGA-2 in the Growing Together Study. A 6-storey apartment building currently exists at 59 Cedar Street. Similar to the lands to the north, the lands southeast, opposite Cedar Street, are proposed to be zoned SGA-1 Zone. As such, a similar transition in height and densities could occur from the Subject Lands down to the east and southeast. Given the above, the SGA-3 Zone would be compatible with the planned function of the lands to the east.

South: The lands to the south are currently identified as SGA-B and SGA-2 in the draft Growing Together Study materials, including the Kitchener Market and the Market Lofts located at Cedar and Duke Streets. The SGA-2 Zone allows for up to 8 storeys in height. As such, zoning the Subject Lands SGA-3 would allow for an appropriate transition from high-density residential along a major corridor (up to 32 storeys and approximately ~18 storeys on the Subject Lands), down to ~8 storeys, then 4 storeys at the Kitchener Market. This transition would mirror that which is proposed at the west end of the block wherein Scott Street-fronting lands transition from SGA-3 down to SGA-2 on lots internal to the block to step down to the Kitchener Market. Given the above, the SGA-3 Zone would be compatible with the planned function of the lands to the south.

*b) suitability of the lot for the proposed use and/or built-form;*

The Subject Lands are ideally suited to accommodate the SGA-3 Zone given its proximity to the Market ION Station, Kitchener Farmer's Market and numerous other downtown amenities. The Subject Lands are situated directly on a major corridor and active transportation network. The Subject Lands are situated at the northeast corner of the defined Downtown Urban Growth Centre and, as such, provides an opportunity to appropriately transition from the adjacent 32-storey tower (approved) down to the medium-density residential uses planned on the adjacent blocks.

While the parcel is irregular in shape, the majority of the lands are a ~1,400 m<sup>2</sup> square development site, ideal for an 18-storey point tower that complies with the SGA-3 Zoning regulations. The balance of the lands can accommodate an elongated building podium or street-fronting townhomes. Additional lands provide the opportunity for a ~275 m<sup>2</sup> outdoor amenity area, at grade.

The Subject Lands have adequate servicing to support the proposed zoning and uses. No improvements to the adjacent transportation network will be required.

Given the above, the lot is suitable for the proposed SGA-3 Zone and Development Concept.

*c) lot area and consolidation as further outlined in Policy 3.C.2.11;*

The consolidated lot area of the Subject Lands is approximately ~2,630 square metres in area, whereas the SGA-3 Zone requires a minimum lot area of 1,800 square metres. Further to the comments provided above, the lot area and consolidation is appropriate for the SGA-3 Zone and does not require any specific considerations.

*d) compliance with the City's Urban Design Manual and Policy 11.C.1.34;*

The redevelopment of the lands are in preliminary stages and, as such, no detailed designs have been considered. With that said, the Concept Plan considered the regulations of the SGA-3 Zone and the general policies of the Urban Design Manual and Official Plan, particularly those related to Tall Building Guidelines and separation. The Concept Plan considers a 6-storey podium that steps back to a point tower configuration. The podium is oriented to the street and provides distinct street edges. The tower is situated on the property to provide appropriate separation from adjacent lands and fully complies with the SGA-3 physical separation regulations.

Upon further consideration of the building design, the Urban Design Manual and OP policies will be considered and implemented through the Site Plan review process.

Given the above, the SGA-3 Zone complies with the Urban Design Manual and OP policies as much as can be considered at this time.

*e) cultural heritage resources, including Policy 15.D.2.8; and,*

The Subject Lands do not contain any cultural heritage resources or institutional uses. It is noted that Region of Waterloo staff commented, through the Pre-submission Consultation process, that should any archaeological resources be discovered through development of the lands, the appropriate excavations are to be undertaken.

*f) technical considerations and other contextual or site specific factors.*

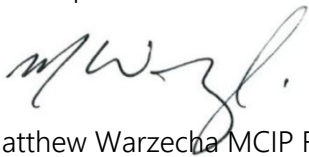
Given that the redevelopment of the Subject Lands are in initial stages, no technical studies have been completed to date. It should be noted, however, that a Pre-submission Consultation meeting was held on December 5, 2023 during which no specific concerns were raised including those from Engineering, Building, or Transportation. Prior to Site Plan Approval, detailed studies for each will be completed.

It is acknowledged that the Subject Lands are situated on Weber Street East and that vehicular access will be limited or prohibited. It is also acknowledged that Cedar Street is one-way and that a right in/out vehicular access would be necessary. Due to its location, a Noise Study and associated warning clauses will also be required, as is typical of developments in similar locations. Preliminary works, including comments from staff, have indicated that the application of the SGA-3 Zone to the Subject Lands would pose no concern.

Given the above, zoning the Subject Lands as SGA-3 poses no concerns and would be appropriate. The Subject Lands are consolidated under common ownership; a viable Development Concept that conforms to the regulations of the SGA-3 zone has been provided; and, the proposed zoning gives consideration to and is consistent with proposed Official Plan Policy Section 15.D.2.5. As such, **we request that the lands be zoned Strategic Growth Area 3 (SGA-3) in the final draft of the proposed Zoning By-law** to be recommended to Council.

We trust that the enclosed information is sufficient to facilitate our discussion on February 23, 2023 and support the zoning of the Subject Lands as SGA-3. Should you require any additional information ahead of the meeting, please feel free to contact the undersigned.

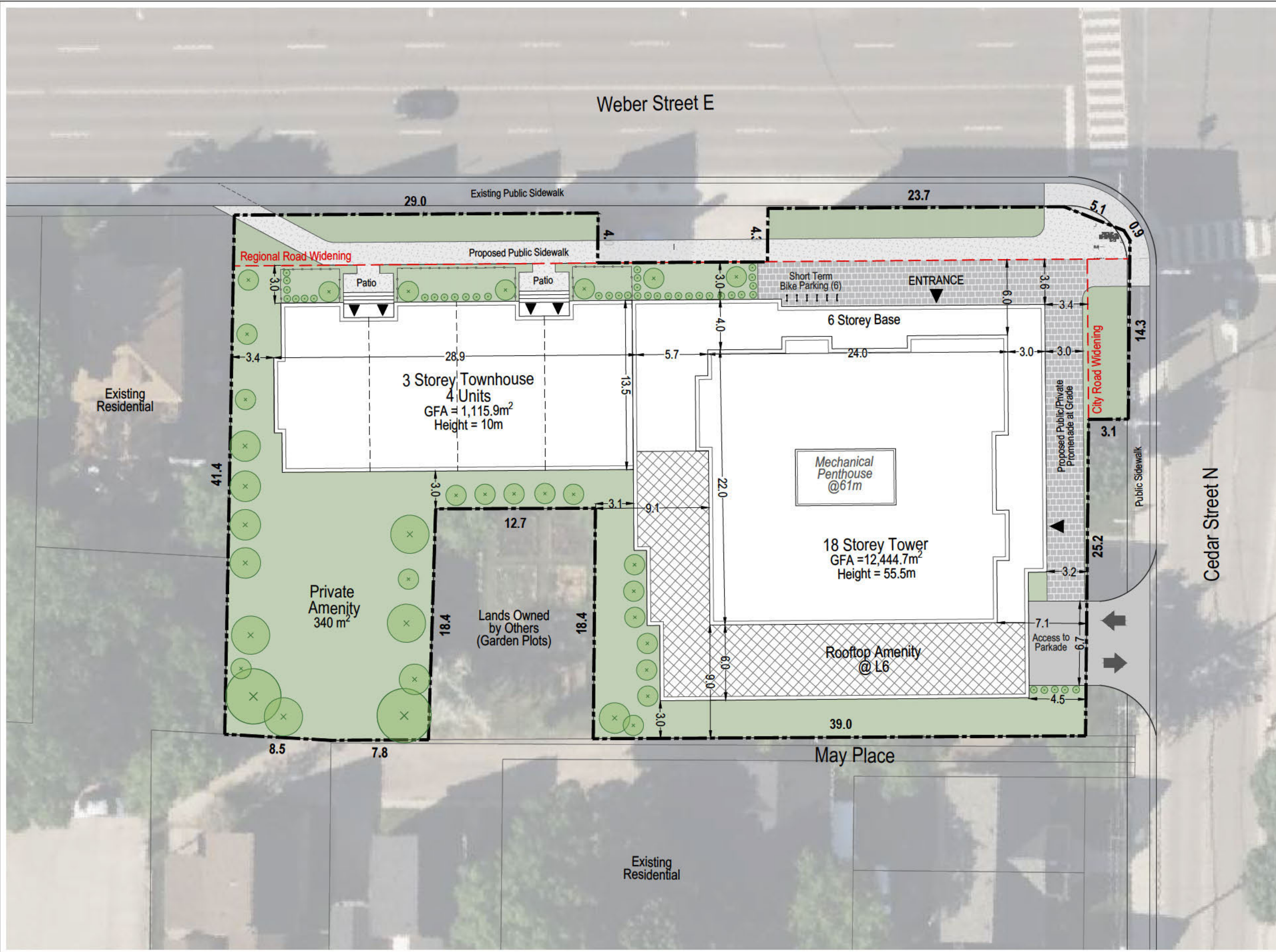
Sincerely,  
Polocorp Inc.

A handwritten signature in black ink, appearing to read 'm. warzecha', written over a horizontal line.

Matthew Warzecha MCIP RPP  
Director of Development and Planning

CC: Bill Reitzel, RJMR Investments





## CONCEPT PLAN

Mixed-Use  
Development

95-109 Weber Street East &  
14 May Place  
City of Kitchener

### Site Data (SGA-3 Zone)

Entire Bldg	Required	Provided
No. of Units		±146
Apartment (avg 70 m <sup>2</sup> )	-	±142
Townhouse	-	4
Min. Setbacks		
All Yards (Base)	3m	3m
Min. Base Height	3 Storeys	6 Storeys
Max. Base Height	6 Storeys	6 Storeys
Min. Floor Space Ratio	2.0	5.2
Max. Bldg Height	25 Storeys	18 Storeys
Min. Ground Floor Height	4.5m	4.5m
Min. Facade Openings	10%	>10%
Min. Street Facade Openings	20%	>20%
Gross Floor Area	-	13,560.6m <sup>2</sup>
Tower	-	12,444.7m <sup>2</sup>
Townhouse	-	1,115.9m <sup>2</sup>
Min. Private Amenity	8m <sup>2</sup> /unit (1,168m <sup>2</sup> )	9.3m <sup>2</sup> /unit (1,350m <sup>2</sup> )
<b>Stores 13-18</b>		
Min. Lot Area	1,800m <sup>2</sup>	2,632.2m <sup>2</sup>
Min. Lot Width	36m	71.5m
Min. Setbacks		
Front Yard (Floors 7-18)	6.0m	6.0m
Exterior Yard (Floors 7-18)	6.0m	6.0m
Max. Bldg Length	54m	24.0m
Max. Floor Plate	1,200m <sup>2</sup>	533.8m <sup>2</sup>
Min. Physical Separation	9.0m	Conforms

NOTE: This concept should be considered as a preliminary demonstration model that illustrates an 'order of magnitude' development scenario for the site. The number of units, floor area and parking supply are approximate and subject to more detailed design as well as municipal planning approvals.



Scale: 1:300  
Project: #2070b  
Date: February 2, 2024  
Drawn By: GFE

The ultimate construction of the lands as mid-rise development would be compatible with the existing mid-rise building to the south, and planned mid-rise buildings on the surrounding lands. A transition to SGA 1 zone would be accommodated through the SGA 2 regulations. As such, the proposed redevelopment of the lands would be compatible with the planned function of the lands and adjacent lands.

*b) suitability of the lot for the proposed use and/or built-form;*

The consolidated lands offer an ideal opportunity for a mid-rise infill project. The land geometry as a rectangular through-block provides flexibility for numerous development configurations. Should the lands remain split-zoned, the opportunity for efficient development would be significantly reduced or encumbered entirely. As such, the assembled lot is perfectly suitable for the SGA 2 zone.

*c) lot area and consolidation as further outlined in Policy 3.C.2.11;*

The consolidated lands provide sufficient lot area for a mid-rise infill project, as illustrated by the development concept submitted on November 29, 2023. The consolidation of the lands with a consistent SGA 2 zone offers the most efficient utilization of the lands. Should the lands remain split-zoned it is likely that they will remain as individual parcels, unconsolidated, as the ability to attain a necessary level of intensification will be rendered difficult.

*d) compliance with the City's Urban Design Manual and Policy 11.C.1.34;*

The development plan submitted on November 29, 2023 is conceptual in nature, however, it illustrates the ability for the lands to attain an attractive, efficient and appropriate design within the assembled parcels. The concept is consistent with the proposed policies of 11.C.1.34 as it would be compatible with adjacent lands, would not encumber surrounding opportunities and would employ high-quality urban design measures. Further design considerations would be determined through detailed design to ensure compliance with the City's Urban Design Manual.

*e) cultural heritage resources, including Policy 15.D.2.8; and,*

The subject lands are not located within a Heritage Conservation District and do not contain any heritage designated properties. The lands are located immediately adjacent the Kitchener Market and would provide an opportunity to provide sensitive intensification within proximity to this Downtown amenity.

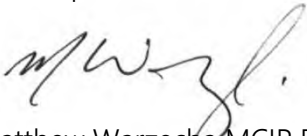
*f) technical considerations and other contextual or site specific factors.*

The subject lands are currently serviced by municipal water, sanitary and stormwater services. A stormwater management pipe runs through the property between Cedar Street and Madison Ave,

however, it is anticipated that the pipe could be relocated, and updated, concurrent to any future development works.

Given the above, the subject lands are consistent with Section 15.D.2.5 and, as such, are suitable for the uniform application of the SGA 2 Zone through the final Zoning By-law Amendment. Should you require any additional information, or wish to discuss further, please feel free to contact the undersigned.

Sincerely,  
Polocorp Inc.

A handwritten signature in black ink, appearing to read 'mwarzecha', is positioned above the typed name.

Matthew Warzecha MCIP RPP  
Director of Development and Planning

CC: Bill Reitzel, Reitzel Bros General Contractors Inc





March 4, 2024

[growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

Attn: Natalie Goss - Manager Policy & Research  
City of Kitchener  
Planning Division, 6th floor  
200 King Street West  
Kitchener, ON N2G 4G7

Dear Ms. Goss:

**RE: GROWING TOGETHER / DRAFT OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS  
VIVE DEVELOPMENT CORPORATION INC., 79,83-87 WEBER STREET, KITCHENER - OUR  
FILE 15213**

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We are writing on behalf of our client, Vive Development Corporation Inc. ('VIVE'), with respect to the above noted matter. This letter has been prepared as a follow up to our earlier correspondence, dated December 8<sup>th</sup> as well as additional submissions provided on January 2<sup>nd</sup> and January 10<sup>th</sup> and our more recent meeting held on February 23<sup>rd</sup>, 2024. We appreciate staff's willingness to meet with us to discuss our position further and have prepared this letter to provide additional justification to support our request.

Previously, we had requested that the Strategic Growth Area C designation be extended to include VIVE's lands on the south side of Weber Street (79 Weber Street) and that these lands, together with VIVE's lands recently approved through Official Plan Amendment 33 (83-87 Weber Street) be designated SGA-C and zoned SGA-4 to reflect the recent lot consolidation. Similarly, it is requested that the site specific permissions, which permit a 32 Storey building with 446 units be carried over and that the 79 Weber parcel (which forms part of the consolidated lands) be designated SGA-C as well, so that the lands can be comprehensively redeveloped with the same permissions. A conceptual plan was prepared to demonstrate how the site could be developed. The site specific Regulation 805R permits special regulations, which we anticipate will be carried over in the new By-law. We understand that you had concerns with our original request to zone the lands known as 79 Weber to a SGA-4 zone category without the benefit of a formal application.

Accordingly, kindly accept this letter as formal request to amend our original request to simply ask that the land use designation of these lands and the surrounding lands be changed to SGA-C. We acknowledge that a separate zoning process may be required to advance a development concept that to implement the SGA-C designation. **As such, we have amended our original request such that the SGA-C designation be applied to VIVE's 79 Weber Street, 83-87 Weber Street**



**properties as well as all of the 'City Block' of lands bounded by Scott Street, Weber Street East, Cedar Street North and Duke Street East.**

In our opinion, this request is appropriate given:

- 83-87 Weber (referred to herein as the subject lands covered by OPA33) is already proposed to be designated with densities that are consistent with Strategic Growth Area C and densities of the SGA-4 zone;
- The City Block of land bounded by Scott, Weber, Cedar and Duke Streets are located within an MTSA and are located approximately 210 metres from the Kitchener Market Station ION stop;
- The individual parcels in the City Block could be consolidated much like VIVE's lands at 79, 83 and 87 Weber Street so that the lands can be comprehensively developed and individual parcels do not become orphaned unusable parcels;
- This City Block is located along a Planned Transit Corridor in the Region's Official Plan and are along an arterial corridor in the City's Official Plan all within a MTSA;
- The subject lands as well as other parcels within this City Block could be of an appropriate size if consolidated to accommodate towers that can comply with the SGA-4 zoning;
- There is sufficient SGA-B lands surrounding the subject lands to provide for transition to a lower density area;
- Weber Street East, Cedar Street and Duke Street East act as a physical barrier and an appropriate transition of land use relative to the lower density lands to the north east; and,
- The City Block does not abut any SGA-1 or low-rise residential lands; and,
- Policy 3.C.2.18 sets the same minimum density requirements for the Downtown Protected Major Transit Station Areas ("PMTSA"), demonstrating that lands outside the Downtown are envisioned for high-density, transit-supportive development.

As previously noted, we have prepared a preliminary concept plan, which demonstrates that 79, 83-87 Weber Street can be developed with a compatible building design. It is acknowledged that additional planning relief outside of the Growing Together process may be needed to implement an acceptable design for these lands. Having said this, the preliminary concept plan for the subject lands and the physical characteristics of the City Block demonstrates that the test set out in Policy 15.D.2.5 for sites seeking a change to the Official Plan and/or Zoning By-law can be satisfied. In this regard, the following factors are to be considered:

*a) compatibility with the planned function of the subject lands and adjacent lands;*

The subject lands and the City Block are located within the Strategic Growth Area and Protected Major Transit Station Area, which is intended for transit supportive intensification. The preliminary concept plan illustrates that a high-rise residential tower, set above a podium base can be accommodated, creating a pedestrian-friendly form. The SGA-4 zoning on the lands to the west provides appropriate transition to higher density lands and the SGA-2 zone provides transition to SGA-1 lands to the north and to the east in the broader area. The subject lands are sufficiently separated from low-rise residential development, and are located immediately adjacent to other lands owned by our client on 83-87 for which the existing permissions are reflective of an SGA-4 zone.

*b) suitability of the lot for the proposed use and/or built-form;*

The City Block is well defined by existing arterial (Weber Street East) and local roads, which provide for a hard transition line between densities. The Block interfaces with other existing and planned high-rise developments west of Scott Street and north of Weber Street East. Existing medium density developments and uses already existing opposite Cedar and Duke Streets, thus providing an appropriate transition from any proposed high-rise uses on the City Block to surrounding low-rise areas.

*c) lot area and consolidation as further outlined in Policy 3.C.2.11;*

The subject lands meets the minimum lot area and lot width requirements and the lot consolidation has already occurred. The concept plan demonstrates that the subject lands are of a sufficient size to accommodate high-density development. Further lot consolidation throughout the City Block can be achieved to meet the City's by-law requirements.

*d) compliance with the City's Urban Design Manual and Policy 11.C.1.34;*

The proposed SGA-C designation would allow for a compact, dense, transit-oriented form of development in proximity to the downtown and less than 210 metres from an existing ION station. The preliminary concept plan further demonstrates that the subject lands can support a tower and podium form while meeting the site specific regulations and guidelines, including tower separation, floor plate area, and tower placement. Specific compliance with the Urban Design Manual and Policy 11.C.1.34 would be analyzed through a future Site Plan Approval application, as appropriate.

*e) cultural heritage resources, including Policy 15.D.2.8; and,*

There are no cultural heritage constraints on the subject lands or surrounding City Block that would limit the development of a high-rise residential or mixed-use building.

*f) technical considerations and other contextual or site specific factors.*

Other technical considerations would be investigated through detailed planning applications, as appropriate. Contextually, the proposal is appropriate. The lands have frontage on a public street and can be designed in compliance with all proposed zoning standards.

In summary, we believe the request to amend the proposed designation for 79, 83-87 Weber Street and the surrounding City Block represents good planning and should be supported. This opinion recognizes the direction to intensify the PMTSAs, the long-term potential to intensify 83-87 Weber Street, and the ability to comprehensively plan the surrounding City Block, while maintaining an appropriate transition with surrounding land uses.

**Accordingly, we formally request that Staff consider applying the SGA-C designation to 79, 83-87 Weber Street East and the balance of the City Block bounded by Scott Street, Weber Street East, Cedar Street North and Duke Street East.**

We once again thank staff for your consideration of our request.

## **MHBC**

A handwritten signature in black ink, appearing to read 'P. Chauvin', with a large, sweeping flourish extending to the right.

Pierre Chauvin MA, MCIP, RPP  
Partner

*c. S. Litt*  
*G. Stevenson*

A handwritten signature in blue ink, appearing to read 'Juliane vonWesterholt', written in a cursive style.

Juliane vonWesterholt BES, MCIP, RPP  
Associate



February 21, 2024

Natalie Goss  
 Manager Long Range and Policy Planning  
 Kitchener City Hall, Planning Division 6<sup>th</sup> Floor  
 200 King Street West  
 Kitchener, ON  
 N2G 4G7

Dear Ms. Goss:

**RE: Growing Together Site Specific Considerations, Our File 15213I**

I am writing on behalf of our client, VIVE Development Corporation ('VIVE'), as it relates to the properties outlined below. Further to our letter sent to you on December 8<sup>th</sup> as well as additional submissions provided on January 2<sup>nd</sup> and January 10<sup>th</sup> concerning properties owned by VIVE, which included plans of buildings that could be constructed on the properties, we would like to follow up on the requests that were submitted, as summarized below and on the attached Appendix A.

To summarize, we requested the following (denotes proposed changes):

Address	Proposed Designation	Requested OP designation	Proposed SGA Zone	Requested SGA zone	Number of storeys	Floor Plate m <sup>2</sup>	Staff Response
79, 83-87 Weber Street W	Site Specific	SGA-C	Site specific	SGA-4	32	1285.4	None received to date
46-56 College	SGA-C	SGA-C	SGA-4	SGA-4	36	850	None received to date
58,60-64 Weber St. W and 96, 102 Young Street	SGA-A	SGA-C	SGA-2	SGA-4	36	1000	None received to date

864-872 King Street West	SGA-C	SGA-C	SGA-4	SGA-4	16,18,44 and 55	varies	None received to date
Crowne Plaza Benton/ Charles	SGA-C	SGA-C	SGA-3	SGA-4	36	950.5	None received to date
698-710 Charles St	SGA-C	SGA-C	SGA-3	SGA-4	36	961.5	None received to date

As you know, the Staff Report together with the draft OPA and ZBA was presented to Council on January 29<sup>th</sup>, 2024 and was deferred to the March 18<sup>th</sup>, 2024 Council meeting. We note, that the Staff Report did not respond to our comments or rationalize why changes were not made to the draft OPA/ZBA.

In addition to our site specific concerns/ requests, we would also like to express our concern over the extremely prescriptive design regulations proposed in the zoning, which we believe prohibits or constrains creative design solutions, and does not recognize site specific considerations or anomalies, as each site is different with unique opportunities and constraints.

We strongly encourage City staff to maintain these design objectives through guidelines and not imbed them into zoning regulations, as this will only lead to unnecessary process and will not encourage efficient, cost-effective or unique building design. In addition, the requirement to incrementally increase lot area with additional height will result in many buildings having the same uniform height, which will not inspire the vibrancy or add interest to the City's skyline. In turn, many of the step back or separation requirements are rigid and will result in uniformity in design similar to the "wedding cake style" which does not allow for creative design and assumes that each site has the same set of opportunities or constraints. Lastly, we encourage City staff not to regulate floor plate size in the zoning as efficiencies in building construction and design may not be realized, which results in additional cost that is passed on to the purchaser or renter and ultimately works against the objective of provide more affordable housing.

In summary, we welcome the opportunity to meet with City staff to discuss these concerns and requests prior to the March Council meeting. We look forward to meeting with you at the earliest opportunity.

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read 'Pierre Chauvin', with a large, sweeping flourish extending to the right.

Pierre Chauvin MA, MCIP, RPP  
Partner

*c. S. Litt*

A handwritten signature in blue ink, appearing to read 'Juliane vonWesterholt', written in a cursive style.

Juliane vonWesterholt BES, MCIP, RPP  
Associate



Appendix A-Comment made to City on Growing Together	Response
Official Plan	
<p><u>Vision</u></p> <ul style="list-style-type: none"> <li>• Vibrancy</li> <li>• Connection</li> <li>• Belonging</li> </ul> <p>It is understood that the overall intent of these objectives is to create a vibrant community that is inclusive and diversity. It is suggested that the statements contained therein be stated in a positive statement eg. rather than saying <i>what you do not think</i> the energy is....say <i>what</i> it is. While these are only objectives and not policy, they help set the tone of the document and the City's objectives.</p>	None to date
<p>Section 3.C.2.15 establishes the Strategic Growth Areas as A, B, C with C being the most intensive intensification area and A the least. It is suggested that it be the reverse. It seems area SGA-A should be the most intensive and as you move out of the UGC the areas are less intensive as shown on the map so these areas should be an SGA-C.</p> <p>Policy 11.C.1.34 b) and c) make reference to ensuring "good" compatibility. The adjective good is subjective and perhaps creates some ambiguity. It is suggested that the word "good" be removed, as it can be challenged if relied on in a planning opinion at a tribunal.</p>	None to date
<p>Policy 12.C.1.51 speaks to the priority and gateway locations in the Cedar Hill and Schneider Creek neighbourhood and in the last paragraph of this section contains a typographical error mid – paragraph the word "giving" should be replaced with "given".</p>	None to date
<p>Policy 15.2.10 intends "to create and maintain walkable, cyclable and rollable strategic growth areas". It is suggested that the word "rollable" be replaced with <b>accessible</b>, as this would include more persons with disabilities.</p>	None to date
<p>Policy 15.D.2.23 indicates that the City <b>may</b> limit height along King Street. It is suggested that development if appropriate and if it complies with objectives of the Tall Building Guidelines, should not be limited to the 3 storey height limit. Cities are organic and evolving and what represented a main street feel 100 years ago is not current and there has been so much momentum and energy in the downtown developments.</p>	None to date
<p>Policy 15.D.2.39 c) please refer to comment for Policy 15.2.10 above.</p>	None to date

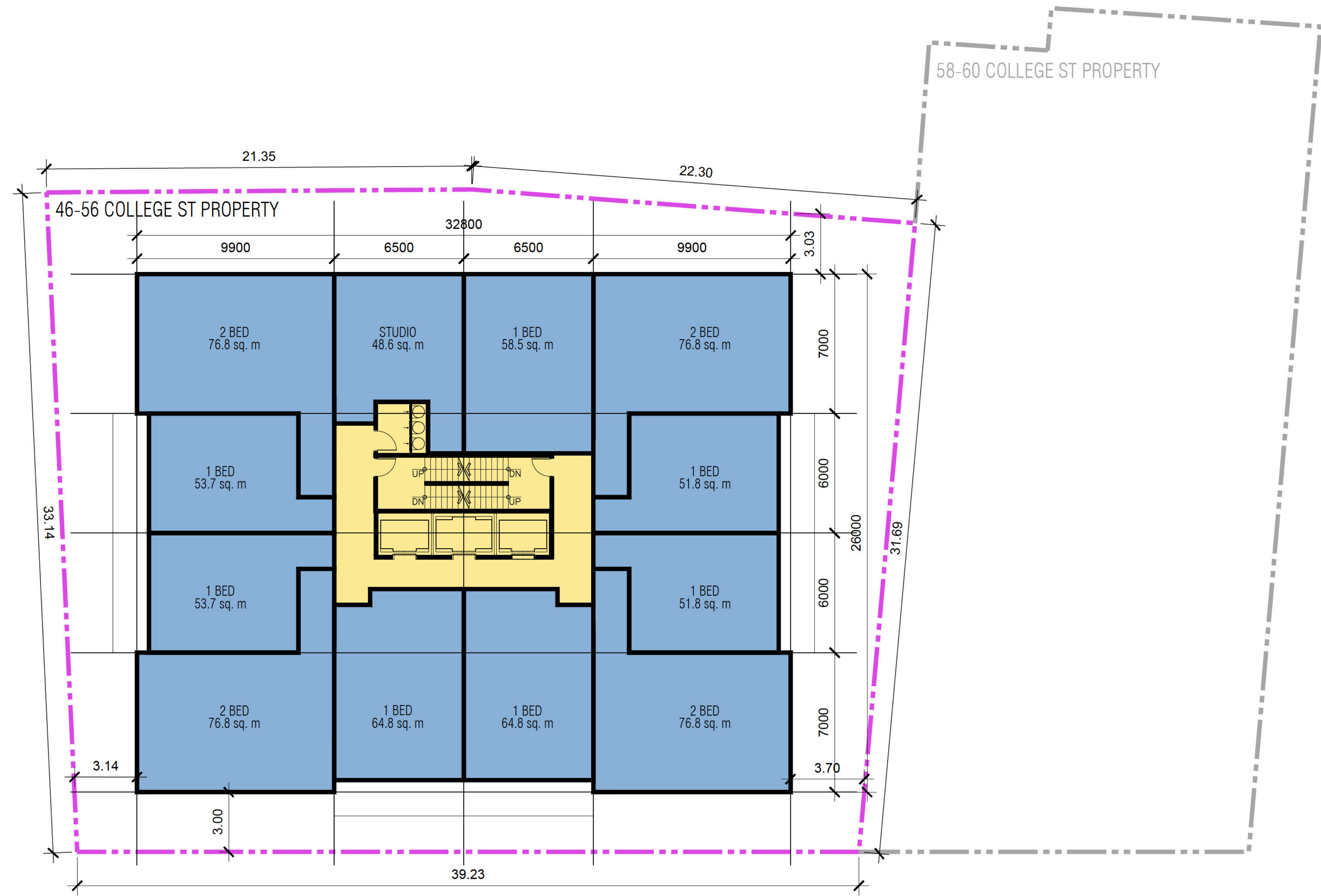
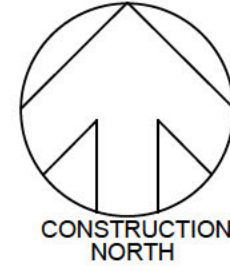
<p><u>Strategic Growth Area A</u> (consider renaming to SGA-C see comment 3.C.2.15 above)</p> <p>Policy 15.D.2.41 states that residential housing types permitted in the Low Rise and Medium Rise Residential designations are permitted. Can you confirm that this also includes stacked townhouse dwellings as multiples are listed in the medium rise residential designation?</p>	<p><b>None to date</b></p>
<p><u>Strategic Growth Area B</u></p> <p>The downtown core, which is a primary intensification area has a significant portion designated as SGA-B which has height limits to 25 storeys. What is the rationale for this limit on height in particular on lands that do not have heritage significance or are adjacent to a stable neighbourhood eg. block on the north side of King Street West between Water Street and Francis.</p>	<p><b>None to date</b></p>
<p><u>Strategic Growth Area C</u></p> <p>Lands within this area are intended to accommodate significant intensification at high density, Policies 15.D.2.52 -15.D.2.54 indicate that there may be no maximum height and refers to site specific increases in building height. This continues to suggest that the height may be limited despite this being the highest intensification area. Is there opportunity for stronger language that creates more certainty, particularly on sites that meet the intent of Tall Building Guidelines and provide for adequate transition to lower density uses? It is encouraging that the language says "may" however the flip side to that is that one "may not" permit some additional height and this is somewhat subjective.</p>	<p><b>None to date</b></p>
<p><b><u>Zoning by-law</u></b></p>	
<p><u>Definition</u></p> <p><u>Floor Plate Area</u>- means the gross floor area of a storey of a building. It is suggested that you insert the words "within the tower of a tall" after the word storey and delete the words "of a"as this should not reference low density or medium density built forms.</p> <p><i><b>Suggested definition</b></i> Floor Plate Area- means the gross floor area of a storey within the tower of a tall building.</p>	<p><b>None to date</b></p>
<p><u>Physical Separation</u>- means the distance from a tall building tower's faces to its interior side lot line and real lot lines. When two of more towers are on the same lot, the total distance between each pair of towers in any direction is to be calculated as the <b>sum of both</b> individual separations.</p>	<p><b>None to date</b></p>



<p><i>19-36 storey</i></p> <ul style="list-style-type: none"> <li>The maximum floor plate should be revised to 1200 m<sup>2</sup></li> </ul> <p><i>37 and above</i></p> <ul style="list-style-type: none"> <li>The maximum building length should be increased to 48m</li> <li>The maximum floor plate should be increased to 1200 m<sup>2</sup></li> </ul>	<p><b>None to date</b></p> <p><b>None to date</b></p>
<p><u>Section 6.6 Priority Streets</u></p> <p>Section 6.6a) ii and iii which does not permit the location of structured parking in the podium structure or permits only 50% of the area of the street line façade within the base of the building is problematic for smaller sites. It is suggested that this be permitted above the first two floors if it cannot be located on the ground floor with some glazing or appropriate screening or wrapped with units where feasible.</p>	<p><b>None to date</b></p>
<p><u>Section 6.7 Private Amenity Space</u></p> <p>Section 6.7a) I and II require 4 m<sup>2</sup> and 8 m<sup>2</sup> respectively of private amenity space. This seems too high and we suggest reducing this amount to approximately 2.0 m<sup>2</sup> for a 1 bedroom and 3m<sup>2</sup> for a two bedroom.</p>	<p><b>None to date</b></p>
<p><u>General comments</u></p> <ul style="list-style-type: none"> <li>In the situation of a corner lot how the building length would be applied? Is it applied to both frontages?</li> <li>Also, in the case of an L-shaped building the floor plate size would never be complied with.</li> </ul>	<p><b>None to date</b></p> <p><b>None to date</b></p>
<p><u>Section 18.4- Deemed to Comply Development Applications:</u></p> <p>Please ensure that the following sites are deemed to comply:</p> <ul style="list-style-type: none"> <li>926 King Street E.;</li> <li>83-87 Weber Street W.;</li> <li>332 Charles Street;</li> <li>1668 King Street E.;</li> </ul>	<p><b>None to date</b></p>
<p>In the case where the site specific regulations or permissions are more restrictive than the proposed SGA provisions considerations to review these permissions as part of this process may be appropriate</p>	<p><b>None to date</b></p>

and it is suggested that this should be discussed with the property owners.	





SGA-4 ZONING COMPLIANCE	REQUIRED	PROPOSED
<i>FOR STOREYS 19-36</i>		
LOT WIDTH	42.0m	39.2m
LOT AREA	2,000 sq.m.	1358 sq.m.
FRONT YARD SETBACK	6.0m	3.0m
EXT. SIDE YARD SETBACK	6.0m	3.0m
MAX. BUILDING LENGTH	48.0m	32.8m
MAX. FLOOR PLATE AREA	900 sq.m.	850 sq.m.
PHYSICAL SEPARATION	12.0m	3.0m

**46-56 COLLEGE STREET  
RESIDENTIAL DEVELOPMENT**

KITCHENER, ON

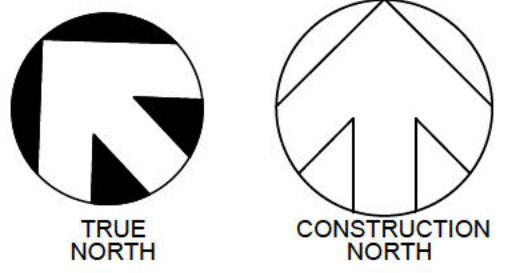
**ZONING COMPLIANCE STUDY**

DATE: 2023-12-20  
SCALE 1:125

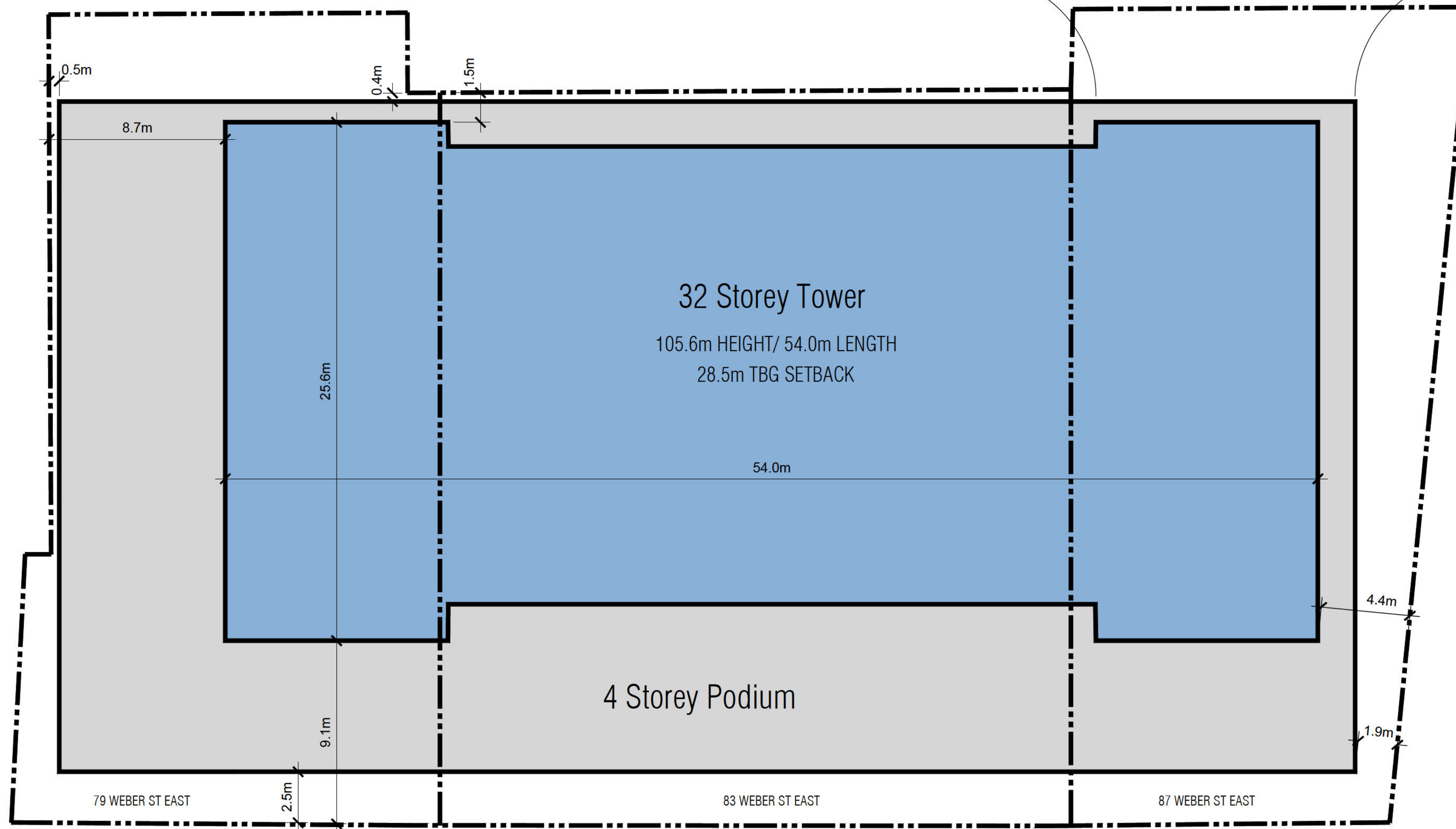


**ZC**





WEBER ST. EAST



SGA-4 ZONING COMPLIANCE	REQUIRED	PROPOSED
<i>FOR STOREYS 19-36</i>		
LOT WIDTH	42.0m	70.2m
LOT AREA	2,000 sq.m.	2629.2 sq.m.
FRONT YARD SETBACK	6.0m	1.4m
EXT. SIDE YARD SETBACK	6.0m	N/A
MAX. BUILDING LENGTH	48.0m	54.0m
MAX. FLOOR PLATE AREA	900 sq.m.	1285.4 sq.m.
PHYSICAL SEPARATION	12.0m	4.4m

79-87 WEBER ST.  
RESIDENTIAL DEVELOPMENT

KITCHENER, ON

ZONING COMPLIANCE STUDY

DATE: 2023-12-20  
SCALE 1:150



ZC

BUILDING DATA - Revised Proposal							
TOTAL PROJECT							
ABOVE GRADE	METRIC (sq.m.)	IMPERIAL(sq.ft.)	PARKING	1 BED	2 BED	3 BED	TOTAL
LEVEL 1 - MAIN LEVEL PARKING	1254.8	13507	29				
LEVEL 1 - ENTRY LOBBY /GARBAGE/ CORES	349.9	3766					
LEVEL 1 - COMMERCIAL	406.7	4378					
LEVEL 2 - COMMERCIAL	406.7	4378					
LEVEL 2 - PARKING	1572.5	16926	33				
LEVEL 3 - COMMERCIAL	406.7	4378					
LEVEL 3 - PARKING	1572.5	16926	33				
LEVEL 4 - COMMERCIAL	406.7	4378					
LEVEL 4 - PARKING	1572.5	16926	33				
LEVEL 5 - COMMERCIAL	406.7	4378					
LEVEL 5 - PARKING	1572.5	16926	33				
LEVEL 6 - COMMERCIAL	406.7	4378					
LEVEL 6 - PARKING	1572.5	16926	33				
LEVEL 7 - COMMERCIAL	406.7	4378					
LEVEL 7 - PARKING	1572.5	16926	33				
LEVEL 8 - COMMERCIAL	406.7	4378					
LEVEL 8 - PARKING	1572.5	16926	33				
LEVEL 9 - PARKING	1979.2	21304	41				
LEVEL 10 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 11 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 12 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 13 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 14 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 15 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 16 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 17 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 18 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 19 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 20 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 21 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 22 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 23 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 24 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 25 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 26 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 27 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 28 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 29 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 30 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 31 - RESIDENTIAL	1148.5	12362		14	4	0	18
LEVEL 32 - RESIDENTIAL	1148.5	12362		14	4	0	18
<b>TOTAL GFA - ABOVE GRADE</b>	<b>44260.5</b>	<b>476416</b>	<b>301</b>	<b>322</b>	<b>92</b>	<b>0</b>	<b>414</b>
<b>FSR (1896.8sq.m. LOT AREA)</b>	<b>23.3</b>		Parking Spaces/Unit				0.72705314



SITE STATISTICS

ITEM	EXISTING ZONING BYLAW REQUIREMENTS	PROPOSAL
ZONING CATEGORY	D-5	D-5
LOT AREA (sm)	N/A	2,629.1 sq.m.
LOT WIDTH (sm)	15 m	70.1 m
GROUND FLOOR AREA (sm)	N/A	2118.4 sq.m.
LOT COVERAGE (max.)	N/A	80.6%
FRONT YD. (min.)	3.0 m	0.4 m *
REAR YARD (min.)	3.0 m	2.5 m *
SIDE YARD EAST (min.)	1.2 m	1.9 m
SIDE YARD WEST (min.)	1.2 m	0.5 m
NUMBER OF PARKING SPACES	504	144 *
NUMBER OF TYPE A ACCESSIBLE PARKING SPACES	1.0 SPACE PER RESIDENTIAL UNIT 4	4 *
NUMBER OF TYPE B ACCESSIBLE PARKING SPACES	4	0 *
BIKE PARKING	212	441
PARKING STALL DIMENSIONS (m)	0.5 PER RESIDENTIAL UNIT 2.6 m x 5.5 m	1.04 PER RESIDENTIAL UNIT 3.05 m x 6.0 m
PARKING AISLE (m)	7.3 m	6.7 m *
TYPE A ACCESSIBLE PARKING SPACE (m)	3.4 m x 5.5 m	3.4 m x 6.5 m
TYPE B ACCESSIBLE PARKING SPACE (m)	2.4 m x 5.5 m	2.4 m x 6.0 m
ACCESSIBLE PARKING AISLE (min.)	1.5 m	1.5 m
MAX DENSITY (FSI)	3.0	17.9 *

\* MAY REQUIRE SITE SPECIFIC ZONING OR MINOR VARIANCE



79-87 WEBER ST.  
RESIDENTIAL DEVELOPMENT

KITCHENER, ON

PROPOSED GROUND FLOOR

DATE: 2023-12-20  
SCALE: 1:150

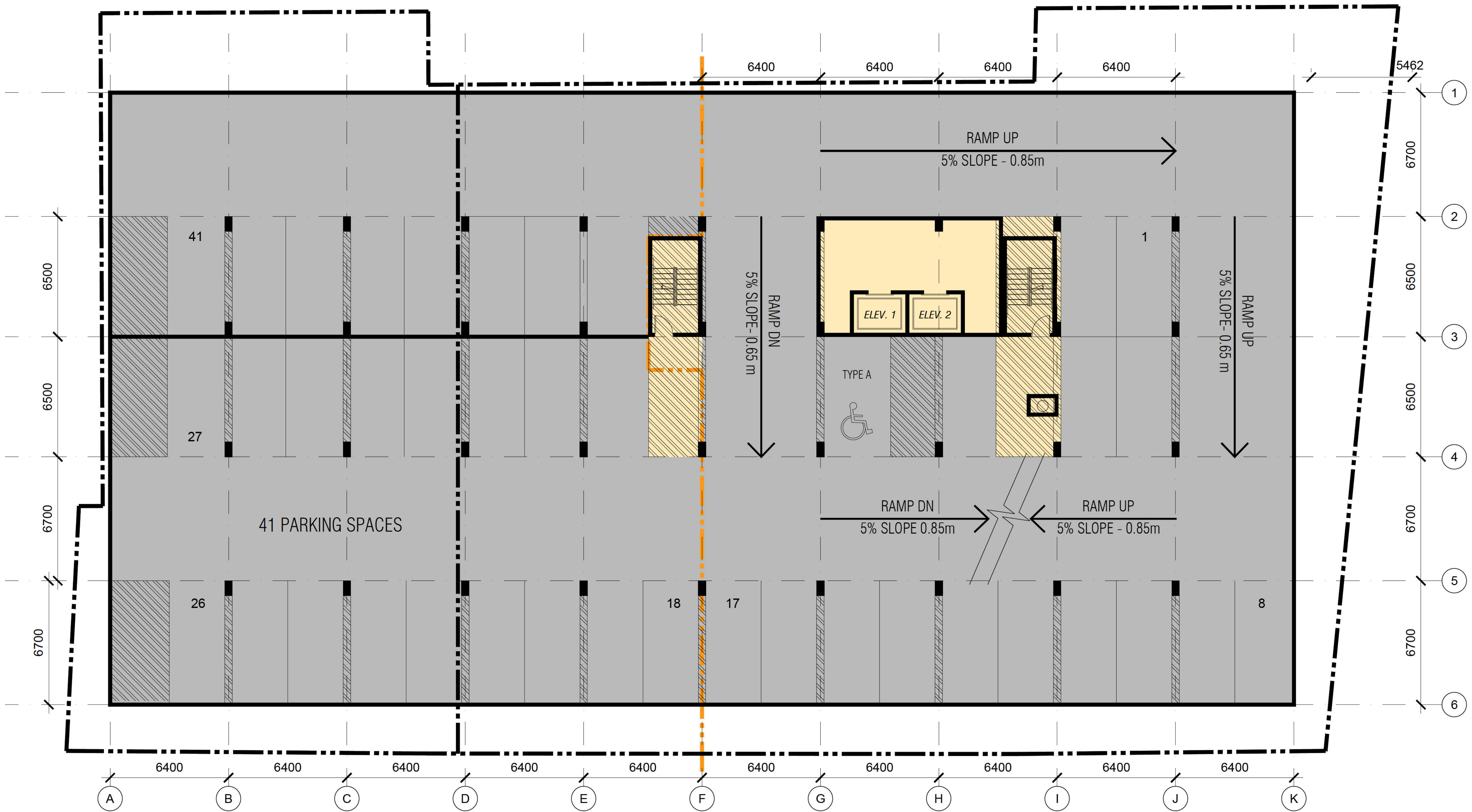
**vive**<sup>TM</sup>  
DEVELOPMENT  
**REINDERS**  
**+LAW**  
ARCHITECTURE . ENGINEERING

SP1









79-87 WEBER ST.  
RESIDENTIAL DEVELOPMENT

KITCHENER, ON

LEVEL 9

DATE: 2023-12-20  
SCALE 1:100

vive™  
DEVELOPMENT  
REINDERS  
+LAW  
ARCHITECTURE . ENGINEERING

P2





79-87 WEBER ST.  
RESIDENTIAL DEVELOPMENT

KITCHENER, ON

TYPICAL TOWER LEVEL  
LEVEL 10 - 32

DATE: 2023-12-20  
SCALE 1:100

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DEVELOPMENT  
REINDERS  
+LAW  
ARCHITECTURE . ENGINEERING

P3





PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

January 11, 2024

Natalie Goss  
Manager Long Range and Policy Planning  
Kitchener City Hall, Planning Division 6<sup>th</sup> Floor  
200 King Street West  
Kitchener, ON  
N2G 4G7

Dear Ms. Goss:

**RE: Growing Together Site Specific Considerations  
OUR FILE**

---

We are writing on behalf of our client VIVE, as it pertains to the property outlined below. Further to our letter sent you on December 22<sup>nd</sup>, the following response is intended to provide the rationale/justification for inclusion of site specific permissions for one additional consolidated property noted below. In support of the request for site specific zoning considerations, with a conceptual design has been included with this letter for each site.

**698-710 Charles Street**

The property is a consolidation of three former properties 698, 704 and 710 Charles Street East. The lands are located on the north side of Charles Street between Sheldon Ave S. and Preston Ave S. and each currently contain a single detached dwelling. The subject lands are located within the Borden Ave. Station Area which are proposed for an SGA-3 Zone and SGA-C designation and are geographically situated within the King Street East corridor.

The proposed SGA-3 zone would limit the height to 25 storeys. Our client is requesting an SGA-4 zone with unlimited FSR and height and no parking requirements which aligns with the SGA-C designation which is intended to accommodate intensification areas at a higher density for lands that have been consolidated. Proposed policy 15.D.2.53 indicates that lands designated SGA-C may have no maximum building height. Our client has included plans for a 36 storey building on the site. Site specific setback regulations may be required for the consolidated parcel including front, rear and side yard setbacks.

***Justification***

The proposed reduction in the minimum front, side and rear yard setbacks is requested to provide a building design which appropriately addresses the frontage with active uses with a reduced front yard setback, while maintaining an adequate rear yard setback from adjacent established uses to the rear. Typically in more urban locations, buildings are often constructed with minimal or zero front yard



setbacks in order to establish a consistent street line setback and further, as the subject block develops over time, it is anticipated that front yard setbacks will be minimal in order to provide for active frontages to the pedestrian realm. The subject lands back onto commercial lands with frontage onto King Street East at the end of the Station Area boundary. In addition, there are two single detached homes along Sheldon between King Street and Charles Street, with a recently constructed street fronting town house block at the south east corner of King Street East and Sheldon Ave. The reduction in rear yard setback is minimal from 7.5m to 6.31m, and the proposed tower design and building orientation has been designed to minimize impacts on adjacent land uses during daylight hours by orienting the building closer to the intersection of Charles Street and Preston Ave. There are no heritage properties in the vicinity.

As the lands are located within 644 m of the Bordon Station, the proposed density at this location would support transit use and would achieve the City's objective to intensify priority intensification areas such as the MTSA's. Our Client intends to develop the lands comprehensively, which aligns with the planned function to intensify these lands. The lands on their own, would likely not achieve the maximum development potential, however, as part of a consolidated parcel, it would be able to be developed at a density that will help support transit use and make more efficient use of land and infrastructure as directed in OP policy 3.C.2.11, which states "*that the City will discourage a reduction in the lot area of property if the reduction in lot area has the potential to compromise intensification. Consolidation of properties will be encouraged in the interest of comprehensive planning to achieve better site configuration, the provision of amenities and land use and design efficiency*". Further land consolidation of the block bound by Charles Street E., Preston Ave S., King Street E. and Sheldon Ave. S. may occur over time.

We have provided a conceptual plan showing that a building with a 900 sq. m floor plate and a height of 36 storeys could be developed on the subject lands. The intensification of the subject lands would help meet the planned function of the MTSA, which is to support transit usage and to facilitate the intensification of a priority area as identified in Section 3.C.2.17. MTSA's are identified as areas to provide a focus for accommodating growth through development which supports transit, helps achieve a mix of residential and non residential uses in the area and contributes toward the creation of pedestrian oriented streetscapes. Additionally, the proposed designation to an SGA-C designation would suggest that additional height beyond the proposed SGA 3 zone limit of 25 storeys, may be considered without height restrictions where appropriate. By permitting the SGA-4 zoning on the subject lands the vision of high density intensification can be realized for these lands and the vision for the SGA-C designation can be implemented. Lastly, the proposed development of these lands would compliment the development recently approved for 1251 and 1253 King Street East and 16 Sheldon Avenue for 8 to 24 storey towers immediately to the west of the subject lands. Together these sites would provide additional density to support transit use and provide a transition in built form height, thus adding interest to the City's skyline.

We respectfully request that you consider the submission for increased zoning permissions on these key locations for the reasons cited above. Should you have further questions or require additional supporting information, we would welcome the opportunity to meet and discuss this with you.

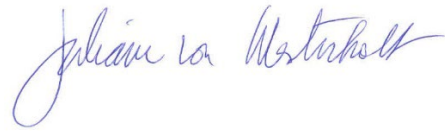
Yours truly,

# MHBC

A stylized, handwritten signature in black ink, consisting of a large loop on the left and several sharp, sweeping strokes on the right.

Pierre Chauvin MA, MCIP, RPP  
Partner

*cc. S. Litt*

A handwritten signature in blue ink, written in a cursive style. The name 'Juliane vonWesterholt' is clearly legible.

Juliane vonWesterholt, BES, MCIP, RPP  
Associate



January 11, 2024

Garett Stevenson  
Manager Development Review  
Kitchener City Hall, Planning Division 6<sup>th</sup> Floor  
200 King Street West  
Kitchener, ON  
N2G 4G7

Dear Mr. Stevenson:

**RE: 1122 King Street East OPA/ ZBA application and Growing Together Implications  
OUR FILE 2290A**

---

We are writing on behalf of our client MG Urban Developments Inc., as it pertains to the property outlined above. Applications for Official Plan (OPA) and Zoning By-law (ZBA) amendments were submitted late in 2023 and since then, the City has advanced its station area planning with draft Official Plan and Zoning By-law documents that would affect these lands.

The proposed Official Plan designation is SGA-B and proposed Zone is SGA-3, which would permit a tower of 25 storeys as the client originally requested in the private amendment applications. Proposed Policy 15.D.2.49 states that no building will exceed 25 storeys in height, which would support the proposed development of our client for the above noted lands. Additionally, 15.D.2.47 states that Strategic Growth Area B land use designation would accommodate medium and high density housing types, such as the proposed 25 storey apartment contemplated by our client. It would be the expectation of our client that these permissions for the subject properties be advanced as part of the Growing Together process.

In speaking to Mr. Tim Seyler, Senior Planner, we were advised that the subject lands could be designated and zoned by the City's Growing Together process in lieu of advancing the site specific OPA and ZBA applications already submitted. We have spoken to our client and have been advised to proceed under the City's Growing Together process. In turn, we would respectfully request that our application for OPA/ ZBA be withdrawn and that the fees be returned to our client.

Please confirm acknowledgement of this letter and we look forward to working with the City through the Growing Together process.



Yours truly,  
**MHBC**

A handwritten signature in black ink, appearing to read 'P. Chauvin', with a large loop at the end.

Pierre Chauvin MA, MCIP, RPP  
Partner

A handwritten signature in blue ink, appearing to read 'Juliane vonWesterholt', written in a cursive style.

Juliane vonWesterholt, BES, MCIP, RPP  
Associate

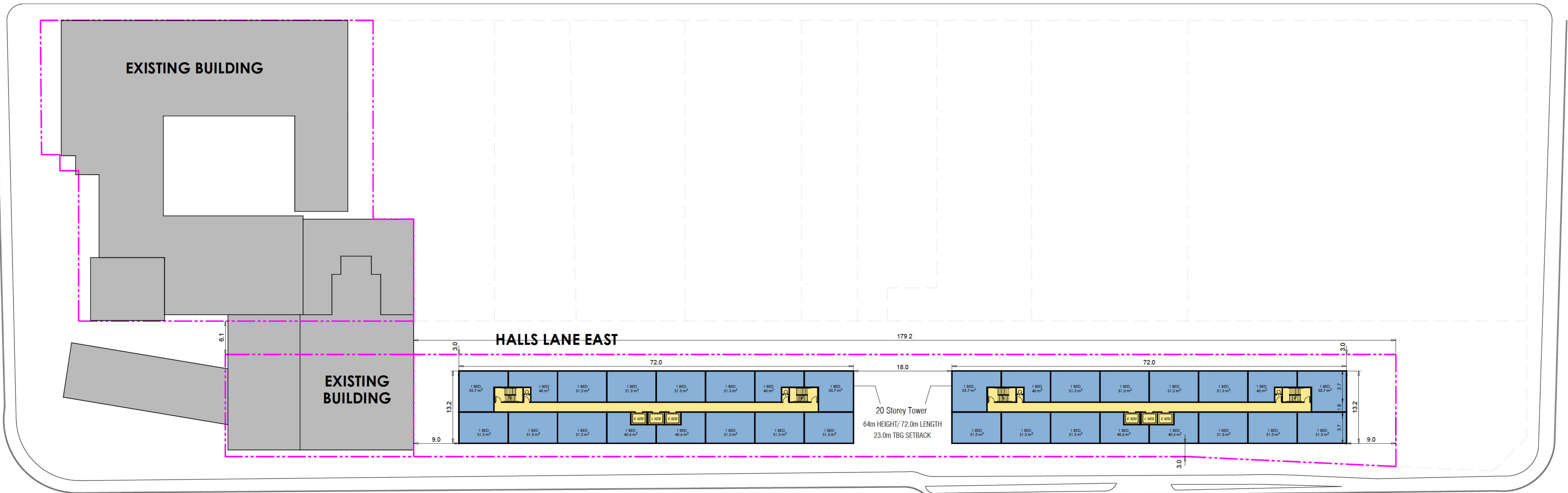
*cc. V. Gamboa- MG Urban Developments Inc.  
N. Goss, Manager Long Range and Policy Planning, City of Kitchener*



KING ST EAST

BENTON ST

EBY ST SOUTH



CHARLES ST EAST

SGA-4 ZONING COMPLIANCE      REQUIRED      PROPOSED

FOR STOREYS 19-36

LOT WIDTH	42.0m	179.2m
LOT AREA	2,000 sq.m.	3371.2 sq.m.
FRONT YARD SETBACK	6.0m	3.0m
EXT. SIDE YARD SETBACK	6.0m	9.0m
MAX. BUILDING LENGTH	48.0m	72.0m
MAX. FLOOR PLATE AREA	900 sq.m.	950.5 sq.m.
PHYSICAL SEPARATION	12.0m	9.0m

**CROWNE PLAZA  
PARKING DECK DEVELOPMENT**

KITCHENER, ON

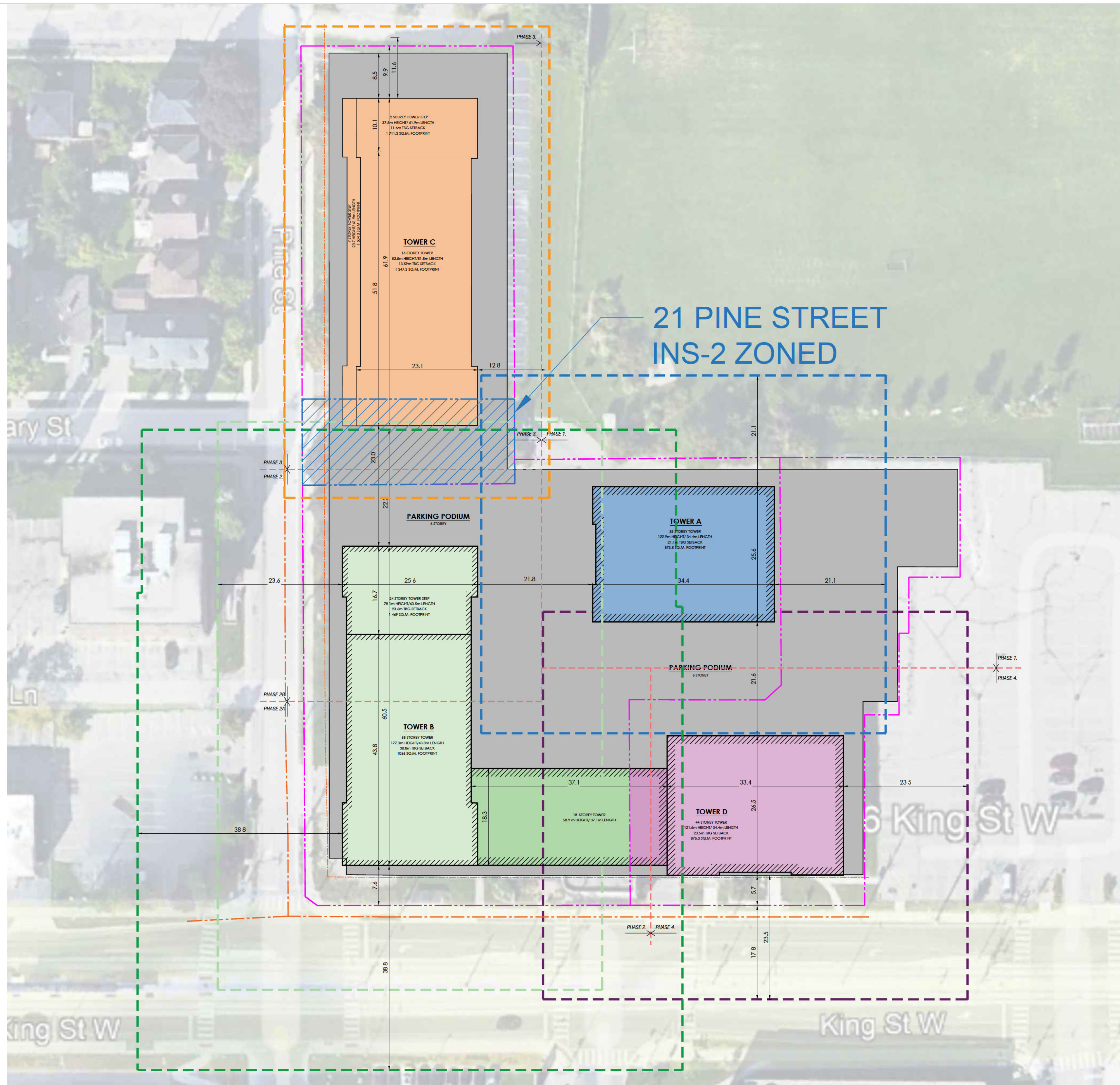
**ZONING COMPLIANCE STUDY**

**vive™**  
DEVELOPMENT  
**REINDERS  
+LAW**  
ARCHITECTURE . ENGINEERING

**ZC**

DATE: 2023-12-20  
SCALE 1:350





**864-872 KING ST  
 APARTMENTS**

KITCHENER, ON

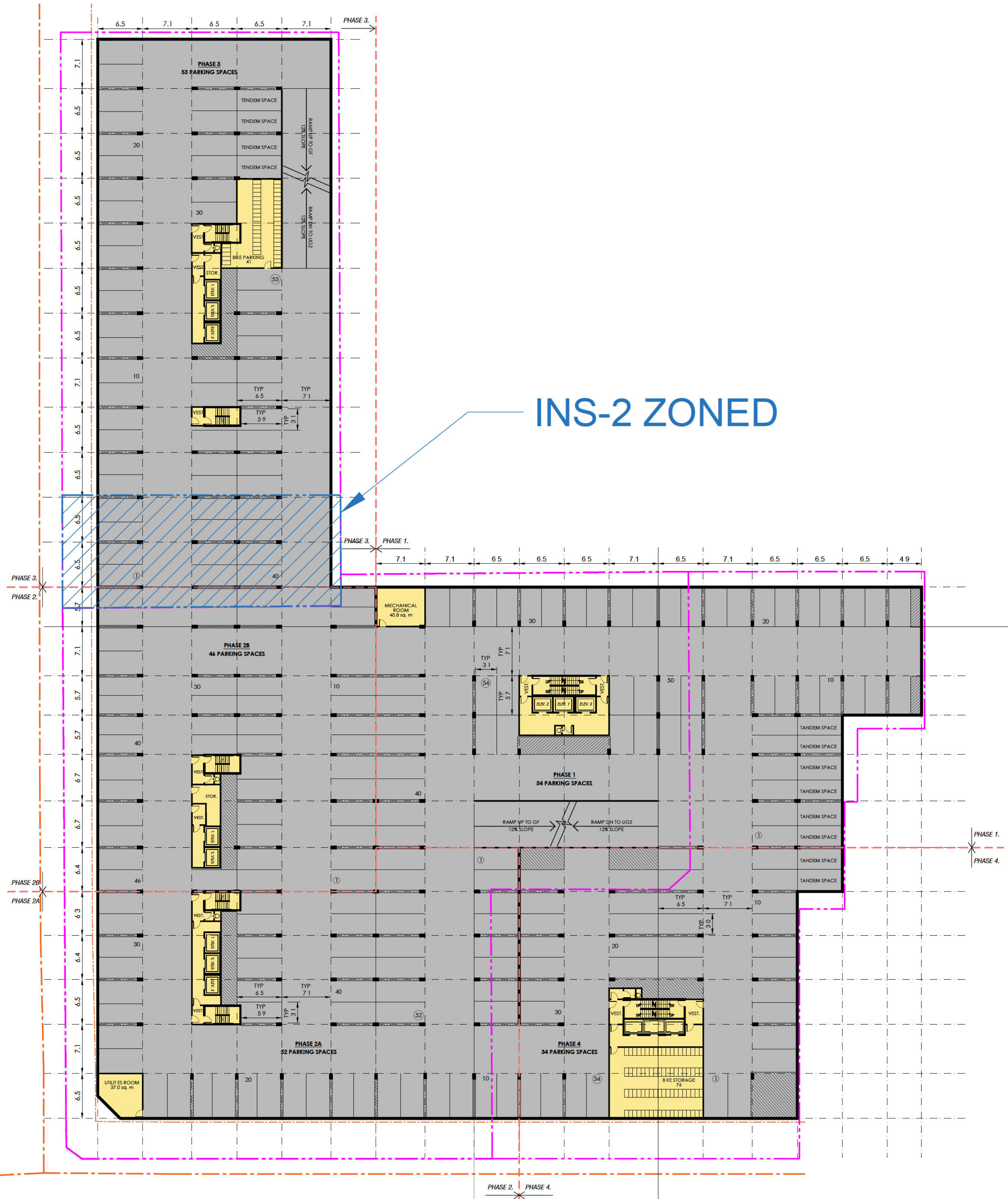
**TBG ANALYSIS**

DATE: 2023-12-12  
 SCALE 1:400

**vive™**  
 DEVELOPMENT  
**REINDERS  
 +LAW**  
 ARCHITECTURE . ENGINEERING

**TBG**





INS-2 ZONED

ZONING STATISTICS

ITEM	EXISTING ZONING BYLAW REQUIREMENTS	PROPOSAL
ZONING CATEGORY	C-1	C-1
LOT AREA (sm)	278.0	12,736.1 m <sup>2</sup>
LOT WIDTH (sm)	9 m	105.9 m
GROUND FLOOR AREA (sm)	N/A	10,843.8 m <sup>2</sup>
LOT COVERAGE	-	85 %
Minimum Front Yard	3 m	5.8 m
Minimum Rear Yard	7.5 m	1.9 m
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Maximum Gross Leasable Commercial Space	999.0 sq.m (By-law 89-191, S.1)	1,194.3 m <sup>2</sup>
Maximum Gross Leasable Commercial Space for a Convenience Retail Outlet	No single convenience retail outlet shall exceed 225.0 sq.m	TBD
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COMMERCIAL - 1 PARKING SPACE PER 20 sm OF COMMERCIAL	60	TBD
NUMBER OF ACCESSIBLE PARKING SPACES	42	TBD
2 + 2% of total required parking		
PARKING STALL DIMENSIONS (m)	2.6 m x 5.5 m	3.1 m x 5.7 m
PARKING AISLE DIMENSIONS (m) (*extra wide stalls)	7.3	7.1*
ACCESSIBLE PARKING SPACE (m)		
TYPE A ACCESSIBLE PARKING SPACE (m)	3.4 m x 5.5 m	3.4 m x 5.5 m
TYPE B ACCESSIBLE PARKING SPACE (m)	2.4 m x 5.5 m	2.4 m x 5.5 m
LOADING SPACE SIZE	10.7 m x 3.0 m	10.7 m x 3.0 m
LOADING SPACE REQUIRED	2	2
VISITOR PARKING SPACE REQUIRED	140	TBD
7 PERCENT OF THE REQUIRED PARKING SPACES		
BIKE PARKING	200	TBD
10% OF REQUIRED PARKING SPACES		

864-872 KING ST  
APARTMENTS  
KITCHENER, ON

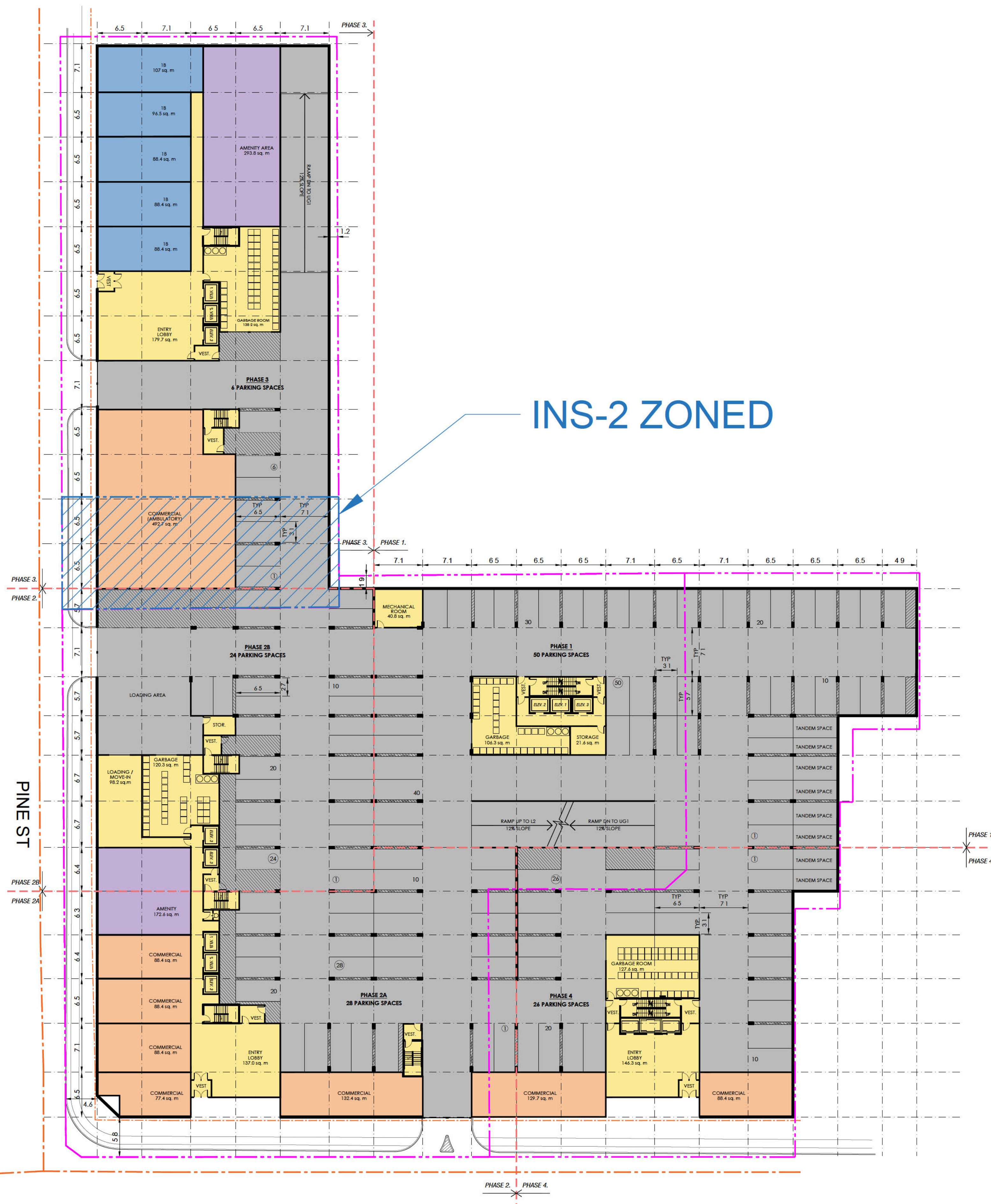
PROPOSED UNDERGROUND PARKING  
LEVEL P1 - P2

DATE: 2023-12-12  
SCALE 1:350



PL1





INS-2 ZONED

ZONING STATISTICS

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LOADING SPACE REQUIRED	2	2
VISITOR PARKING SPACE REQUIRED	140	TBD
7 PERCENT OF THE REQUIRED PARKING SPACES		
BIKE PARKING	200	TBD
10% OF REQUIRED PARKING SPACES		

864-872 KING ST  
APARTMENTS  
KITCHENER, ON

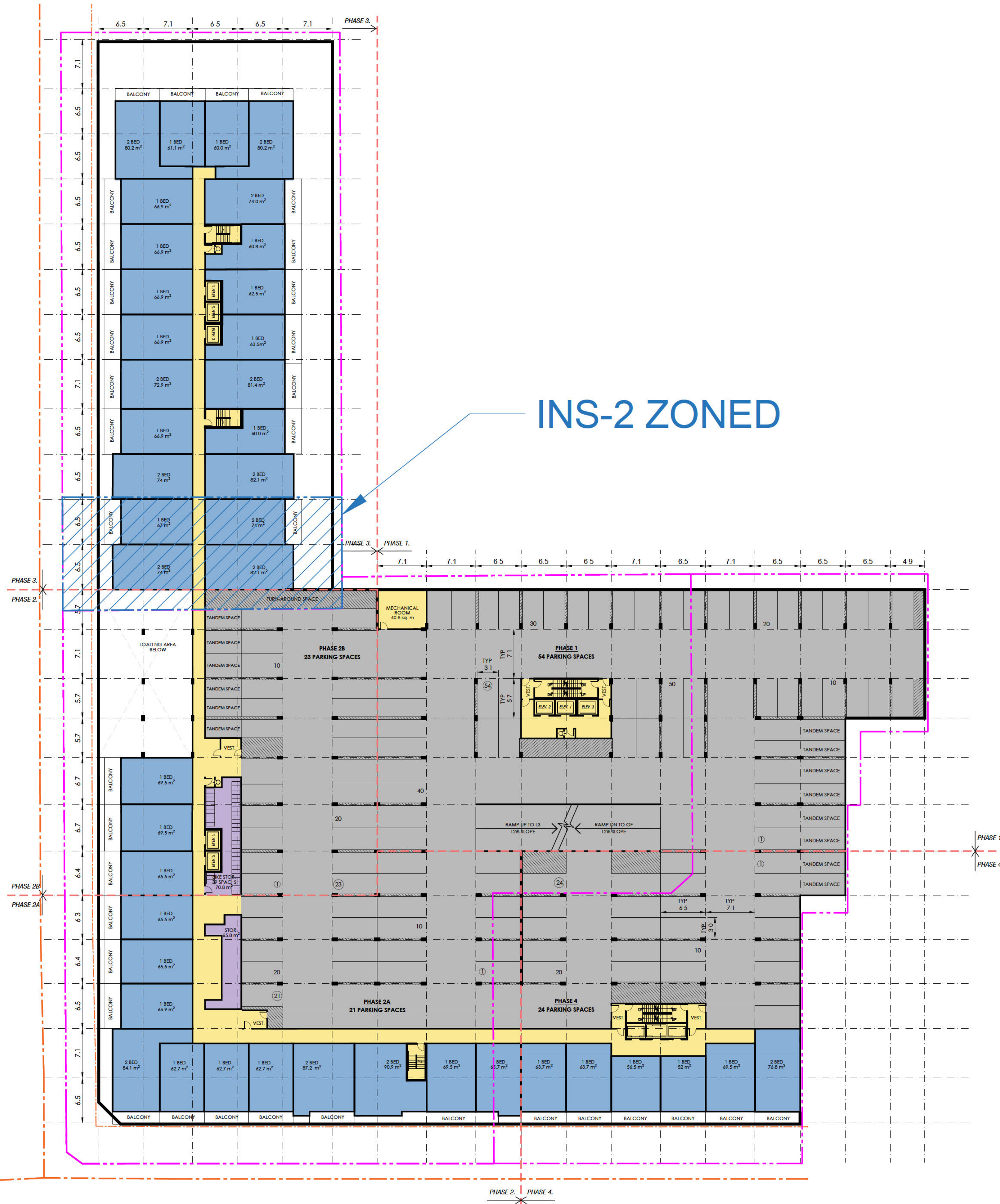
PROPOSED GROUND FLOOR

DATE: 2023-12-12  
SCALE 1:350



SP1





INS-2 ZONED

ZONING STATISTICS

ITEM	EXISTING ZONING BYLAW REQUIREMENTS	PROPOSAL
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864-872 KING ST  
APARTMENTS  
KITCHENER, ON

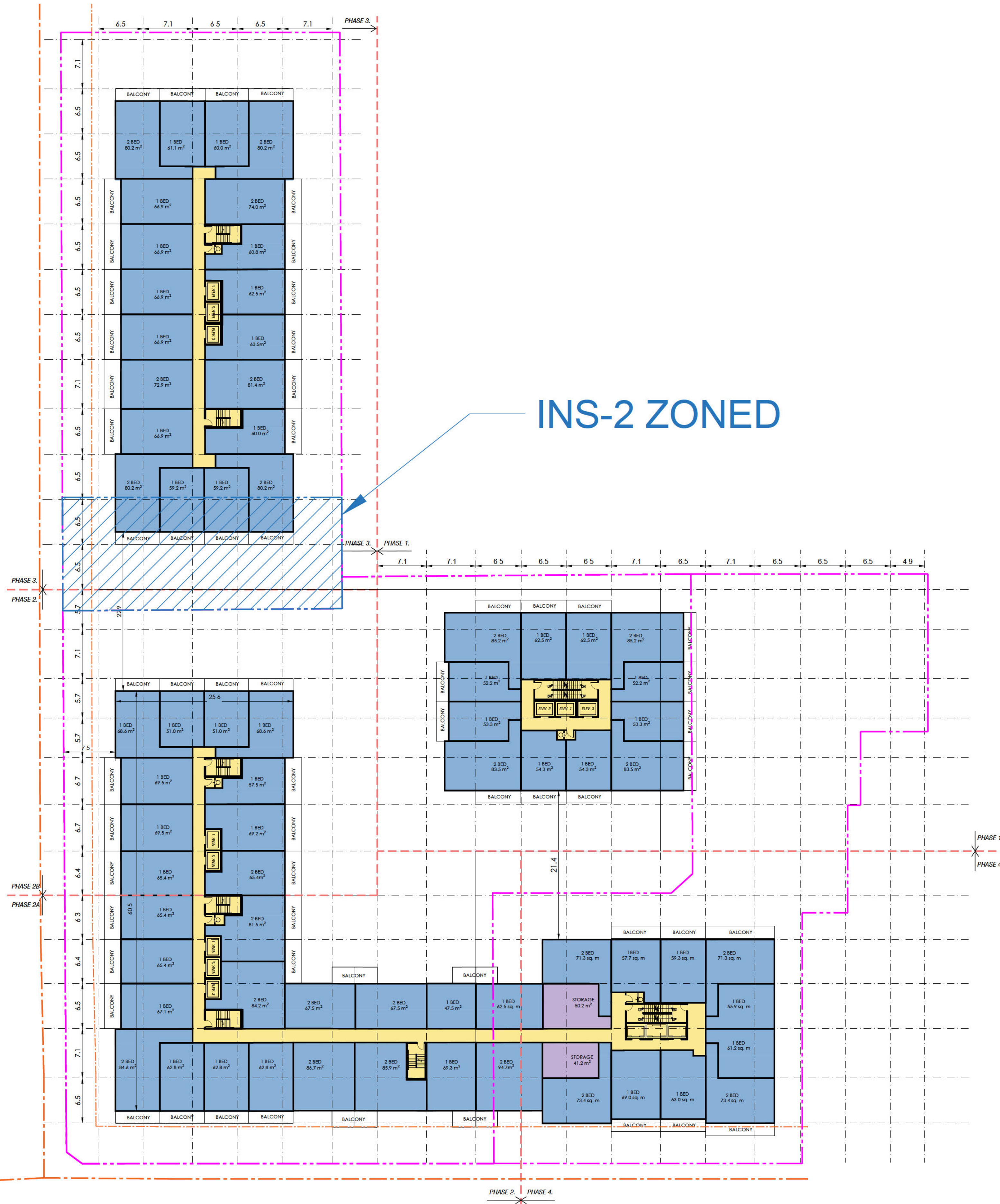
PROPOSED LEVEL 2-6

DATE: 2023-12-12  
SCALE 1:350



P1





INS-2 ZONED

ZONING STATISTICS

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LOADING SPACE SIZE	2	2
LOADING SPACE REQUIRED	140	TBD
VISITOR PARKING SPACE REQUIRED	7 PERCENT OF THE REQUIRED PARKING SPACES	TBD
BIKE PARKING	200	TBD
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864-872 KING ST  
APARTMENTS

KITCHENER, ON

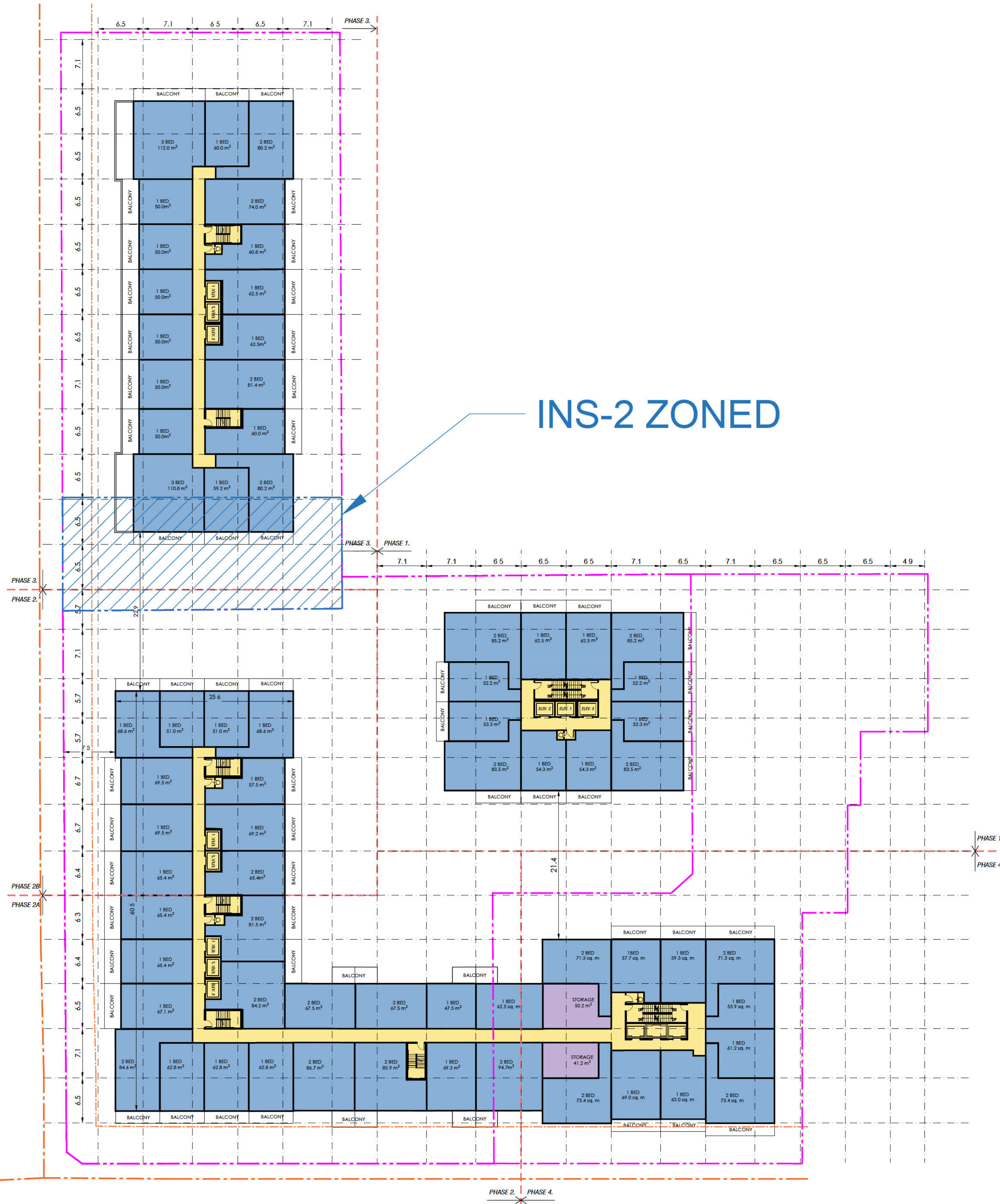
PROPOSED TYP. RESIDENTIAL UNITS  
LEVEL 7

DATE: 2023-12-12  
SCALE 1:350



P2

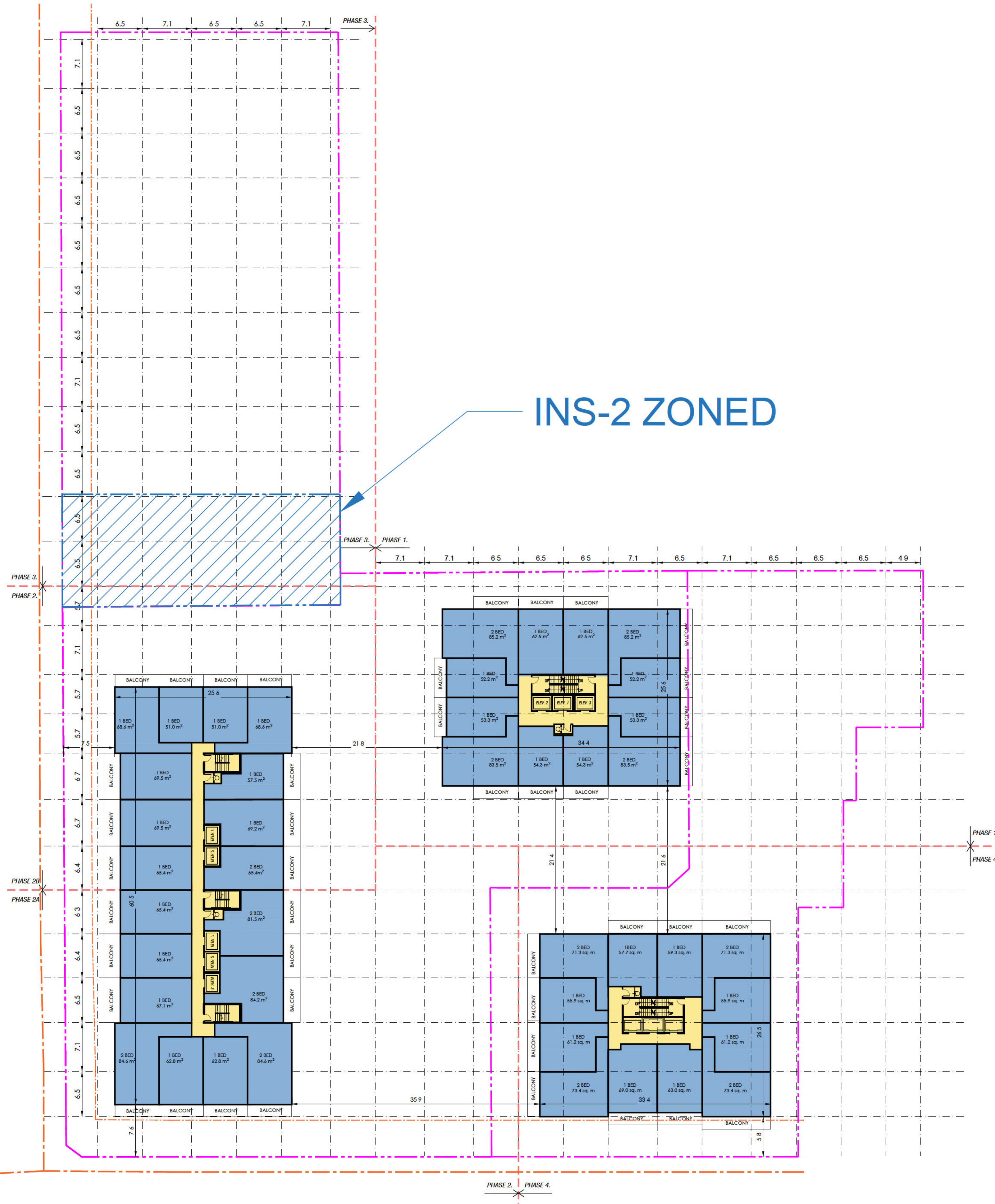




ZONING STATISTICS

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INS-2 ZONED

ZONING STATISTICS

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864-872 KING ST  
APARTMENTS  
KITCHENER, ON

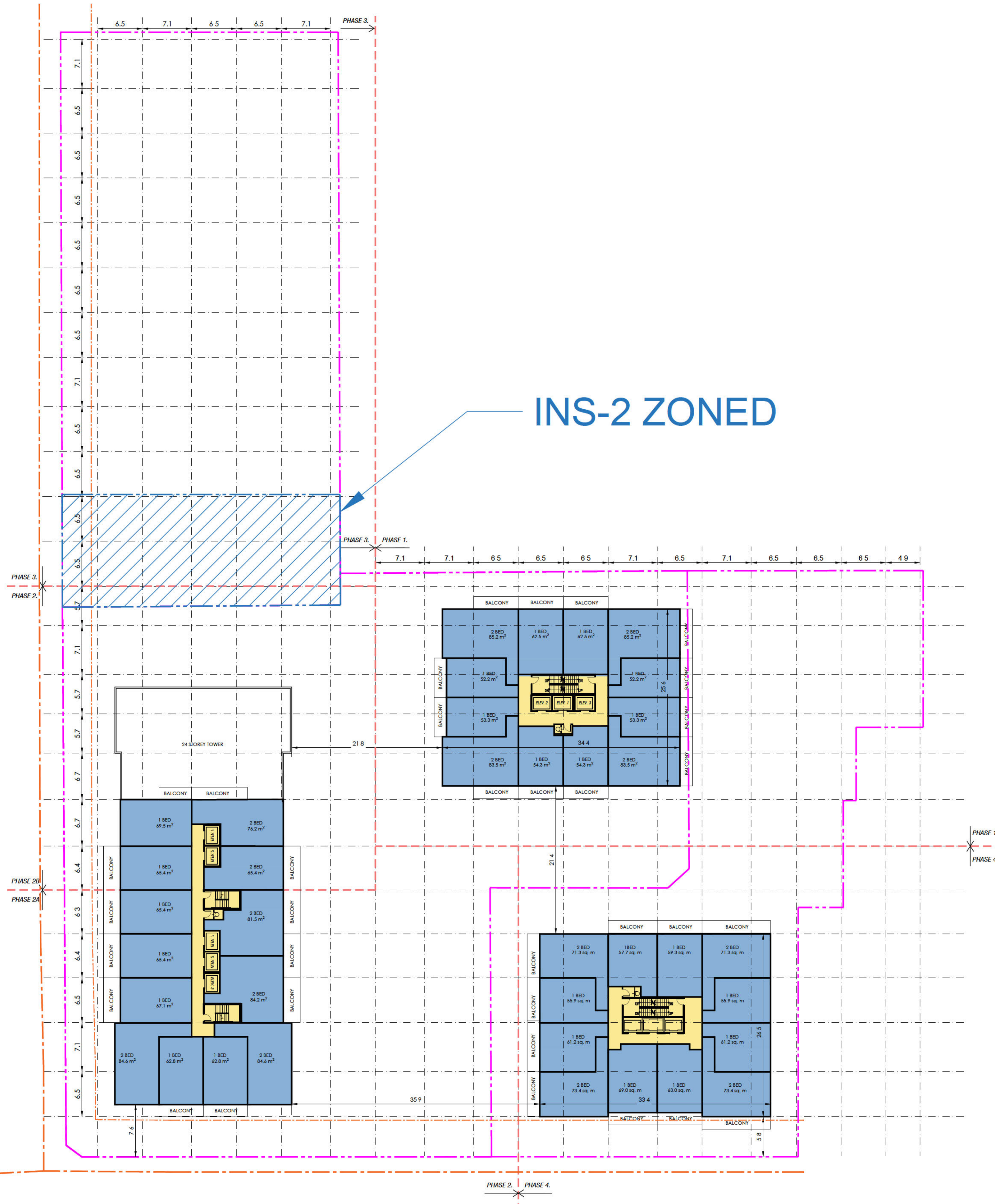
PROPOSED TYP. RESIDENTIAL UNITS  
LEVEL 17-24

DATE: 2023-12-12  
SCALE 1:350



P4





INS-2 ZONED

ZONING STATISTICS

ITEM	EXISTING ZONING BYLAW REQUIREMENTS	PROPOSAL
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864-872 KING ST  
APARTMENTS  
KITCHENER, ON

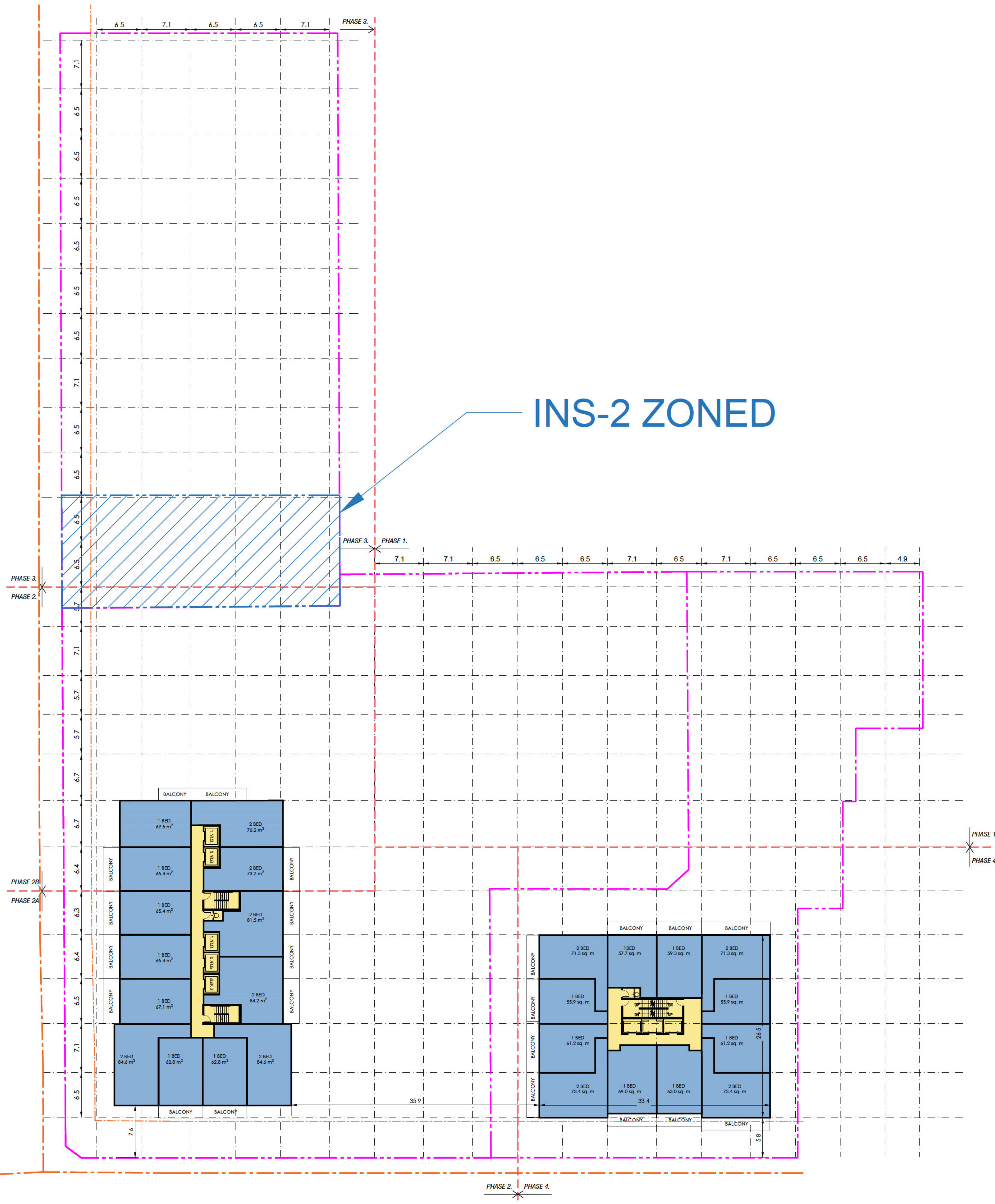
PROPOSED TYP. RESIDENTIAL UNITS  
LEVEL 25- 38

DATE: 2023-12-12  
SCALE 1:350



P5





INS-2 ZONED

ZONING STATISTICS

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7 PERCENT OF THE REQUIRED PARKING SPACES		
BIKE PARKING	200	TBD
10% OF REQUIRED PARKING SPACES		

864-872 KING ST  
APARTMENTS  
KITCHENER, ON

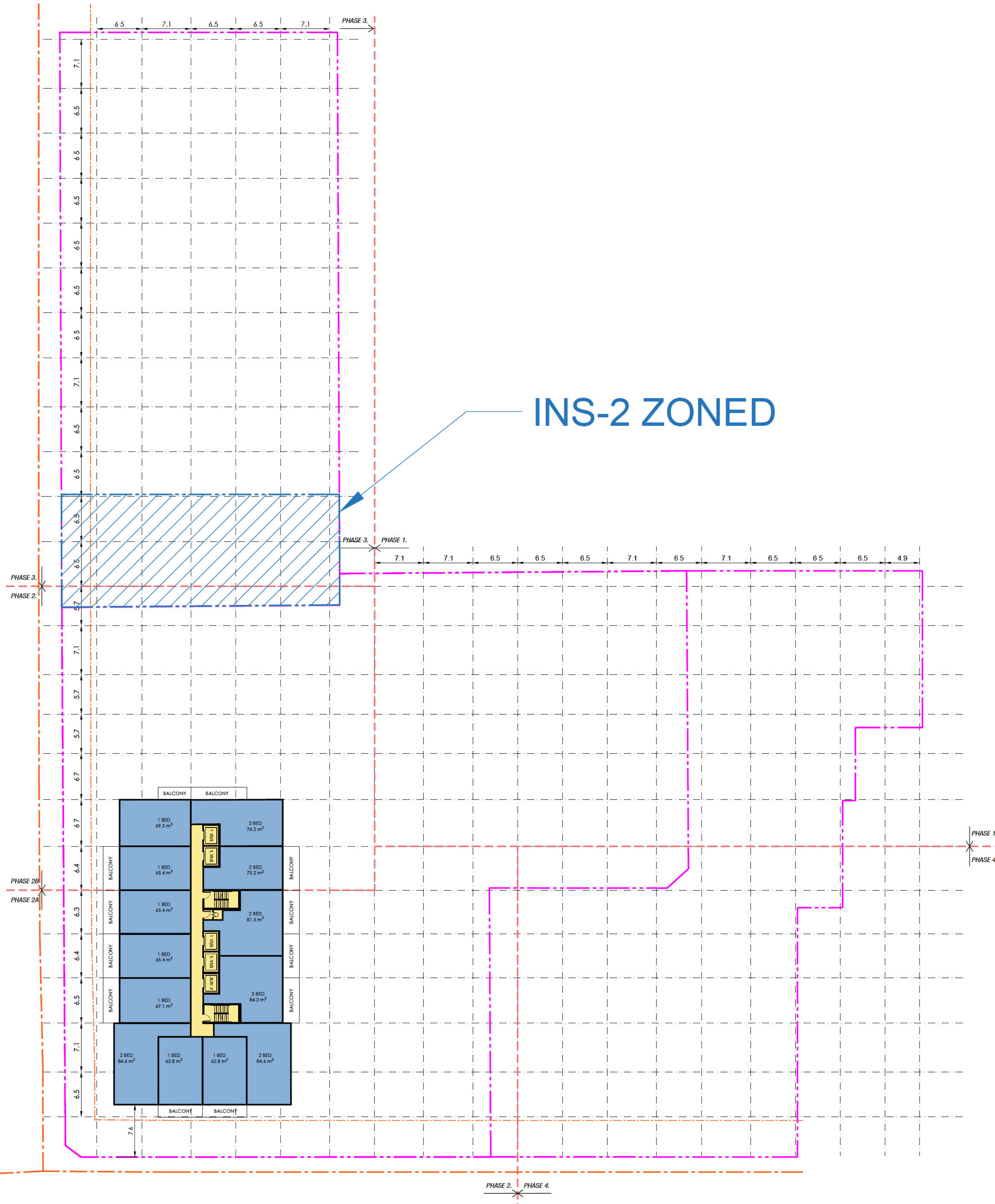
PROPOSED TYP. RESIDENTIAL UNITS  
LEVEL 39 - 44

DATE: 2023-12-12  
SCALE 1:350

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P6





**ZONING STATISTICS**

ITEM	EXISTING ZONING BYLAW REQUIREMENTS	PROPOSAL
ZONING CATEGORY	C-1	C-1
LOT AREA (sm)	278.0	12,736.1 m <sup>2</sup>
LOT WIDTH (sm)	9 m	105.9 m
GROUND FLOOR AREA (sm)	N/A	10,843.8 m <sup>2</sup>
LOT COVERAGE	-	85 %
Minimum Front Yard	3 m	5.8 m
Minimum Rear Yard	7.5 m	1.9 m
Minimum Side Yard Abutting a Street	3 m	4.6 m
Minimum Side Yard	1.2 m	1.2 m
Maximum Gross Leasable Commercial Space	999.0 sq.m (By-law 89-191, S.1)	1,194.3 m <sup>2</sup>
Maximum Gross Leasable Commercial Space for a Convenience Retail Outlet	No single convenience retail outlet shall exceed 225.0 sq.m	TBD
NUMBER OF PARKING SPACES	1,995	1222 ( 0.63 / unit)
RESIDENTIAL - 1 PARKING SPACE PER UNIT	1935	TBD
COMMERCIAL - 1 PARKING SPACE PER 20 sm OF COMMERCIAL	60	TBD
NUMBER OF ACCESSIBLE PARKING SPACES	42	TBD
2 + 2% of total required parking		
PARKING STALL DIMENSIONS (m)	2.6 m x 5.5 m	3.1 m x 5.7 m
PARKING AISLE DIMENSIONS (m) (extra wide stalls)	7.3	7.1*
ACCESSIBLE PARKING SPACE (m)		
TYPE A ACCESSIBLE PARKING SPACE (m)	3.4 m x 5.5 m	3.4 m x 5.5 m
TYPE B ACCESSIBLE PARKING SPACE (m)	2.4 m x 5.5 m	2.4 m x 5.5 m
LOADING SPACE SIZE	10.7 m x 3.0 m	10.7 m x 3.0 m
LOADING SPACE REQUIRED	2	2
VISITOR PARKING SPACE REQUIRED	140	TBD
7 PERCENT OF THE REQUIRED PARKING SPACES		
BIKE PARKING	200	TBD
10% OF REQUIRED PARKING SPACES		

**864-872 KING ST  
APARTMENTS**  
KITCHENER, ON

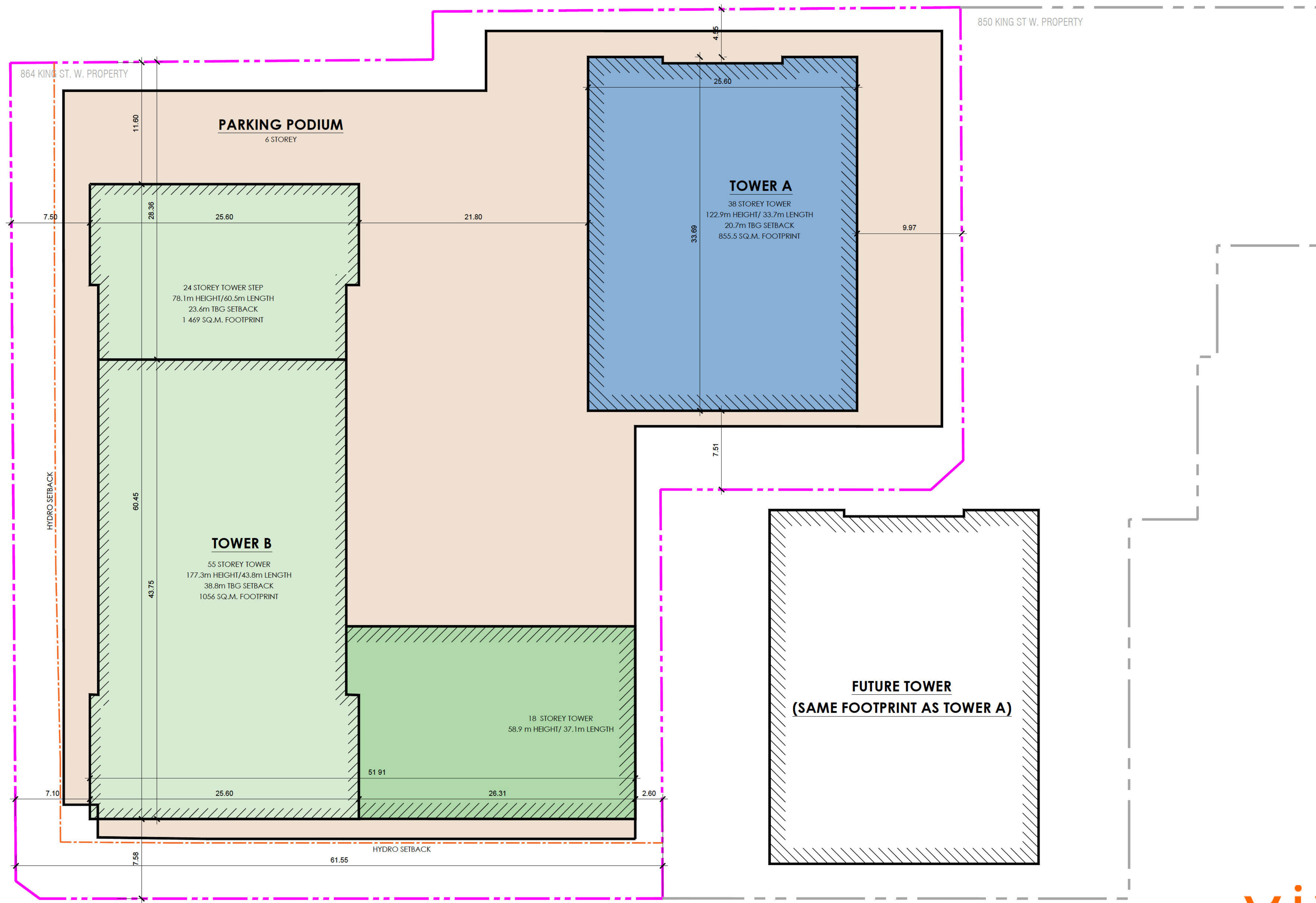
**PROPOSED TYP. RESIDENTIAL UNITS  
LEVEL 45 - 55**

DATE: 2023-12-12  
SCALE 1:350



**P7**







**From:** [Natalie Goss](#)  
**To:** [Growing Together \(SM\)](#); [John Zunic](#); [Adam Clark](#)  
**Subject:** FW: Growing Together Response - Updated Concepts  
**Date:** Thursday, March 7, 2024 3:47:16 PM  
**Attachments:** [image004.png](#)  
[image009.png](#)  
[22040\\_864KingSt\\_SGA-4-ZC.pdf](#)  
[27Pine\\_SGA3-Analysis-ZC.pdf](#)  
[22040\\_864KingSt\\_SGA-4-ZC-NeighbouringSite.pdf](#)

---

**From:** Pierre Chauvin <pchauvin@mhbcplan.com>  
**Sent:** Thursday, March 7, 2024 3:33 PM  
**To:** Natalie Goss <Natalie.Goss@kitchener.ca>  
**Cc:** Stephen Litt [REDACTED] Garrett Stevenson <Garrett.Stevenson@kitchener.ca>  
**Subject:** FW: Growing Together Response - Updated Concepts

Hi Natalie,

Further to our previous submissions regarding VIVE's lands at 864 King Street and 27 Pine Street, I have attached updated conceptual plans summarizing the zoning compliance relative to the proposed zoning. I note for the 27 Pine Street site, the attached concept has been prepared assuming an SGA-3 zone, whereas SGA-2 is proposed by the City. We believe an SGA-3 is more appropriate for this site and can generally comply with the physical separation requirements. The only variance to the separation distances relates to the setback relative to the adjacent park. We believe 25 storeys could be accommodated in this location and still maintain an appropriate transition to the low rise area west of Pine Street given the locational context, surrounding land uses, and proposed development at 846 King.

We kindly ask that you consider this minor revision to the proposed zoning for 27 Pine Street.

Thank you for your consideration and I look forward to your reply. As always, I am available anytime to discuss this matter further, if required.

**PIERRE CHAUVIN, MA, MCIP, RPP | Partner**  
**MHBC** Planning, Urban Design & Landscape Architecture

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**From:** Kyle Reinders [REDACTED]  
**Sent:** March-01-24 1:30 PM  
**To:** Pierre Chauvin [REDACTED] Stephen Litt [REDACTED]  
**Subject:** RE: Growing Together Response - Updated Concepts

Pierre/Steve,

See attached revised SGA Analysis Plans and comment responses in red below.

Kyle Reinders  
**OAA, M.ARCH, B.A.TECH, LEED AP, M.RAIC**



ARCHITECTURE . ENGINEERING



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27 PINE ST PROPERTY



SGA-3 ZONING COMPLIANCE	REQUIRED	PROPOSED
<i>FOR STOREYS 19-25</i>		
LOT WIDTH	42.0m	78.25m
LOT AREA	2,000 sq.m.	3145 sq.m.
FRONT YARD SETBACK	6.0m	7.8m
INT. SIDE YARD SETBACK	6.0m	11.0m
MAX. BUILDING LENGTH	48.0m	55.7m
MAX. FLOOR PLATE AREA	900 sq.m.	1355 sq.m.
PHYSICAL SEPARATION	12.0m	6.76m

HERBERT ST

PINE ST

MARY ST

# 27 PINE STREET RESIDENTIAL DEVELOPMENT

## ZONING COMPLIANCE STUDY

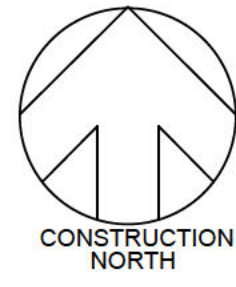
KITCHENER, ON



# ZC

DATE: 2024-02-28  
SCALE 1:125

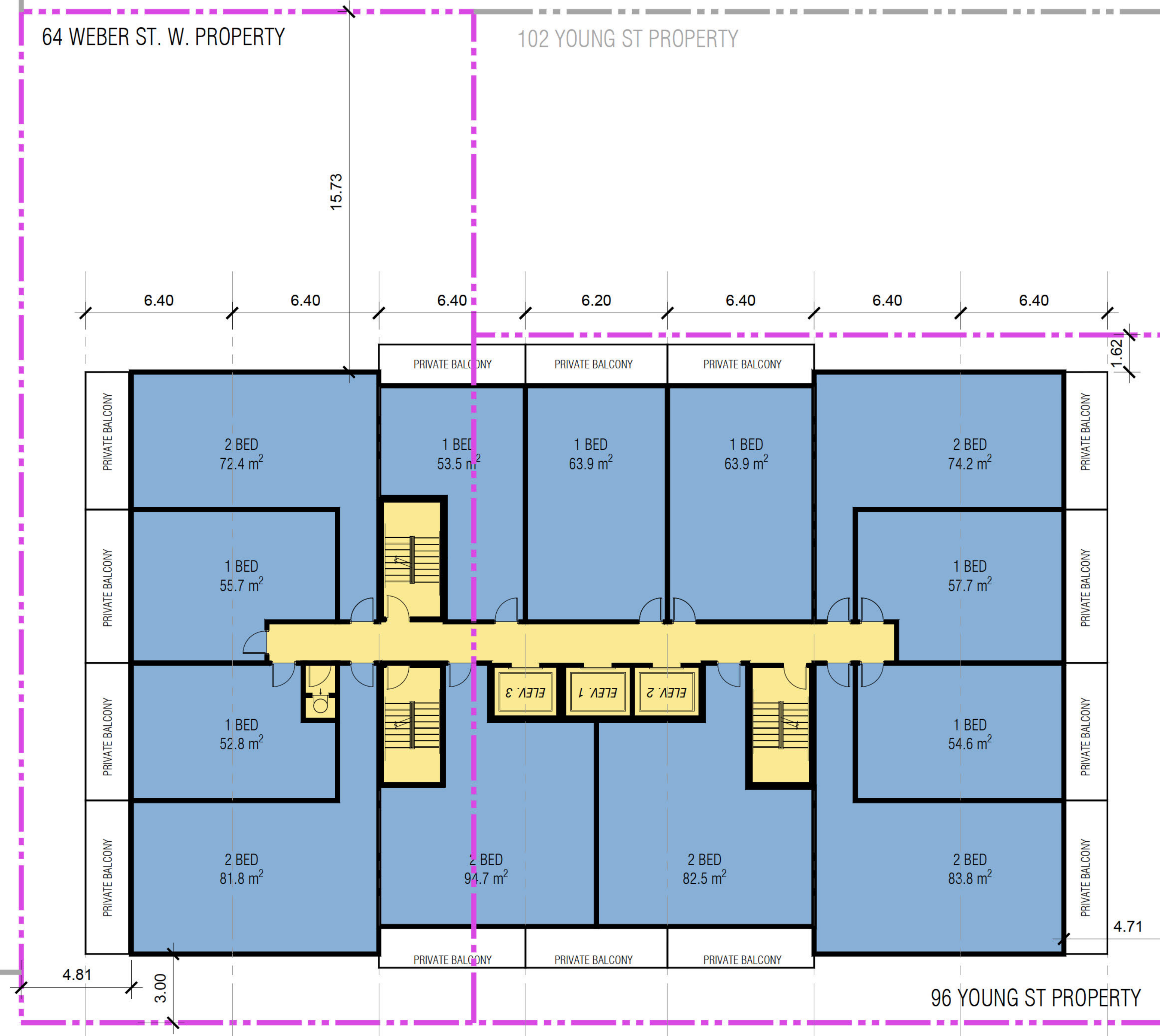




74 WEBER ST W. PROPERTY

64 WEBER ST. W. PROPERTY

102 YOUNG ST PROPERTY



YOUNG STREET

96 YOUNG ST PROPERTY

WEBER ST WEST

SGA-4 ZONING COMPLIANCE	REQUIRED	PROPOSED
<i>FOR STOREYS 19-36</i>		
LOT WIDTH	42.0m	50.2m
LOT AREA	2,000 sq.m.	1786 sq.m.
FRONT YARD SETBACK	6.0m	3.0m
EXT. SIDE YARD SETBACK	6.0m	4.7m
MAX. BUILDING LENGTH	48.0m	40.7m
MAX. FLOOR PLATE AREA	900 sq.m.	1000 sq.m.
PHYSICAL SEPARATION	12.0m	1.62m

**YOUNG-WEBER  
RESIDENTIAL DEVELOPMENT**

KITCHENER, ON

**ZONING COMPLIANCE STUDY**

DATE: 2023-12-20  
SCALE 1:125



**ZC**



January 15, 2023

Ms. Natalie Goss  
Manager Policy and Research  
Planning Division  
City of Kitchener

Mr. Adam Clark  
Senior Urban Designer  
Planning Division  
City of Kitchener

Submitted via e-mail to: [growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

**Re: Growing Together – Amenity Space Requirements for Strategic Growth Areas  
Comments on Proposed Amenity Space Regulations  
Fitzrovia Residential Inc.**

On behalf of my client, Fitzrovia Residential Inc., please accept this letter with respect to the City of Kitchener's ongoing 'Growing Together' initiative. I have reviewed the draft materials related to the initiative available on the City's 'Engage WR' webpage including the proposed draft implementing Official Plan Amendment and Zoning By-Law Amendment.

As an overarching statement, my client is generally supportive of the Growing Together initiative and the progressive vision and implementing regulatory framework for priority growth areas of the City. The recommended policy and regulatory changes will, by and large, facilitate the context appropriate infilling of priority growth areas of the community while ensuring appropriate development standards are applied and incorporated into new developments.

Notwithstanding, my client has concerns with regards to the proposed Amenity Space requirements of the proposed Zoning By-Law Amendment for the new Strategic Growth Areas of the City. This letter discusses the City's current approach to regulating amenity spaces, the proposed amenity space requirements for the City's proposed Strategic Growth Areas, provides an overview of amenity space requirements of comparable municipalities / growth contexts, and makes land use planning recommendations to the City on matters related to the same.

**Kitchener's Current Approach to Regulating Amenity Spaces**

The City of Kitchener's existing Zoning By-Laws (85-1 and 2019-051) are currently silent on the matter of the provision of amenity space for mixed use zoned properties. This includes the City's current high density mixed-use zones (being the MU zones of by-law 85-1 and MIX zones of by-law 2019-051). I do note that in certain residential zones, where at-grade multiple dwellings are proposed, each dwelling unit located at ground floor level is required to have a patio area adjacent to the dwelling unit. Otherwise, both existing by-laws provide little direction with regards to size and locational matters of amenity spaces in new developments.

Rather than requiring amenity spaces within these areas by by-law, the City currently encourages the provision of amenity spaces through its urban design framework, expressed in the City's Urban Design Manual and Tall Building Design Guidelines. This urban design framework establishes design direction related to the provision of amenity space from both an area/size and locational perspective, which includes:

- Provide indoor and outdoor amenity areas suitable for a range of activities suitable to intended occupants.

- Locating amenity spaces adjacent to circulation spaces and with the greatest degree of permeability possible.
- Locating and designing amenity spaces to account for wind, sun and weather conditions.
- Providing natural surveillance over amenity spaces.
- Avoiding the provision of small, narrow, unassigned open spaces around and between buildings.
- Designing private open spaces to have direct access to generous and well-designed landscaped areas and to mitigate impacts from public realm.

The Urban Design Manual also includes a recommendation with respect to the amount of outdoor amenity space to be provided which is:

$$\text{Recommended Amenity Space} = (2 \text{ m}^2 \times \# \text{units}) + (2.5 \text{ m}^2 \times \# \text{ bedrooms} - \# \text{ units})$$

While encouraged, to a large degree, the City's approach currently leaves the provision and extent of amenity space to the determination of individual developers, and the provision of such spaces is usually informed by purchaser preferences, financial feasibility and marketing-related matters. It has been my experience that the extent/degree and design of amenity spaces has usually been the result of thoughtful discourse between my clients and City Planning and Urban Design Staff recognizing the nature and location of individual sites, the availability/scarcity of public amenity spaces and parks in proximity to the sites, and project specific considerations.

It is noted that without a zoning framework in place to mandate/require the provision of such spaces, to my knowledge most projects developed or issued planning approvals in recent years have included amenity spaces even despite a regulatory requirement. For instance, most new developments in the core area of the City include rooftop amenity spaces, indoor amenity spaces and at-grade amenity spaces to provide for the recreational needs of their residents as these spaces are in high-demand and recognized as important building components.

### **Proposed Amenity Space Requirements**

The Draft Implementing Zoning By-Law (November 2023) for the City's Growing Together initiative introduces proposed regulations requiring the provision of 'Private Amenity Spaces' for new residential development for the City's new SGA2, SGA3 and SGA4 zones. In the Draft Implementing Zoning By-Law, 'Private Amenity Space' is defined as:

*Private Amenity Space* – means the use of a premises for indoor or outdoor active or passive recreation for the exclusive use of occupants of a dwelling unit. It can include features such as outdoor patios, above ground decks, balconies (subject to additional requirements), communal indoor spaces (such as gyms), communal indoor social spaces (such as entertainment rooms), swimming pools, and outdoor rooftop amenity space (such as rooftop decks and terraces). It shall not include lobbies, washrooms, laundry facilities, storage areas, hallways, elevators, reception areas, management offices, parking areas, access driveways, unprogrammed landscaped open space (excluding outdoor patios), receiving areas, loading spaces, and the like.

The definition is permissive in nature (e.g., "features such as") and accepts a broad range of recreational uses as amenity uses.



It is noted that this definition specifically excludes ‘unprogrammed landscaped spaces’ from the definition. At face value, the reason for this exclusion is fairly intuitive from a regulatory perspective (i.e. the aim of ensuring that outdoor spaces are appropriate for recreation / amenity), however this exclusion discounts the benefit of unprogrammed spaces for general recreation purposes. Consider, for example, that the majority of amenity space provided for residential lands in the City are sodded / grassed yards associated with residential uses (typical rear-yard conditions for single, semi, townhouse and multiple dwellings). Likewise, many local municipal parks include large areas of unprogrammed landscape space, which are commonly used for general recreational purposes. While unprogrammed landscape spaces may not have a specifically intended purpose, they are much-used spaces for recreation and gathering and should not be unilaterally excluded from inclusion within this definition. As an alternate approach, it is recommended that regulations be developed to allow for the inclusion of such spaces towards the achievement of amenity space requirements provided they meet locational and minimum area requirements (i.e., not located in narrow size yards, achieving contiguous area requirements etc.).

It is also noted that the definition of ‘Private Amenity Space’ is silent on the matter of Privately Owned Publicly Accessible Spaces (POPS), which are important recreational components of intensifying urban conditions. Clarity is requested as to how POPS spaces would be credited towards the City’s amenity space requirements.

In addition to these ‘use-related’ matters, the definition, as currently drafted, includes wording which is somewhat counter-intuitive, with the first sentence providing that this space is to be provided for the “exclusive use of occupants of a dwelling unit” (singular in nature) and latter sentences referring to communal spaces (communal/shared in nature). For clarity/cohesion, it is recommended that the wording of the first sentence be revised as follows:

Means the use of a premises for indoor or outdoor active or passive recreation for the exclusive use of occupants of ~~a dwelling unit~~ *building*.

In addition to introducing this new definition, the Draft Implementing Zoning By-Law (November 2023) for the City’s Growing Together initiative proposes amenity space requirements for the new SGA2, SGA3 and SGA4 zones, which are set out in Section 6.7 of the Draft By-Law and as follows:

## **6.7 PRIVATE AMENITY SPACE**

a) Private amenity space shall be required as follows:

- I. In an SGA-2 zone, 4 m<sup>2</sup> of private amenity space is required per dwelling unit; and,
- II. In an SGA-3 and SGA-4 zone, 8m<sup>2</sup> of private amenity space is required per dwelling unit.

b) Further to subsection a), balconies, where provided, may count towards private amenity space requirements where they achieve:

- I. A minimum depth of 1.2 m; and,

- II. A minimum area of 4 m<sup>2</sup>, excluding area occupied by mechanical equipment such as air conditioning units.

It is again noted that this approach (i.e., to mandate a specific amount of amenity space per unit) differs from the historic approach applied by the City, which provides a more flexible approach with respect to amenity space. Again, it is recommended that the historic approach to amenity space be maintained.

It is also unclear why the by-law establishes different standards between the SGA2 and SGA3/4 zones, with the regulations for the SGA3/4 zones being twice as onerous than the foregoing. Intuitively, the City has proposed to apply its most permissive (in terms of height and density) zones to lands closest to ION / LRT station stops reflective of their location and their ability to provide for transit supportive development. The proposal to require a higher degree/amount of amenity space for these zoned lands is counterintuitive to the underlying intention of the SGA3/4 zone, as it will introduce more onerous requirements than anywhere else in the City in this regard.

It is unclear why the City is proposing to deviate from its current approach to regulating amenity areas, which has been largely successful to date. My client is amenable and agreeable to the provision of amenity spaces within its future project(s), however, they are not amenable to the mandated approach and onerous requirements currently contemplated which will prioritize the quantity of amenity space over the quality of the spaces provided.

Notwithstanding the concern with regard to the proposed amenity space requirements and the general approach to regulating these spaces, my client is committed to providing high degree amenities within each of their developments. I note that while my client has yet to develop within the Region of Waterloo market area, they have developed several high-density, purpose-built rental buildings in the Greater Toronto Area. In each of these projects, specific and intentional consideration has been given to providing an appropriate degree and quality of amenity space within their projects. The following table summarizes some of the amenities provided in their recent buildings:

PROJECT	AMENITIES PROVIDED
<b>THE WAVERLY (COLLEGE AND SPADINA, TORONTO)</b>	Infinity Pool Commercial Grade Gym and Yoga Studio Pet Spa Rooftop Amenity Terrace Lobby Lounge Co-Working Spaces
<b>THE PARKER (YONGE AND EGLINGTON, TORONTO)</b>	Infinity Pool Commercial Grade Gym and Yoga Studio Pet Spa Rooftop Amenity Terrace Lobby Lounge and Greenhouse Co-Working Spaces
<b>ELM AND LEDBURY (QUEEN AND CHURCH, TORONTO)</b>	Rooftop Amenity Terrace Commercial Grade Gym and Yoga Studio Pet Spa Ski and Sports Simulator

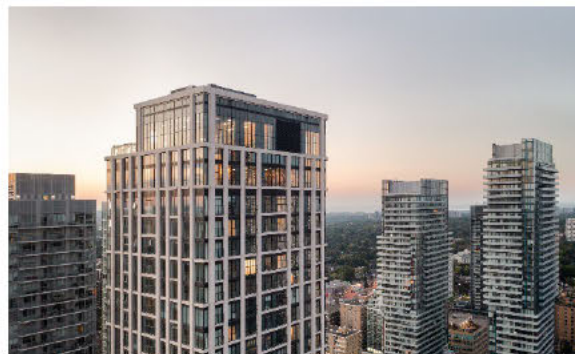


	Sports Lounge Greenhouse Basketball Court Party / Dining Area Meeting Rooms Media Room
<b>SLOANE AND TRAFFORD (YORKDALE, TORONTO)</b>	Infinity Pool Gym and Yoga Studio Pet Spa Amenity terraces Party Room Co-Working Spaces Kids Room Outdoor Courtyard Wellness Centre Screening Room

The range of amenities provided within these projects is informed by market research and demand, with the underlying goal of providing high-quality amenities that are well appreciated and used by residents.

By embracing a regulated approach to the provision of amenity space – which would require the provision of over 25,000 sq. ft of amenity space for a 300 unit development – the feasibility of providing such high-quality amenities will be strained, at the trade off of providing more physical space and the construction and programming costs associated therewith. In my opinion, providing high quality amenities for the use and enjoyment of residents should be prioritized over high quantities of lesser programmed areas.

I also note that, despite providing these high-quality amenities, for various reasons (namely related to increased energy costs and sustainable design considerations, maintenance and design implications), my client does not typically include extensive balconies in their projects, which the proposed by-law relies heavily upon for the realistic achievement of the proposed amenity space requirements. These balcony-less (or minimal balcony building designs) have helped my client achieve LEED Platinum, Passive House and CaGBC’s Zero Carbon Building standards in past projects in addition to architectural and urban design awards for their distinctive and characteristic building designs, with representative examples shown below.



Figures 1 and 2: Representative Fitzrovia Developments

## Inter-Jurisdictional Review of Amenity Space Requirements

Towards the preparation of this correspondence, I have reviewed amenity space requirements of several Ontario municipalities compared to those set out in the Draft By-Law, which are summarized in the following table:

MUNICIPALITY	AMENITY SPACE REQUIREMENTS
CITY OF TORONTO	4.0 sq. m per dwelling unit (of which at least 2.0 sq. m is indoor amenity space; at least 40.0 sq. m (of the total) is outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space; and no more than 25% of the outdoor component may be a green roof)
CITY OF MISSISSAUGA	5.6 sq. m per dwelling unit or 10% of the site area. 50% of the percentage of the total to be provided in one contiguous area.
CITY OF OTTAWA	6.0 sq. m per unit + 10% of GFA of unit. A minimum of 50% to be communal spaces.
CITY OF WATERLOO	3 sq. m per unit for one bedroom unit + 2 sq. m for each additional bedroom

In addition to the above, it is noted that several municipalities do not contain any minimum requirements for amenity space within their respective zoning by-laws including the Cities of London, Milton and Oakville, representing a similar approach to that currently used by the City of Kitchener.

Based on this review, I note that the 8 sq. m of amenity space proposed for SGA-3/4 zones is higher than those of the municipalities noted above, whereas the 4.0 sq. m of amenity space for the SGA-2 zone is consistent with these inter-jurisdictional observations. While it is recommended that the City maintain its longstanding approach, should amenity space requirements be built into the new zoning by-law that the requirement be reduced to 4.0 sq. m per unit for all SGA zones.

### Recommendations and Conclusions

As detailed in this letter, my client is generally supportive of the Growing Together initiative and the progressive land use planning work being undertaken by the City to regulate growth within its strategic growth areas.

As previously stated, my client has concerns with the inclusion of the definition of 'Private Amenity Space' and the corresponding regulations and requirements for the proposed SGA2-SGA4 zones. Based on my review of the draft implementing Zoning By-Law, I recommend that:

- The City of Kitchener maintain its current approach to amenity space, and continue to rely upon its urban design framework and the site plan approvals process to ensure that appropriate, high-quality amenity space is provided for new residential developments;



- That the City of Kitchener revise its urban design guidelines to provide additional direction with respect to the provision of high-quality amenity spaces;
- That the City of Kitchener continue to work with the development industry to ensure that appropriate amenity spaces be provided for individual projects, respective of their location, access to community amenities, and the quality of amenities provided.

Additionally, should the City of Kitchener proceed with its intention to require Private Amenity Space within Strategic Growth Areas:

- That the definition of Private Amenity Spaces be clarified as previously suggested;
- That consideration be given to including a portion of 'unprogrammed landscape space' towards the calculation of Private Amenity Space;
- That the definition or by-law include direction with respect to POPS and how it is counted towards the achievement of the by-law Private Amenity Space requirements;
- That the amenity space requirement for the SGA3/4 zones be reduced to 4.0 sq. m per unit, in keeping the requirements of many similarly urban contexts.

### Conclusion

I trust that the information provided in this letter will be considered as you finalize the Growing Together project and the implementing Zoning By-Law Amendments for the same. Should you have any questions or to discuss, please do not hesitate to contact me.

Sincerely,



David Galbraith MCIP RPP



December 20, 2023

File No. 23246

City of Kitchener  
Planning Division, 6<sup>th</sup> Floor  
200 King Street West  
Kitchener, Ontario  
N2G 4Y9

Attention: Natalie Goss, MCIP, RPP  
Manager, Policy and Research

Dear Ms. Goss:

**Re: Growing Together  
Response to November 2023 Draft Materials  
49, 51, 53 and 55 Pine Street**

On behalf of Snider Corporation, please accept the following commentary and response to the draft OPA and ZBA documents released on November 3, 2023 for the “Growing Together” initiative as related to the above-noted properties.

Snider Corporation has acquired 49, 51 and 53 Pine Street with the intent of providing for a consolidated, comprehensive mixed-use, mid to high density redevelopment project. Snider Corporation is currently pursuing the acquisition of 55 Pine Street, to be consolidated with 49 to 53 Pine Street. The properties are located on the north side of King Street, approximately 200 metres north of Grand River Hospital and associated iON Station. The property is currently occupied by existing low-rise residential uses.

It is my understanding you had previous discussions and correspondence with Snider Corporation regarding the subject properties as they relate to the “Growing Together” initiative.

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 located approximately 200 metres north of the Grand River Hospital iON Station, which will be planned to achieve a minimum density of 160 residents and jobs per hectare.

The properties are proposed to be designated as Strategic Growth Area A in the Official Plan Amendment for the “Growing Together” initiative, which are areas intended to accommodate intensification within predominantly low-rise residential neighbourhoods, lands further away from Rapid Transit Station stops, and/or lands where existing lots are generally too small to support high-





rise buildings. The Strategic Growth Area A designation is intended to accommodate a range of low and medium density residential uses, along with compatible non-residential uses, with maximum building height of 8 storeys and a minimum Floor Space Ratio (FSR) of 0.6.

Finally, the properties are proposed to be zoned SGA-2: Mid Rise Growth Zone in the Zoning By-law Amendment for the “Growing Together” initiative, 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 and no maximum FSR.

Snider Corporation supports the proposed Protected Major Transit Station Area designation. We believe the subject properties represent an excellent opportunity for intensification proximate to the Grand River Hospital iON Station and can be redeveloped as a high-density, mixed-use project designed to be compatible with and sensitive to the existing low rise residential uses on the north side of Dodds Lane.

However, Snider Corporation does not support the proposed Strategic Growth Area A designation and the SGA-2: Mid Rise Growth Zone as applied to the properties. We request the properties be designated Strategic Growth Area B and zoned SGA-3: High Rise Growth Zone (Limited).

The subject properties combined represent a small pocket of existing low rise residential uses on the east side of Pine Street; the subject properties are situated between Mount Hope Cemetery to the north, additional municipal open space to the east and existing surface parking lot the south. The subject properties are separated from the existing low rise residential uses on Mary Street and Herbert Street by Pine Street. The subject properties are within 200 metres from the Grand River Hospital iON Station and as consolidated, create a moderately sized parcel for redevelopment.

It is our opinion that redevelopment of the subject properties can be designed to be compatible with and sensitive to the existing open space use to the north and east, and existing low-rise residential uses to the east, as demonstrated by the appended preliminary development concepts.

Policy 15.D.2.5 of the proposed Official Plan Amendment for the “Growing Together” initiative allows for the consideration of site-specific applications for Zoning By-law Amendment through the consideration of a number of factors. The following provides a summary of the requirements of proposed Policy 15.D.2.5 as well as commentary and justification for the properties to be zoned SGA-3: High Rise Growth Zone (Limited) as requested.

Notwithstanding Policy 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or special zoning regulation(s), seek to amend the Zoning By-law to change land use permissions, and/or seek to amend this Plan to change from one land use designation to another, will consider the following factors:		
a)	Compatibility with the planned function of the subject lands and adjacent lands	<i>The properties are located within a Protected Major Transit Station Area, which are areas</i>

		<p><i>intended to accommodate a significant portion of future growth and development.</i></p> <p><i>The properties are located approximately 200 metres north of the Grand River Hospital iON Station, which can be accessed directly via Pine Street; future mixed-use, mid to high-density development will assist the City in achieving the required density target of 160 residents and jobs per hectare identified for this area.</i></p> <p><i>A large portion of the area that surrounds the Grand River Transit iON Station is occupied by long-standing local business and a Regional hospital that are unlikely to be redeveloped or intensified in the short to medium-term, significantly impacting the ability to accommodate intensification in the Grand River Hospital iON Station Area. With very limited options for redevelopment along around the Grand River Hospital iON Station, the subject properties provide an opportunity for transit-supportive intensification that can be designed to be compatible with and sensitive to surrounding open space and low-rise residential land uses.</i></p> <p><i>We believe the proposed development of the subject properties can be designed to be compatible with the surrounding uses and reasonably scaled to provide for appropriate residential intensification proximate to the Grand River Hospital iON Station while adhering to the design objectives of the Strategic Growth Area B designation.</i></p>
b)	Suitability of the lot for the proposed use and/or built-form	<p><i>The properties are a consolidation of four (4) legal parcels, which combined create an overall site area of approximately 1,343 square metres. The consolidation of the four (4) lots with access to a local road (Pine Street) allows for the redevelopment of a larger parcel with the ability to accommodate important design considerations, including site access, building setbacks and steps, height and massing and compatibility. It is our opinion that it is the consolidation of the four</i></p>



		<i>(4) lots that makes the overall site suitable for the proposed redevelopment.</i>
c)	Lot area and consolidation as further outlined in Policy 3.C.2.11	<p><i>The proposed development concept includes the four (4) properties at 49, 51, 53 and 55 Pine Street. The properties at 49, 51 and 53 Pine Street have been acquired by Snider Corporation (currently under the same umbrella company); Snider Corporation is currently in the process of acquiring the property at 55 Pine Street</i></p> <p><i>Upon the consideration and approval of planning applications that would allow for mid to high-density residential development, the properties will be merged on title.</i></p>
d)	Compliance with the City's Urban Design Manual and Policy 11.C.1.34	<p><i>The preliminary development concept submitted in support of this request takes into consideration the proposed zoning regulations and development standards associated with the SGA-3 Zone as well as the applicable policies of the City's Urban Design Manual, including those pertaining to tall buildings.</i></p> <p><i>The preliminary development concept proposes a 25-storey tower with approximately 140 dwelling units and includes a rear yard tower setback and side yard tower setback of 6.0 metres where the subject properties abut open space currently owned by the City and Mount Hope Cemetery. The preliminary development concept has been designed to include appropriate tower setbacks, as specified in the draft Zoning By-law for the "Growing Together" initiative. The preliminary development concept includes two access points to an underground and podium parking with the provision of a total 58 parking spaces (approximately 0.41 spaces per unit).</i></p> <p><i>Policy 11.C.1.34 of the proposed Official Plan Amendment for the "Growing Together" initiative indicates that new tall building development must have consideration for tall building design principles, including separation, overlook, height, floor plate area, tower placement, orientation and building proportions. The policy further states that the</i></p>

		<p><i>zoning by-law will provide for design regulations to mitigate environmental impacts, create high-quality design, ensure compatibility with surrounding low and mid-rise context and ensure the development of future adjacent or nearby buildings are not frustrated.</i></p> <p><i>It is our opinion that the preliminary development concept demonstrates the subject properties can be redeveloped with sensitivity to and compatibility with surrounding open space and low-rise residential land uses. The preliminary development concept has incorporated a number of urban design guidelines and requirements with respect to tall building design; through further detailed design, we believe that these considerations can be further enhanced to meet the policy objectives of 11.C.1.34.</i></p>
e)	Cultural heritage resources, including Policy 15.D.2.8	<p><i>Not applicable</i></p> <p><i>It is our understanding that there are no Designated or Listed heritage resources proximate to the subject properties.</i></p>
f)	Technical considerations and other contextual or site specific factors	<p><i>It is our expectation that all technical considerations and requirements for a future planning application will be summarized as part of the formal Record of Pre-Submission Consultation. We expect that these technical studies will include but are not limited to a Traffic Impact Study and Parking Justification Report, Stationary and Traffic Noise Impact, Pedestrian Wind Assessment, Urban Design Brief and Planning Justification Report.</i></p>

Based on the commentary noted above, we believe that the properties should be designated and zoned to permit mid to high-rise residential development that is compatible with and sensitive to surrounding land uses. We respectfully request the properties be designated as Strategic Growth Area B as part of the proposed Official Plan Amendment and zoned SGA-3: High Rise Growth Zone (Limited) as part of the proposed Zoning By-law Amendment for the “Growing Together” initiative. We would like to meet with City staff to review this request in further detail, in advance of finalizing the proposed Official Plan and Zoning By-law Amendments for the “Growing Together” initiative.



On behalf of Snider Corporation, we respectfully request to be notified of all meetings, reports and progress 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 Barisdall*

Kristen Barisdale, MCIP, RPP  
Vice President, Planning

cc. Gord Snider, Snider Corporation



January 29, 2024

File No. 21274

City of Kitchener  
200 King Street West  
Kitchener, Ontario  
N2G 4Y9

Attention: Chair Singh and Members of Planning and Strategic Initiatives Committee

Dear Chair Singh:

**Re: Growing Together – Protected Major Transit Station Area Land Use and Zoning Framework (Report No. DSD-2024-005)  
85 Weber Street West and 60 & 66 College Street, Kitchener**

---

GSP Group represents the owners of 85 Weber Street West and 60 & 66 College Street in downtown Kitchener (the “Site”).

We have reviewed the above-noted staff report and note that the Site is proposed to be zoned SGA-3 (Attachment D - Appendix A - Zoning Grid Schedule 84). We submitted a letter on November 30, 2023 (attached – letter also contained in Attachment G starting at page 200) regarding the Draft Growth Together document requesting consideration for a site-specific SGA-4 to support the redevelopment of the Site. In fact as noted in our November 30, 2023, we have taken steps toward advancing the redevelopment of this Site, through a formal pre-consultation in July 2022 and have had follow-up discussions with City staff.

Since the release of the current staff report we have reached out to City planning staff and they have confirmed they are not supportive of a site-specific SGA-4 for the Site at this time. However, with that said we also understand that staff remain open to considering an applicant-initiated planning application for the Site in the future.

While we will still believe the Site meets the criteria for consideration for the SGA-4 zone, we look forward to presenting all full redevelopment proposal in the near future.

Thank you for the consideration of our comments. Should you have any questions or require any additional information, please do not hesitate to contact me.





Sincerely,  
**GSP Group Inc.**

A handwritten signature in blue ink that reads "Hugh Handy".

Hugh Handy, MCIP, RPP  
Vice President

[Redacted]  
[Redacted]

cc Clients  
Natalie Goss, City of Kitchener  
Adam Clark, City of Kitchener



November 30, 2023

File No. 21274

City of Kitchener  
Planning Division, 6<sup>th</sup> Floor  
200 King Street West  
Kitchener, Ontario  
N2G 4Y9

Attention: Natalie Goss, MCIP, RPP  
Manager, Policy and Research

Dear Ms. Goss:

**Re: Growing Together  
Response to November 2023 Draft Materials  
85 Weber Street West and 60 & 66 College Street**

---

We are writing on behalf of the owners of 85 Weber Street West and 60 & 66 College Street in downtown Kitchener (the "Site"). In the November 3, 2023 draft planning instruments published through Growing Together, the Site is proposed to be designated Strategic Growth Area C and Zoned SGA-3. We are in support of the Strategic Growth Area C designation. We are requesting consideration through the Growing Together initiative that the Site be zoned Special Growth Area Four (SGA-4) with a Site-specific Special Provisions to address the required setbacks and physical separation.

On July 26, 2022, GSP Group, project architect ABA Architects, and the owners of the Site had a pre-submission consultation meeting regarding a 32-storey development on the Site. The City was generally supportive of the proposal, indicating the location is suitable for redevelopment to contribute to the achievement of the intensification target for the Urban Growth Centre.

Further to this pre-submission consultation meeting, discussions were held with the City to demonstrate how the Site would not impact the development potential of the abutting properties at the intersection of Weber and Water Streets, which is also proposed to be designated Strategic Growth Area C and zoned SGA-3.

It is our understanding that the following criteria are to be addressed as part of the request for consideration to be zoned SGA-4:

**1) Proof of lot ownership.**

The three lots comprising the Site are under the ownership of two separate groups, who have partnered to explore the redevelopment potential of the Site, as indicated in the pre-submission consultation.





## **2) Zoning compliance with SGA-4.**

The enclosed zoning compliance chart confirms general compliance of the proposed development relative to the draft SGA-3 and SGA-4 Zones. It illustrates that the proposed development complies with all aspects of both zones except the height limit of the SGA-3 Zone and the setback and physical separation requirements of both the SGA-3 and SGA-4 zones.

## **3) Planning Justification relative to the criteria for changing zoning within the Major Transit Station Areas as set out in draft Official Plan policy 15.D.2.5.**

The subsections that follow provide a planning opinion relative to the six criteria of draft policy 15.D.2.5.

### *15.D.2.5a) compatibility with the planned function of the subject lands and adjacent lands*

The Site and abutting lands to the south and west are proposed to be designated Strategic Growth Area C, and zoned SGA-3, while the lands to the east on College Street are proposed to be designated Strategic Growth Area C and zoned SGA-4. The planned function of the Strategic Growth Area designations is to provide opportunities to accommodate intensification, including housing, that is transit-supportive in close proximity to ION rapid transit. The Strategic Growth Area C designation is intended to accommodate significant intensification at high density. The proposed development conforms to the planned function of this designation, as it is a high density development.

The properties across to the north of the Site across Weber Street are part of the Civic Centre Neighbourhood Heritage Conservation District (HCD), and are proposed to be designated Strategic Growth Area A. The properties along Weber Street in the HCD are proposed to be zoned SGA-2, which indicates there may be some level of development anticipated in this area, with heights permitted up to 8 storeys.

As tall buildings are permitted in each direction from the Site, with mid-rise permitted to the east across Weber Street, a Regional road, the proposed development will transition appropriately to the planned uses of each.

### *15.D.2.5b) suitability of the lot for the proposed use and/or built-form.*

The Site is suitable for the proposed development because it is within the Urban Growth Centre, and close walking distance to both the current and future location of the Kitchener GO Station, and is near both the Central and Kitchener City Hall ION Stations. The Site is an appropriate size for redevelopment, meeting the requirements of the SGA-3 and SGA-4 zones, and further, is appropriately dimensioned to ensure efficient vehicular and pedestrian circulation within and around the Site.

*15.D.2.5c) lot area and consolidation as further outlined in Policy 3.C.2.11.*

The Site is an assembly of three smaller parcels and has an area of 2,493 sq m (after road widenings), exceeding the minimum lot area required for the SGA-4 Zone.

*15.D.2.5d) compliance with the City's Urban Design Manual and Policy 11.C.1.34.*

The proposed development was prepared by taking into consideration the applicable policies of the City's Urban Design Manual, including those pertaining to tall buildings (former Tall Building Design Guidelines). The point tower is oriented towards the intersection of Weber Street and College Street, providing spacing and distance to the existing lower rise built forms to the west. The at-grade residential units have entrances from the street, contributing to an active streetscape.

Further to the above, an Urban Design Report will be required as part of an OPA/ZBA application and is anticipated to remain a requirement of Site Plan Approval if an OPA/ZBA is ultimately not required.

*15.D.2.5e) cultural heritage resources, including Policy 15.D.2.8.*

A Cultural Heritage Evaluation Report (CHER) was prepared by MHBC in April 2023 to assess the heritage potential of the Site. The evaluation determined that while the property of 66 College Street contains a building that is representative of the Queen Anne architectural style, this property does not meet any other criteria and therefore does not warrant designation under the Ontario Heritage Act. The properties addressed as 60 College Street and 85 Weber Street West do not meet any of the legislated criteria.

*15.D.2.5f) technical considerations and other contextual or site specific factors.*

Based on the record of pre-submission consultation, a Planning Justification Report, Urban Design Report, Scoped Heritage Impact Assessment, Parking Justification Study, and Environmental and Stationary Noise Reports would be required as part of a complete application. As each of the SGA zones removes required parking, and as a CHER has been prepared, it is not anticipated that any technical considerations or site specific factors would prohibit achieving the additional height granted by the SGA-4 zone.

Thank you for consideration of our request. I trust that the forgoing submission is sufficient to consider our request for consideration of the SGA-4 Zone with a Site-specific Special Provision to permit a reduction of the setbacks, as outlined in the attached zone chart. Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,  
**GSP Group Inc.**



A handwritten signature in black ink that reads "Hugh Handy". The signature is written in a cursive style with a large initial "H" and a long, sweeping tail on the "y".

Hugh Handy, MCIP, RPP  
Vice President

Two solid black horizontal bars used to redact contact information, likely a phone number and an email address.

Cc Clients

## Zoning Compliance Table

Provision (32 storey building)	SGA-4	Proposed
Minimum lot width	42 m	~ 65 m
Minimum lot area	2,000 sq m	2,493 sq m
Minimum yard setback	3 m	2.5 m interior yard 16 m rear yard
Minimum building base height	2 storeys	N/A
Maximum building base height	6 storeys	4-6 storeys
Minimum façade street openings	10%	TBD
Minimum street line façade openings	20%	TBD
Minimum front and exterior side yard setback	6 m	0 m
Maximum building length	48 m	44 m
Maximum floor plate area	900 sq m	760 sq m
Physical separation	12 m	8.5 m
Private amenity area	8 sq m / unit	TBD





January 26, 2024

File No. 22301

Office of Mayor and City Council  
Planning Division, 2<sup>th</sup> 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, [REDACTED]





January 26, 2024

File No. 22263

Office of Mayor and City Council  
Planning Division, 2<sup>th</sup> Floor  
200 King Street West  
Kitchener, Ontario  
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  
924 to 944 King Street West**

On behalf of 1000100206 Ontario Inc. (924-938 & 944 King Street West) and 1000187534 Ontario Inc. (940 King Street West), 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, which has been appended to this letter for ease of reference.

The properties are located on the north side of King Street, approximately 100 metres west of Grand River Hospital and associated iON Station. The property is currently occupied by a few small-scale commercial retail and office buildings.

1000100206 Ontario Inc. and 1000187534 Ontario Inc. acquired the above-noted properties with the intent of providing for a consolidated, comprehensive mixed-use, high density redevelopment project. Preliminary discussions occurred with City staff in February 2023 regarding the potential redevelopment of the consolidated site, at which time the City indicated support in principle for future mixed-use redevelopment.

A formal Pre-Submission Meeting was held by the City on November 23, 2023 based on a preliminary concept that included a mixed-use, higher density development with ground floor commercial retail units and residential above. The preliminary development concept was purposefully designed to incorporate appropriate building setbacks and step backs from the existing low rise residential uses located on the north side of Dodd's Lane while taking advantage of the rear lane way access. The preliminary development concept included a 30-storey tower with approximately 319 residential dwelling units as well as underground and podium parking.



The property is to be located within a Protected Major Transit Station Area in the Official Plan Amendment associated with Staff Report DSD-2024-005 as the site is located approximately 100 metres northwest of the Grand River Hospital iON Station.

The properties are proposed to be designated as Strategic Growth Area B in the Official Plan Amendment as part of Staff Report DSD-2024-005, which would accommodate a range of medium and high density residential housing types along with non-residential uses, such as commercial uses, personal services, offices, conference facilities, health-related offices, institutional uses and social service establishments with a maximum building height of 25 storeys, a minimum Floor Space Ratio (FSR) of 1.0 and no maximum FSR.

Finally, 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 and no maximum FSR.

As noted in our November 30, 2023 correspondence, 1000100206 Ontario Inc. and 1000187534 Ontario Inc. supports the proposed Protected Major Transit Station Area designation. We believe the subject properties represent an excellent opportunity for intensification proximate to the Grand River Hospital iON Station and can be redeveloped as a high-density, mixed-use project designed to be compatible with and sensitive to the existing low rise residential uses on the north side of Dodds Lane.

Further to our November 30, 2023, 1000100206 Ontario Inc. and 1000187534 Ontario Inc. now supports the proposed Strategic Growth Area B designation.

However, we continue to believe that the properties would be more appropriately zoned to permit mid to high-rise residential development that is compatible with and sensitive to surrounding land uses. We respectfully request that the properties be considered to be zoned SGA-3: High Rise (Limited) Growth Zone or SGA-4: High Rise Growth Zone by Planning & Strategic Initiatives Committee.

The subject properties are adjacent to existing low rise residential uses on the north side of Dodd's Lane, which will require attention to future building design in terms of massing, scale and privacy. However, we believe the preliminary design concepts reviewed by the City as part of Pre-Submission Consultation and further revised and appended to our November 30, 2023 demonstrate that the overall site can be designed to be compatible with and sensitive to the low-rise residential uses.

Policy 15.D.2.5 of the proposed Official Plan Amendment for the Growing Together initiative allows for the consideration of site-specific applications for Zoning By-law Amendment through the consideration of a number of factors. The following provides a summary of the requirements of



proposed Policy 15.D.2.5 as well as commentary and justification for the properties to be zoned SGA-4: High Rise Growth Zone as requested.

<p>Notwithstanding Policy 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or special zoning regulation(s), seek to amend the Zoning By-law to change land use permissions, and/or seek to amend this Plan to change from one land use designation to another, will consider the following factors:</p>		
a)	<p>Compatibility with the planned function of the subject lands and adjacent lands</p>	<p><i>The properties are located within a Protected Major Transit Station Area, which are areas intended to accommodate a significant portion of future growth and development.</i></p> <p><i>The properties are located approximately 100 metres northwest of the Grand River Hospital iON Station; future mixed-use, higher density development will assist the City in achieving the required density target of 160 residents and jobs per hectare identified for this area.</i></p> <p><i>A large portion of the area that surrounds the Grand River Transit iON Station is occupied by long-standing local business and a Regional trauma centre and hospital that are unlikely to be redeveloped or intensified in the short to medium-term, significantly impacting the ability to accommodate intensification in the Grand River Hospital iON Station Area. With very limited options for redevelopment along this portion of King Street, the subject properties provide an opportunity for transit-supportive intensification that can be designed to be compatible with and sensitive to surrounding land uses.</i></p> <p><i>We believe through building refinements and enhancements, the proposed development could be designed to be compatible with the surrounding uses and reasonably-scaled to provide for appropriate residential intensification proximate to the Grand River Hospital iON Station while adhering to the design objectives of the Strategic Growth Area C designation.</i></p>
b)	<p>Suitability of the lot for the proposed use and/or built-form</p>	<p><i>The properties are a consolidation of three (3) legal parcels, which combined create an overall site area of approximately 3,100 square metres. The consolidation of the three</i></p>

		<p><i>(3) lots with access to both King Street and Dodds Lane allows for the redevelopment of a larger parcel with the ability to accommodate important design considerations along this area of King Street, including site access, building setbacks and steps, height and massing and compatibility. It is our opinion that it is the consolidation of the three (3) lots that makes the overall site suitable for the proposed redevelopment.</i></p>
c)	<p>Lot area and consolidation as further outlined in Policy 3.C.2.11</p>	<p><i>The proposed development concept includes the three (3) properties at 924 to 938 King Street, 940 King Street and 944 King Street. While the properties have not been formally consolidated and technically are owned by two separate legal entities (1000100206 Ontario Inc. and 1000187534 Ontario Inc), the entities are owned by the holding company Fallah Canadian Investment, and there under the same umbrella.</i></p> <p><i>Upon the consideration and approval of planning applications that would allow for high-density residential development, the properties will subsequently be merged on title.</i></p>
d)	<p>Compliance with the City's Urban Design Manual and Policy 11.C.1.34</p>	<p><u><i>Urban Design Manual</i></u>  <i>The preliminary development concept submitted to the City in support of the Request for Pre-Submission Consultation took into consideration applicable policies of the City's Urban Design Manual, including those pertaining to tall buildings (former Tall Building Design Guidelines).</i></p> <p><i>The preliminary development concept includes a rear yard tower setback of 8.4 metres from the property rear property line. Coupled with the width of Dodds Lane, the development concept provides for approximately 14 metres of separation between the future tower and the rear lot line of the adjacent low rise residential uses (approximately 24 metres setback from the tower to the existing dwelling units).</i></p>



		<p><i>In addition, the proposed development includes 21.3 metres tower setbacks for both side yard property boundaries.</i></p> <p><u><i>Proposed Policy 11.C.1.34</i></u>  <i>Policy 11.C.1.34 indicates that new tall building development must have consideration for tall building design principles, including separation, overlook, height, floor plate area, tower placement, orientation and building proportions. The policy further states that the zoning by-law will provide for design regulations to mitigate environmental impacts, create high-quality design, ensure compatibility with surrounding low and mid-rise contexts and ensure the development of future adjacent or nearby buildings are not frustrated.</i></p> <p><i>It is our opinion that the development concept demonstrates the subject properties can be redeveloped with a very high degree of sensitivity to and compatibility with surrounding land uses, particularly the existing low rise residential uses on the north side of Dodds Lane. As noted above, the preliminary development concept incorporated a number of urban design guidelines and requirements with respect to tall building design; through further detailed design, we believe that these considerations can be further enhanced to meet the policy objectives of 11.C.1.34.</i></p> <p><i>Furthermore, we believe that the development concept creates an opportunity to provide for a high-quality design along King Street with commercial/retail uses at grade, appropriate podium heights and sufficient tower step backs, enhancing the streetscape and skyline along this portion of King Street.</i></p>
e)	Cultural heritage resources, including Policy 15.D.2.8	<p><i>Not applicable</i></p> <p><i>It is our understanding that there are no Designated or Listed heritage resources proximate to the subject properties.</i></p>

f)	Technical considerations and other contextual or site specific factors	<i>It is our expectation that all technical considerations and requirements for a future planning application will be summarized as part of the formal Record of Pre-Submission Consultation. We expect that these technical studies will include but are not limited to a Traffic Impact Study and Parking Justification Report, Stationary and Traffic Noise Impact, Pedestrian Wind Assessment, Urban Design Brief and Planning Justification Report.</i>
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1000100206 Ontario Inc. and 1000187534 Ontario 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 working and collaborating with staff as we move forward with redevelopment plans for the subject site.

On behalf of 1000100206 Ontario Inc. and 1000187534 Ontario Inc., thank you for your review of this commentary and further consideration of our request to zone the properties as SGA-3: High Rise (Limited) Growth Zone or SGA-4: High Rise Growth Zone. We respectfully request to be continued 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. Fariborz Fallah, [REDACTED]  
Ian Istvan, [REDACTED].  
Pam Tolton, ABA



Mayor Berry Vrbanovic and Members of Council  
Kitchener City Hall  
200 King St. W., 2<sup>nd</sup> floor  
Kitchener, ON N2G 4G7

Arcadis Professional Services (Canada) Inc.



Date: January 24, 2024

Our Ref: 123367

Subject: Written Submission - Official Plan Amendment and Zoning By-Law Amendments (Growing Together, Inclusionary Zoning)  
150 Strange Street, Kitchener

Dear Mayor Vrbanovic and Members of Council,

On behalf of our client, Park Street Parking Ltd., please accept this written submission in reference to the proposed Official Plan Amendments and Zoning By-Law Amendments arising from the “Growing Together” and “Inclusionary Zoning” studies.

Our clients own the lands known municipally as 150 Strange Street, Kitchener. These lands are bound by Strange Street, Dominion Street, Park Street, and the rail corridor. While the current use of the lands is surface parking, these lands are well positioned to support intensification, including residential development.

We have participated in the engagement for the “Growing Together” and “Inclusionary Zoning” studies on behalf of our client and have reviewed with our clients the final proposed Official Plan Amendments and Zoning By-Law Amendments in staff reports DSD-2024-005 and DSD-2024-029 along with the related appendices.

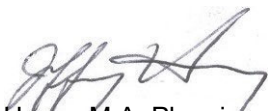

Based on that review, we would like to advise you that **our clients are supportive of the proposed “Growing Together” and “Inclusionary Zoning” Official Plan Amendments and Zoning By-Law Amendments, including as they apply to our client’s lands.** Further, and on behalf of our clients, we look forward to working with the City of Kitchener and the Region of Waterloo on the implementation of the proposed Inclusionary Zoning program as they apply to the subject lands.

We would like to thank Council and city staff for the opportunity to participate in the process and request that the City of Kitchener and Region of Waterloo keep us apprised of the status of the proposed amendments and the implementation of the Inclusionary Zoning program.

Mayor Berry Vrbanovic and Members of Council  
City of Kitchener  
January 24, 2024

Please contact our office if you have any questions or would like to discuss this matter further.

Respectfully Submitted,  
**ARCADIS PROFESSIONAL SERVICES (CANADA) INC.**

  
Jeff Henry, M.A. Planning  
Urban Planner  


  
Douglas W. Stewart, RPP, MCIP  
Associate – Manager, Urban & Regional Planning  


JH/DS/baw

cc: John Lowater, Park Street Parking Ltd.  
Rosa Bustamante, Director of Planning and Housing Policy, City of Kitchener  
Natalie Goss, Manager, Policy and Research, City of Kitchener





March 1, 2024

[growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

Attn: Natalie Goss - Manager Policy & Research  
City of Kitchener  
Planning  
6th floor  
200 King Street West  
Kitchener, ON N2G 4G7

Dear Ms. Goss:

**RE: NEIGHBOURHOOD PLANNING REVIEW / SECONDARY PLANS AND ZONING IMPLEMENTATION / YORK STREET APARTMENTS 75 AND 81 YORK STREET AND 130 MT. HOPE STREET, KITCHENER  
OUR FILE Y5122E**

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We are writing on behalf of our client, Sun Life Financial, owners of 75 and 81 York Street and 130 Mt. Hope Street (the subject lands) with respect to the above noted matter. This letter is being provided as a follow up to our previous submissions as well as our more recent meeting held on February 28, 2024. As staff are aware, we have been actively engaged in the Neighbourhood Planning Review / Growing Together process as it relates to the subject lands, with submissions dating back to 2019; attendance at various Growing Together workshops; and one-on-one meetings with staff.

**As stated in earlier correspondence, our client is supportive of the Strategic Growth Area B designation and SGA-3 zoning that is proposed for the subject lands.**

**Our remaining concern, as expressed throughout our submissions is the loss of "street townhouse" as a permitted use.** The site currently contains three apartment buildings and surface parking. The apartments are long-term rentals and as such, redevelopment of is not likely to occur in the immediate future. However, there is an opportunity to intensify the site by incorporating additional units within areas currently used for parking. Street townhomes would be appropriate along the York Street and/or Mt. Hope Street frontage as additional uses beyond what is currently built on the site. This would allow for intensification on the site over the shorter term. Street townhomes typically require less land than other forms of multiple residential and are an appropriate form of housing to transition density from the surrounding low rise residential neighbourhood.

We understand that Growing Together is a City-wide exercise and that site specific amendments are not being addressed. Notwithstanding, losing residential permissions on the property is something our client remains concerned about. As discussed, we believe there is merit in adding "Street Townhomes" globally to the SGA-3 zoning (as opposed to applying this only to the Sun Life properties) as there are multiple large blocks proposed to be zoned SGA-3 that could also use townhomes as a way to transition from low density to high density.

We understand the City has concerns that by adding Street Townhomes to the SGA-3 zone, there is a risk that properties could be developed fully with townhomes, which is not the planned intent of the SGA-3 zone. While we believe this would be an unlikely scenario given land values, this could be addressed by providing street townhomes only in combination with other SGA-3 residential uses.

In our opinion the attached redline would address our client's concern, while at the same time ensuring that the planned function of the SGA-3 areas is maintained.

Thank you for your consideration, we look forward to reviewing the final staff report and associated zoning. Should you require anything further to support our request, please do not hesitate to contact the undersigned.

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read "Andrea Sinclair", with a long horizontal flourish extending to the right.

Andrea Sinclair, MUDS, BES, MCIP, RPP



## SECTION 6 – Strategic Growth Area Zones (SGA)

The Strategic Growth Area Zones apply to lands designated Strategic Growth Area A, Strategic Growth Area B, and Strategic Growth Area C in the City of Kitchener Official Plan.

### 6.1 APPLICABLE ZONES

SGA-1: Low Rise Growth Zone – the purpose of this zone is to create opportunities for missing middle housing and compatible non-residential *uses* in low-rise forms up to 11 metres in height. This *zone* applies to lands designated Strategic Growth Area A in the City of Kitchener Official Plan.

SGA-2: Mid Rise Growth Zone – the purpose of this *zone* is to create opportunities for moderate growth in mid-rise forms up to 8 *storeys* in height. The SGA-2 zone will permit a mix of residential and non-residential *uses*. This *zone* applies to lands designated Strategic Growth Area A or Strategic Growth Area B in the City of Kitchener Official Plan.

SGA-3: High Rise Growth Zone (Limited) – the purpose of this *zone* is to create opportunities for high-density growth in both mid and high-rise forms up to 25 *storeys* in height. The SGA-3 *zone* will permit a wide mix of residential and non-residential *uses*. This *zone* applies to lands designated Strategic Growth Area B or Strategic Growth Area C in the City of Kitchener Official Plan.

SGA-4: High Rise Growth Zone – the purpose of this *zone* is to create opportunities for high-density growth in both mid and high-rise forms. The SGA-4 zone will permit a wide mix of residential and non-residential *uses*. This zone applies to lands designated Strategic Growth Area C in the City of Kitchener Official Plan.

### 6.2 PERMITTED USES

No person shall, within any Strategic Growth Area Zone *use* or permit the *use* of any *lot* or erect, alter or *use* any *building* or *structure* for any purpose other than those permitted *uses* within Table 6-1 below.

**Table 6-1: Permitted Uses within the Strategic Growth Area Zones**

Use	SGA-1	SGA-2	SGA-3	SGA-4
<b>Residential Uses</b>				
<i>Dwelling unit</i>	✓	✓	✓	✓
<i>Hospice (1)</i>	✓	✓	✓	✓
<i>Large residential care facility (1)</i>		✓	✓	✓
<i>Lodging house (1)</i>	✓	✓	✓	✓
<i>Multiple dwelling</i>	✓	✓	✓	✓

Use	SGA-1	SGA-2	SGA-3	SGA-4
<i>Semi-detached dwelling (2)</i>	✓	✓(3)	(4)	
<i>Single detached dwelling (2)</i>	✓	✓(3)	(4)	
<i>Small residential care facility (1)</i>	✓	✓	✓	✓
<i>Street townhouse dwelling (2)</i>	✓	✓(3)	✓(7)	
<b>Home Occupations</b>				
<i>Home occupation</i>	(5)	(5)	(5)	(5)
<b>Community Uses</b>				
<i>Adult education school</i>		✓	✓	✓
<i>Community facility</i>	✓	✓	✓	✓
<i>Cultural facility</i>	✓	✓	✓	✓
<i>Day care facility</i>	✓	✓	✓	✓
<i>Elementary school</i>		✓	✓	✓
<i>Hospital</i>			✓	✓
<i>Place of worship</i>	✓	✓	✓	✓
<i>Post-secondary school</i>		✓	✓	✓
<i>Secondary school</i>		✓	✓	✓
<i>Social service establishment</i>	✓	✓	✓	✓
<b>Commercial Uses</b>				
<i>Artisan's establishment</i>	✓	✓	✓	✓
<i>Brewpub</i>	✓(6)	✓	✓	✓
<i>Catering services establishment</i>		✓	✓	✓
<i>Commercial entertainment</i>		✓	✓	✓
<i>Commercial parking facility</i>		✓	✓	✓
<i>Commercial school</i>	✓	✓	✓	✓
<i>Conference, convention, or exhibition Facility</i>			✓	✓



Use	SGA-1	SGA-2	SGA-3	SGA-4
<i>Craftsperson shop</i>	✓	✓	✓	✓
<i>Financial establishment</i>	✓(6)	✓	✓	✓
<i>Fitness centre</i>	✓	✓	✓	✓
<i>Health clinic</i>	✓(6)	✓	✓	✓
<i>Hotel</i>		✓	✓	✓
<i>Light repair operation</i>	✓	✓	✓	✓
<i>Office</i>	✓	✓	✓	✓
<i>Payday loan establishment</i>		✓	✓	✓
<i>Pawn establishment</i>		✓	✓	✓
<i>Personal services</i>	✓	✓	✓	✓
<i>Pet services establishment</i>	✓	✓	✓	✓
<i>Print shop</i>	✓	✓	✓	✓
<i>Restaurant</i>	✓(6)	✓	✓	✓
<i>Retail</i>	✓	✓	✓	✓
<i>Veterinary services</i>	✓(6)	✓	✓	✓
<b>Creative Industry Uses</b>				
<i>Biotechnological establishment</i>		✓	✓	✓
<i>Computer, electronic, data processing or server establishment</i>		✓	✓	✓
<i>Creative products manufacturing</i>		✓	✓	✓
<i>Research and development establishment</i>		✓	✓	✓

**Additional Regulations for Permitted Uses Table 6-1**

- (1) Shall be in accordance with the regulations of the SGA zone and dwelling type in which the *lodging house, hospice, or large or small residential care facility* is located.
- (2) Up to 3 *dwelling units* shall be permitted on a *lot* containing a *single detached dwelling, semi-detached dwelling unit, or street townhouse dwelling unit* in accordance with the regulations for *additional dwelling units (attached) and (detached)* in Section 4.12.1, 4.12.2, and 4.12.3.

Notwithstanding Section 4.12, no minimum *lot width* or *lot area* shall apply to *additional dwelling units (attached) or (detached)* in an SGA zone.

- (3) Shall only be permitted on a *lot* containing an *existing single detached dwelling, semi-detached dwelling, or street townhouse dwelling*.
- (4) *New single detached dwellings and semi-detached dwellings* shall not be permitted. Additions and alterations to *existing dwellings* shall be permitted in accordance with Section 6.3.1, including allowing up to 3 units on a *lot*.
- (5) Shall be permitted in accordance with Section 4.7 (Home Occupation).
- (6) Shall only be permitted on *corner lots* and shall only be permitted in the *front and exterior side yard* in accordance with Section 4.14.8.1.
- (7) **Shall only be permitted on a lot containing other uses permitted within the SGA-3 zone.**

### 6.3 SGA-1 ZONE REGULATIONS

#### 6.3.1 Single Detached, Semi-Detached, and Street Townhouse Dwelling Units

- a) Table 6-2 applies to *single detached dwellings, semi-detached dwelling units, and street townhouse dwelling units*.
- b) The regulations within Table 6-2 shall not apply to *existing buildings or structures*.

**Table 6-2: Single Detached, Semi-Detached, and Street Townhouse Dwelling Units**

Regulation	Single Detached Dwelling	Semi-Detached Dwelling unit	Street Townhouse Dwelling unit
Minimum <i>lot area</i>	235m <sup>2</sup>	210m <sup>2</sup>	135m <sup>2</sup>
Minimum <i>lot width</i> (internal unit)	n/a	n/a	5.5m
Minimum <i>lot width</i> (external unit)	n/a	n/a	8.5m
Minimum <i>lot width</i>	9.0m	7.5m	n/a
Minimum <i>corner lot width</i>	12.8m	12.0m	11.5m
Minimum <i>interior side yard setback</i>	1.2m	1.2m	2.5m
Minimum <i>front yard or exterior side yard setback</i>	4.5m(1)(2)	4.5m(1)(2)	4.5m(1)
Minimum <i>rear yard setback</i>	7.5m	7.5m	7.5m
Maximum <i>lot coverage</i>	55%(3)	55%(3)	55%(3)
Maximum <i>building height</i>	11.0m	11.0m	11.0m
Maximum number of <i>storeys</i>	3	3	3



# The 51 Benton Dr Project



# Executive Summary

The 51 Benton Dr. Project is a multi-unit residential development located at 51 Benton Street, Kitchener, ON N2G 3H1. This project is designed to provide approximately 175 residential units, along with around 107 parking spaces, utilizing a ratio of 0.6 parking spaces per unit. In addition to the residential component, there is approximately 150m<sup>2</sup> of ground-floor commercial space fronting Benton Street.

## 51 Benton Street, Kitchener

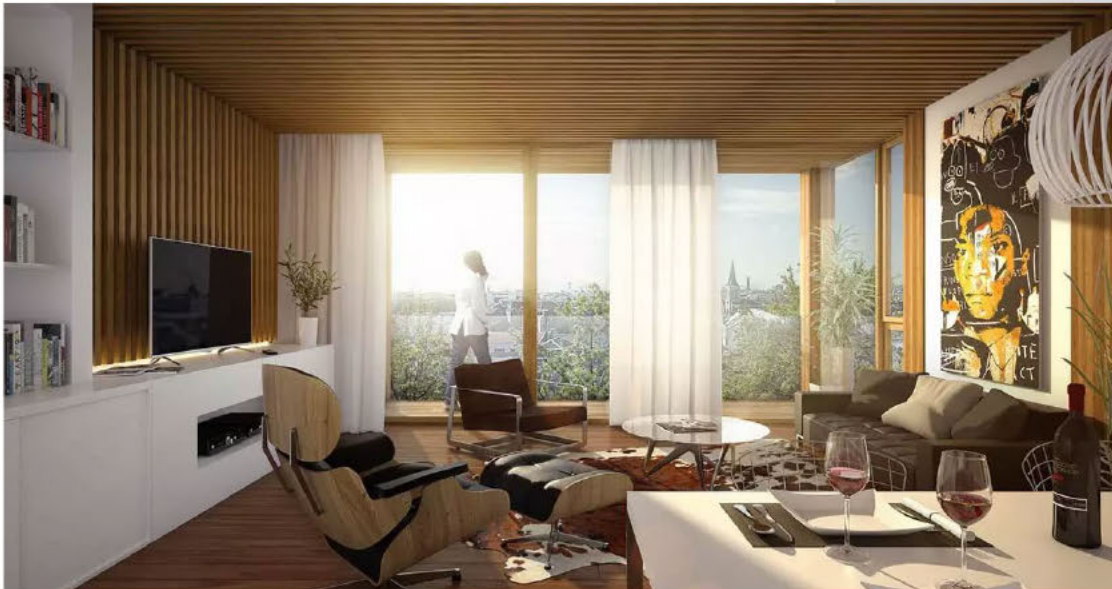
Site Area	± 100,000 sqft
Potential Residential Unit Yield	±175 units
Development Height	16 Storeys
Parking Spaces	107 Space
Ground Floor Commercial Space Fronting	±150m <sup>2</sup>





# Investment Highlights

- **Parking Structure:** The development includes a covered parking podium spanning Floors 2 to 3 and an underground parking level, ensuring ample parking spaces for residents and visitors.
- **Outdoor Amenity Area:** A fourth-floor outdoor amenity area is designed to enhance the quality of life for residents, offering a communal space for relaxation and social activities.
- **Reduced Setbacks:** The project includes reduced side and rear yard setbacks, allowing for efficient use of the available space while adhering to zoning regulations.



175

RESIDENTIAL UNITS

16

STOREY DEVELOPMENT

**Floor 1:** This level features a covered parking area, commercial/retail space, a residential entrance, and 2 residential units that front onto Church Street.

**Floors 2-3:** These levels comprise above-ground parking and offer 2 residential units per floor fronting onto Benton Street.

**Floor 4:** On this level, you will find 13 residential units and an outdoor amenity area.

**Floors 5-16:** These tower floors consist of 13 units each, providing a significant number of residential units to meet housing demand.

**Underground Parking:** The project includes one level of underground parking, optimizing the use of available space and providing additional parking options.

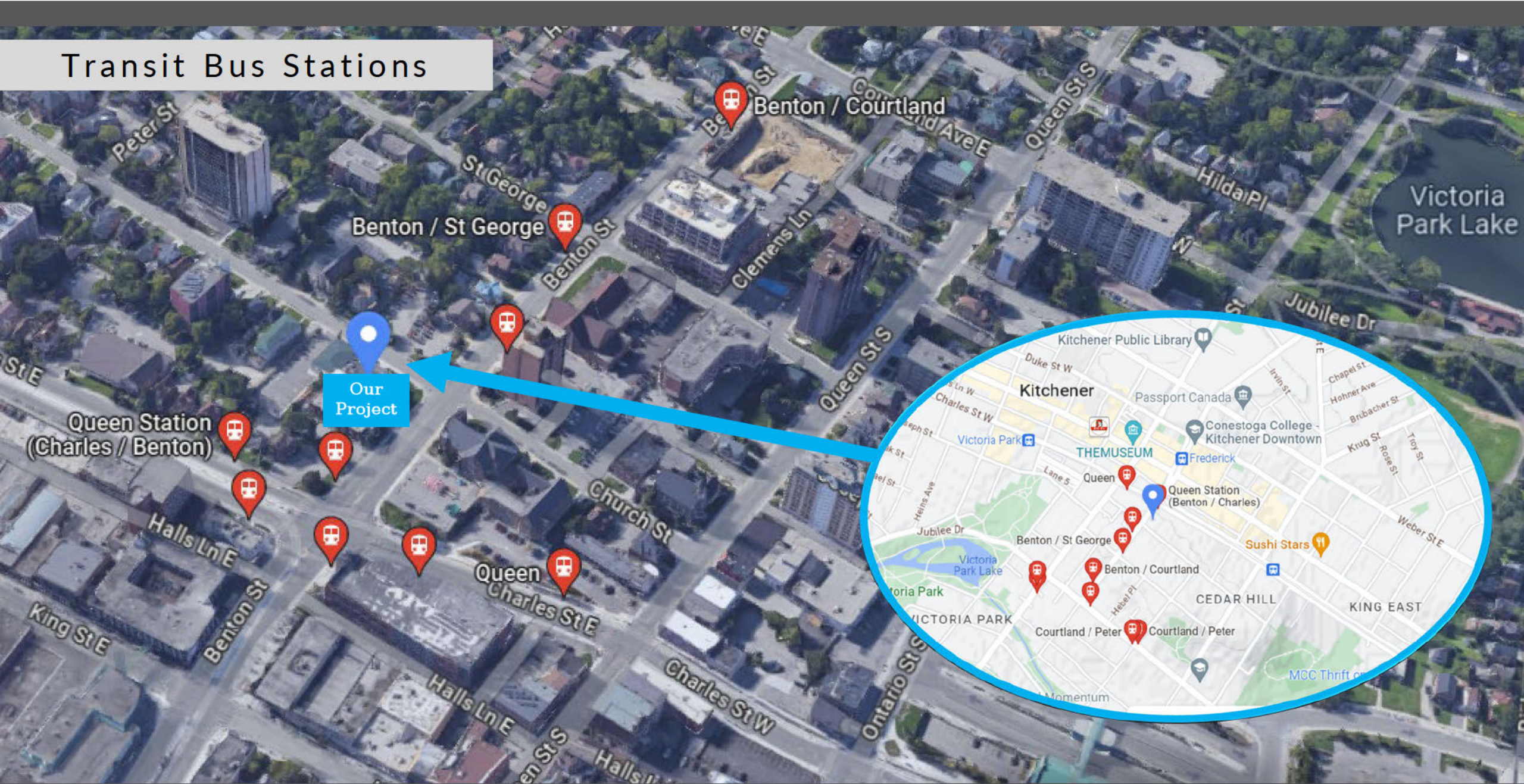


# Project Location



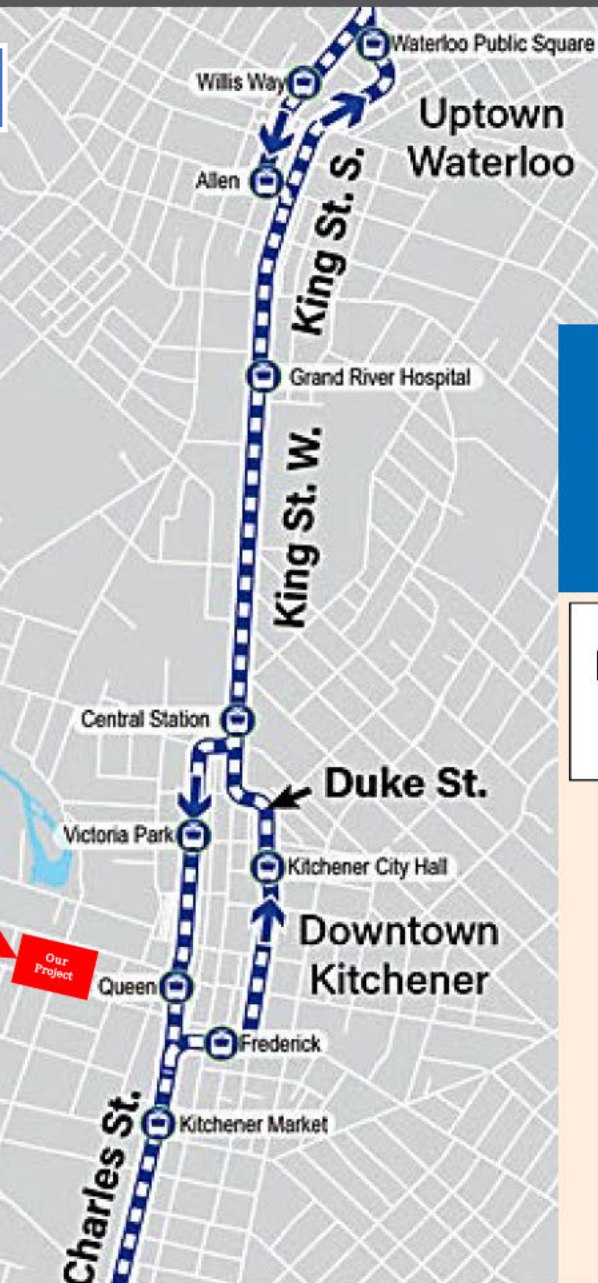
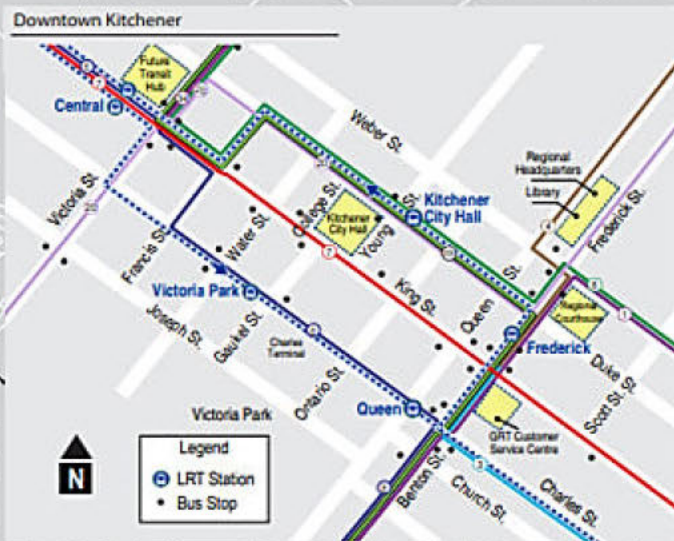


# Transit Bus Stations



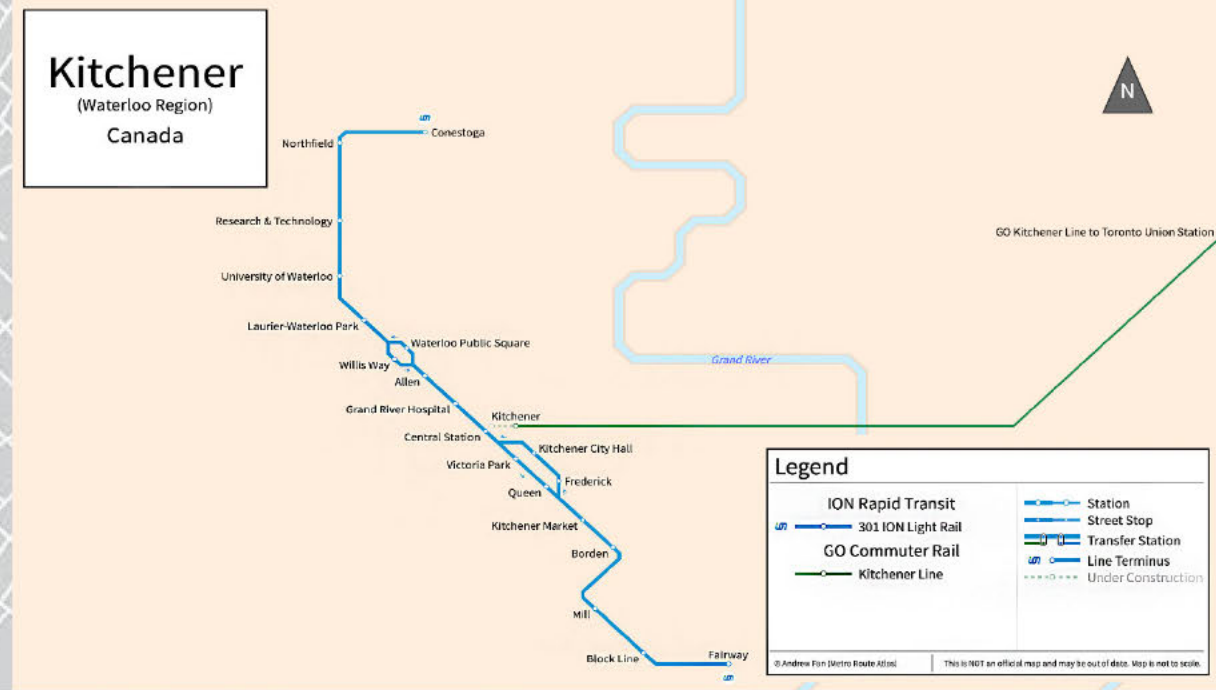
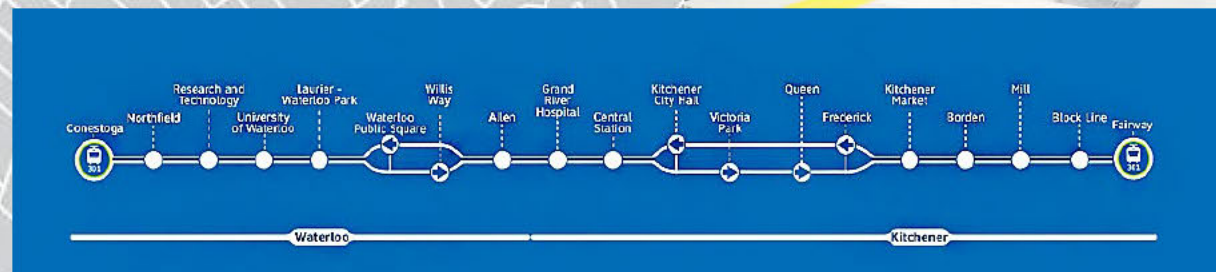


# Transit LRT Stations

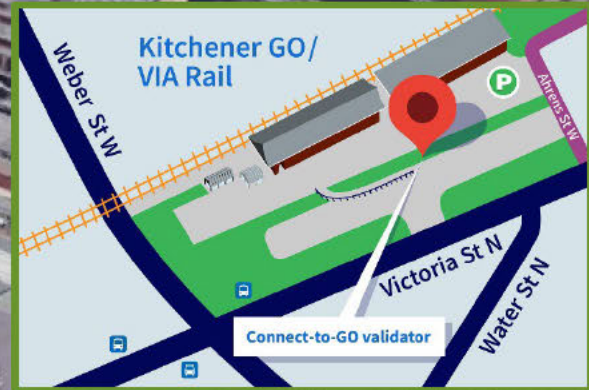
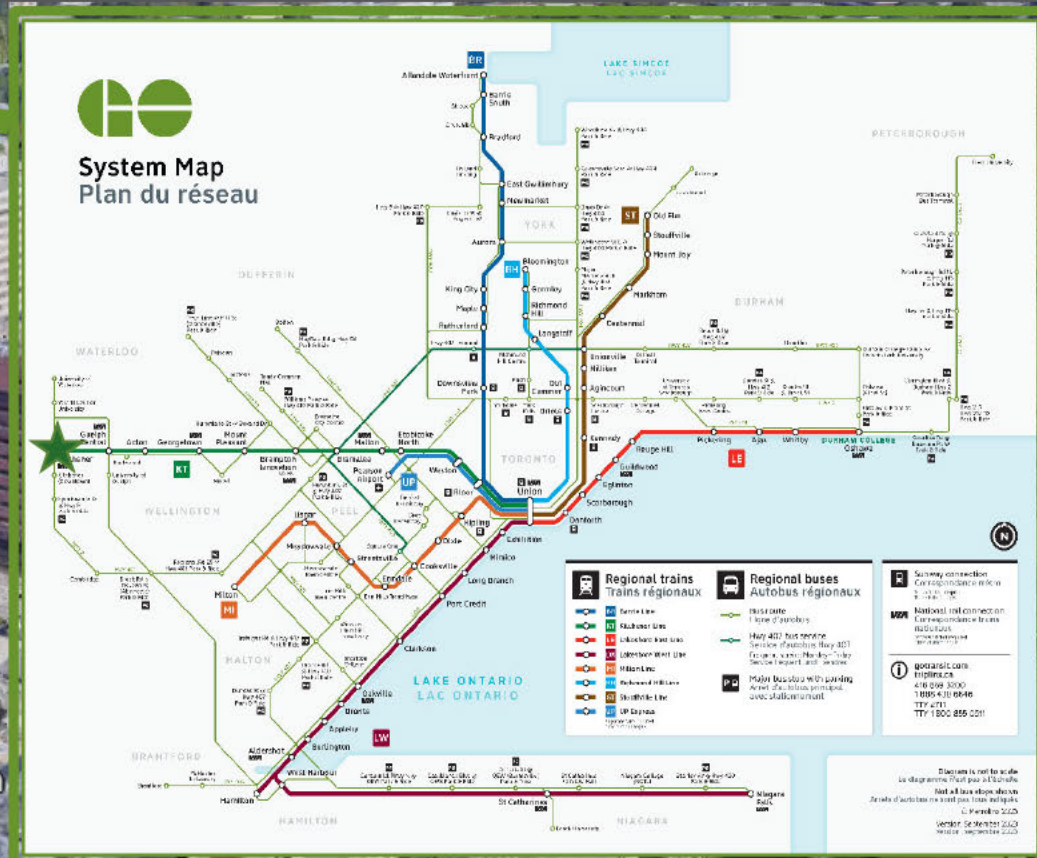


**ION light Rail**

**ION Station**







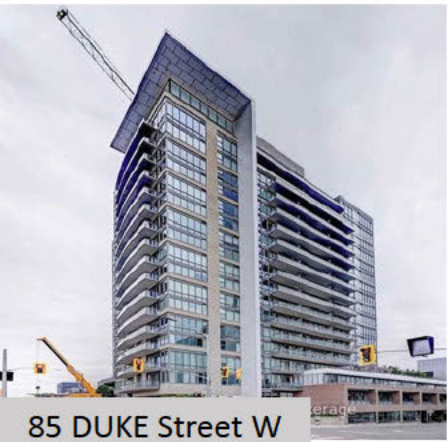
# Transit Go Networks



# Current Market Context

- Here's a table comparing the monthly average asking prices for different residential units in different projects for 2023

85 DUKE Street W	2 bd, 2 ba (815 sqft / 75.72 m <sup>2</sup> )	\$566,000	For Sale
85 DUKE Street W	1 bd, 1 ba (650 sqft / 60.39 m <sup>2</sup> )	\$434,900	For Sale
85 DUKE Street W	2 bd, 2 ba (885 sqft / 82.22 m <sup>2</sup> )	\$548,000	For Sale
55 DUKE Street W	2 bd, 2 ba (996 sqft / 92.53 m <sup>2</sup> )	\$649,900	For Sale
55 DUKE Street W	1 bd, 1 ba (675 sqft / 62.71 m <sup>2</sup> )	\$435,000	Sold
60 CHARLES Street W	1 bd, 1 ba (549 sqft / 51 m <sup>2</sup> )	\$412,000	Sold
55 DUKE Street	1 bd, 1 ba (687 sqft / 63.82 m <sup>2</sup> )	\$410,000	Sold



## Low-Risk Factors:

- Located in Kitchener, a region with economic stability
- Historical performance shows steady demand and price appreciation
- Positive future outlook

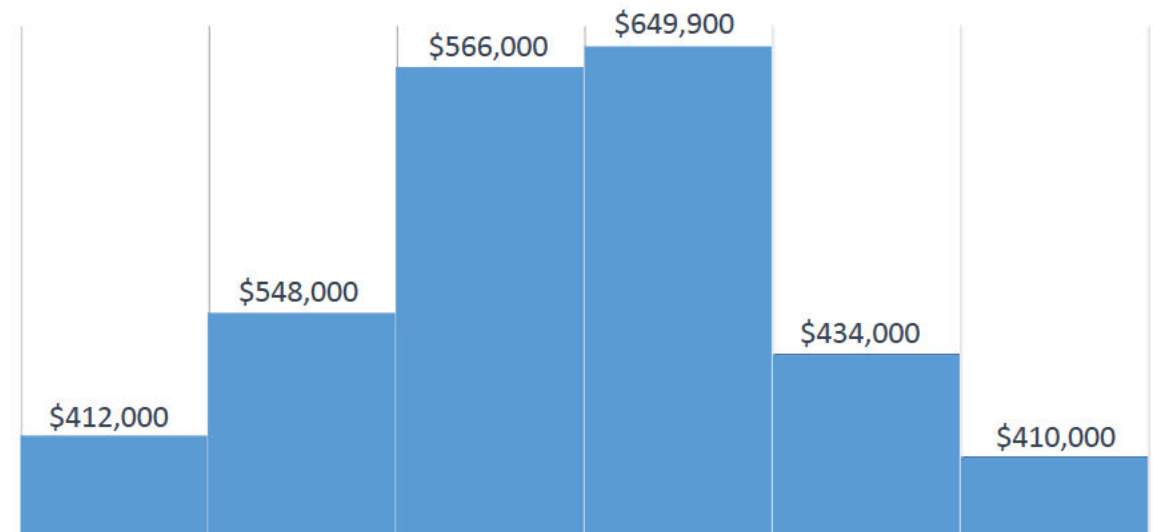
## Potential Risks:

- Local economic conditions and external factors can impact the real estate market

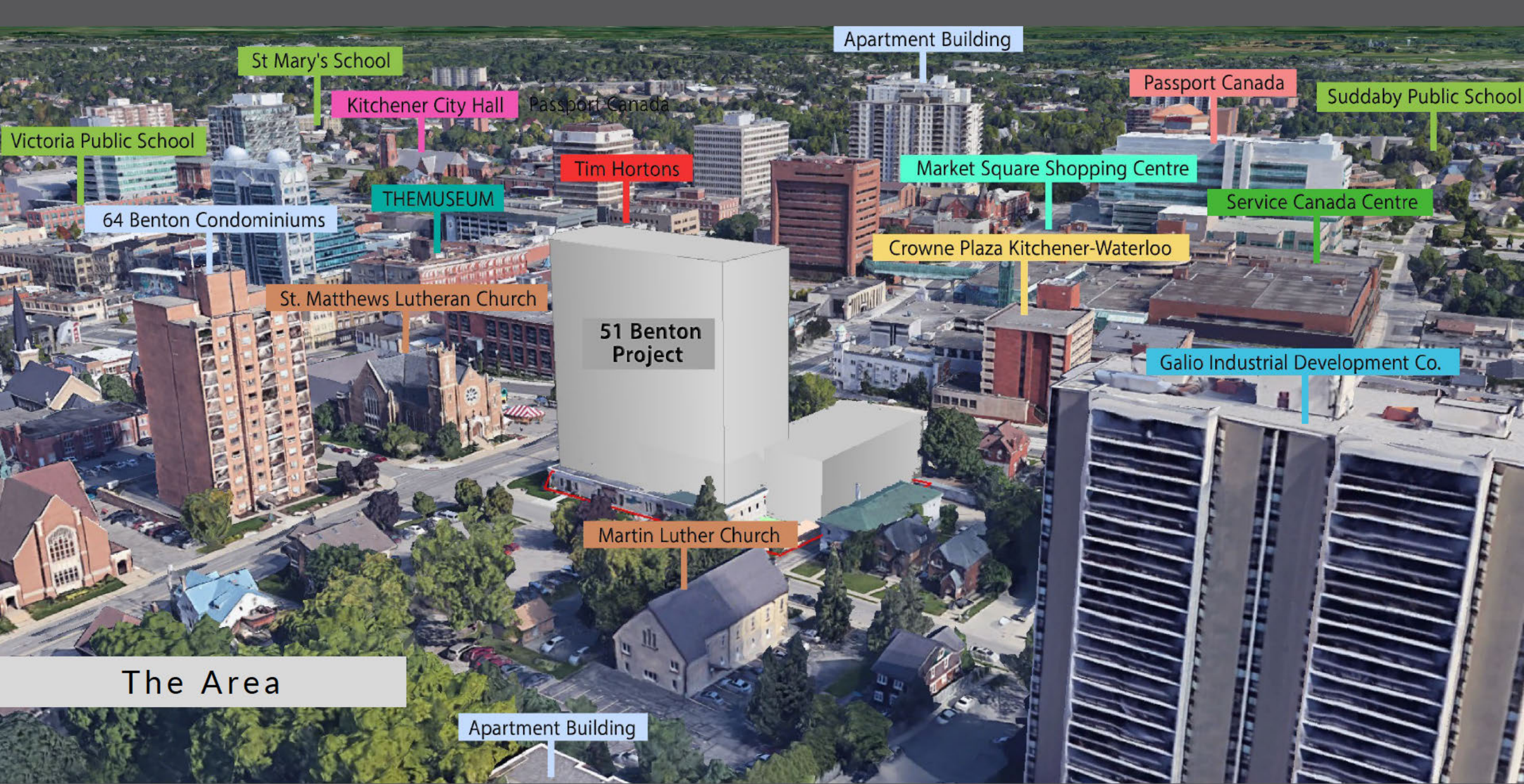
## Conclusion:

The property at 51 Benton Street is in a low-risk submarket due to its location and historical performance. Monitoring economic conditions is essential to mitigate potential risks.

The monthly average asking prices of the residential projects in the area







St Mary's School

Kitchener City Hall

Passport Canada

Apartment Building

Passport Canada

Suddaby Public School

Victoria Public School

Tim Hortons

Market Square Shopping Centre

Service Canada Centre

64 Benton Condominiums

THEMUSEUM

Crowne Plaza Kitchener-Waterloo

St. Matthews Lutheran Church

51 Benton Project

Galio Industrial Development Co.

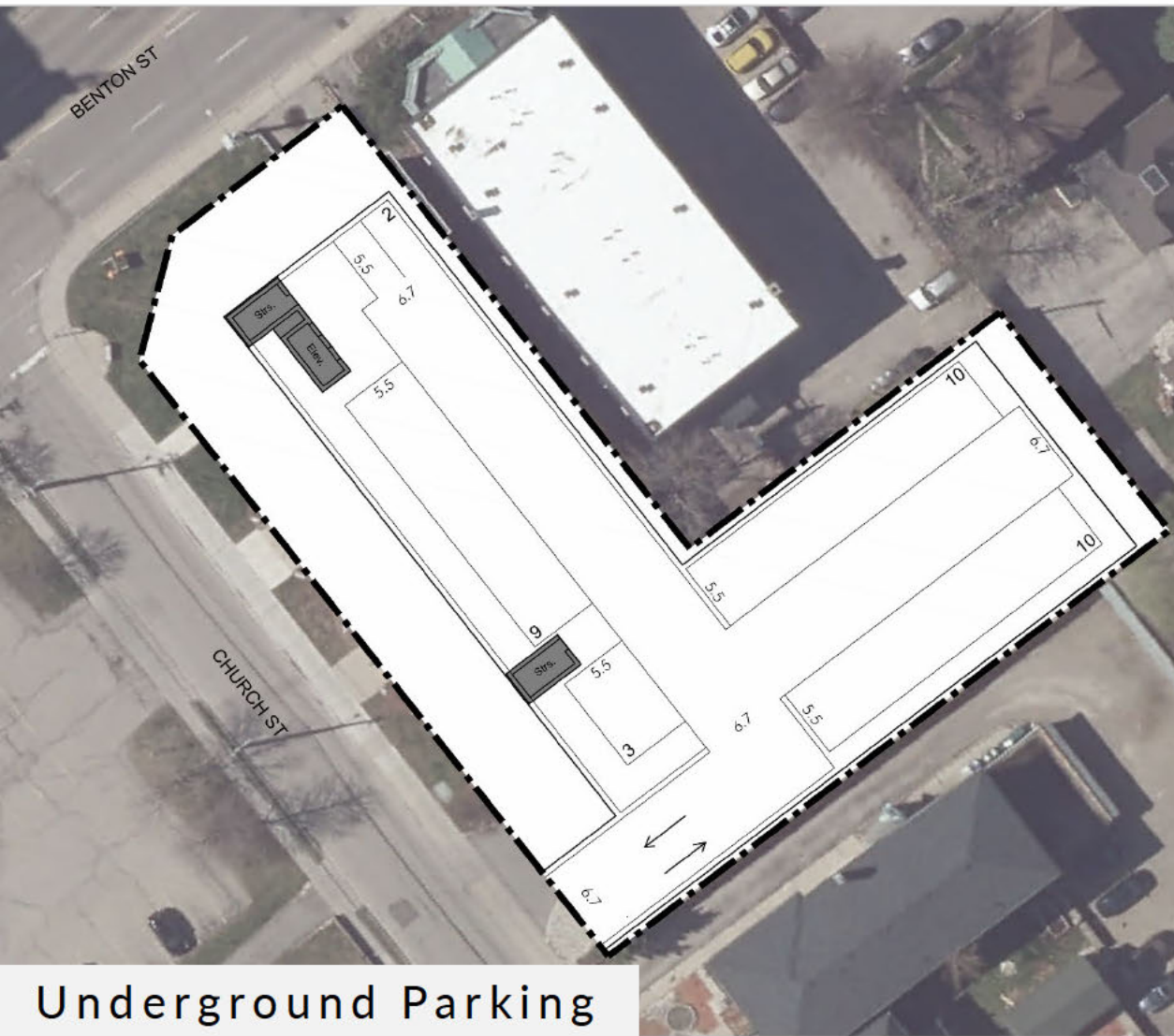
Martin Luther Church

The Area

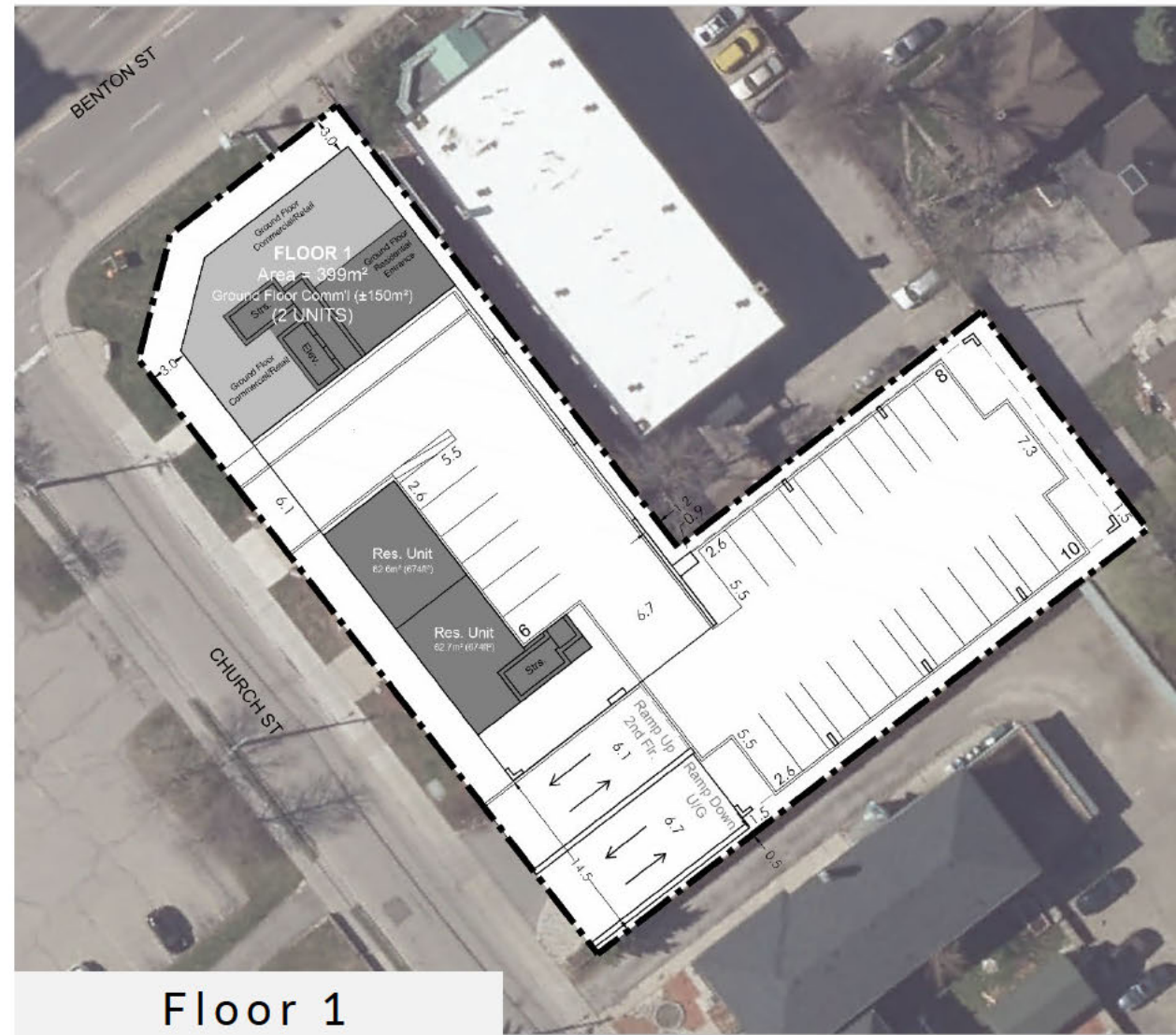
Apartment Building



# Concept Plans



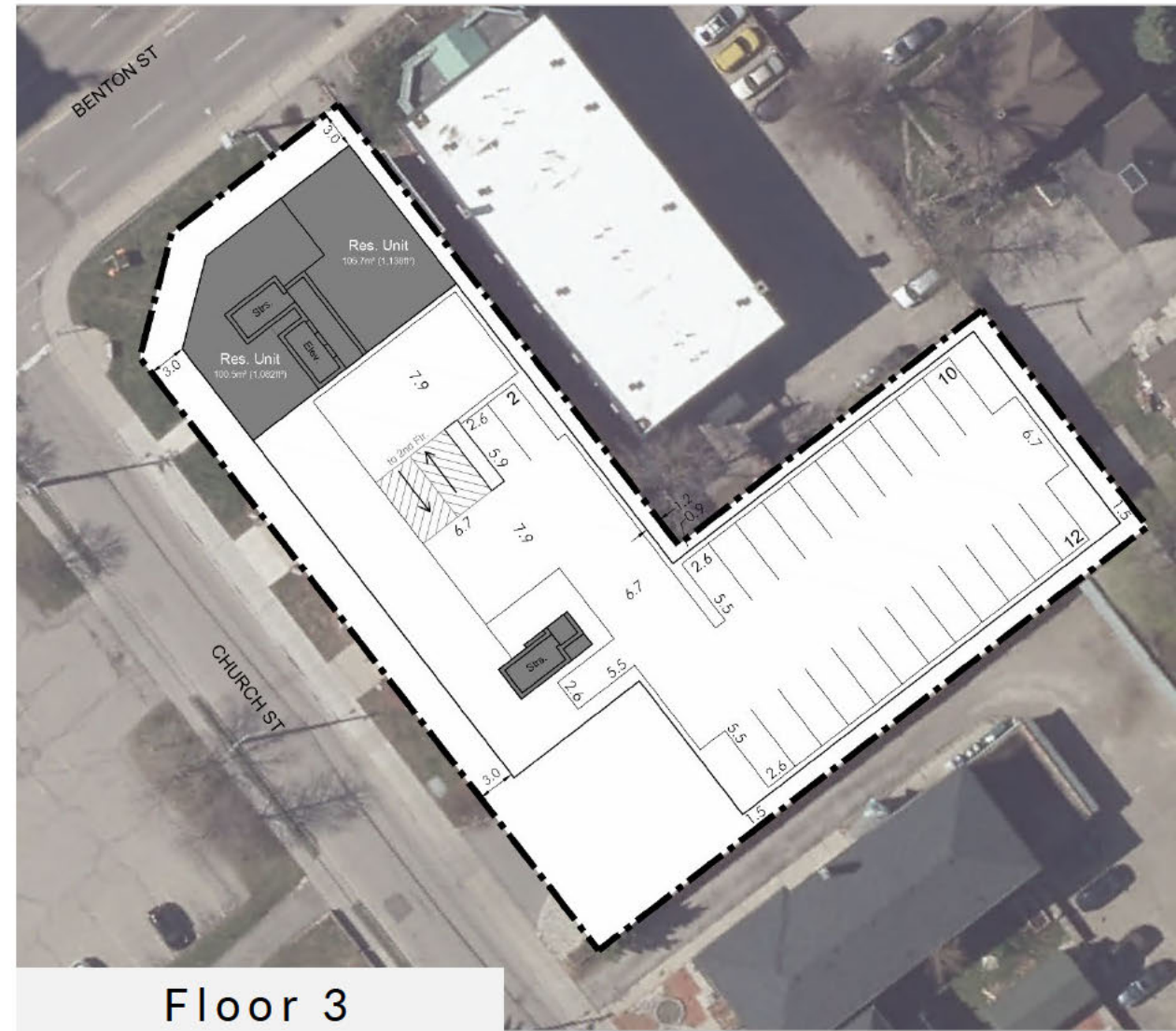
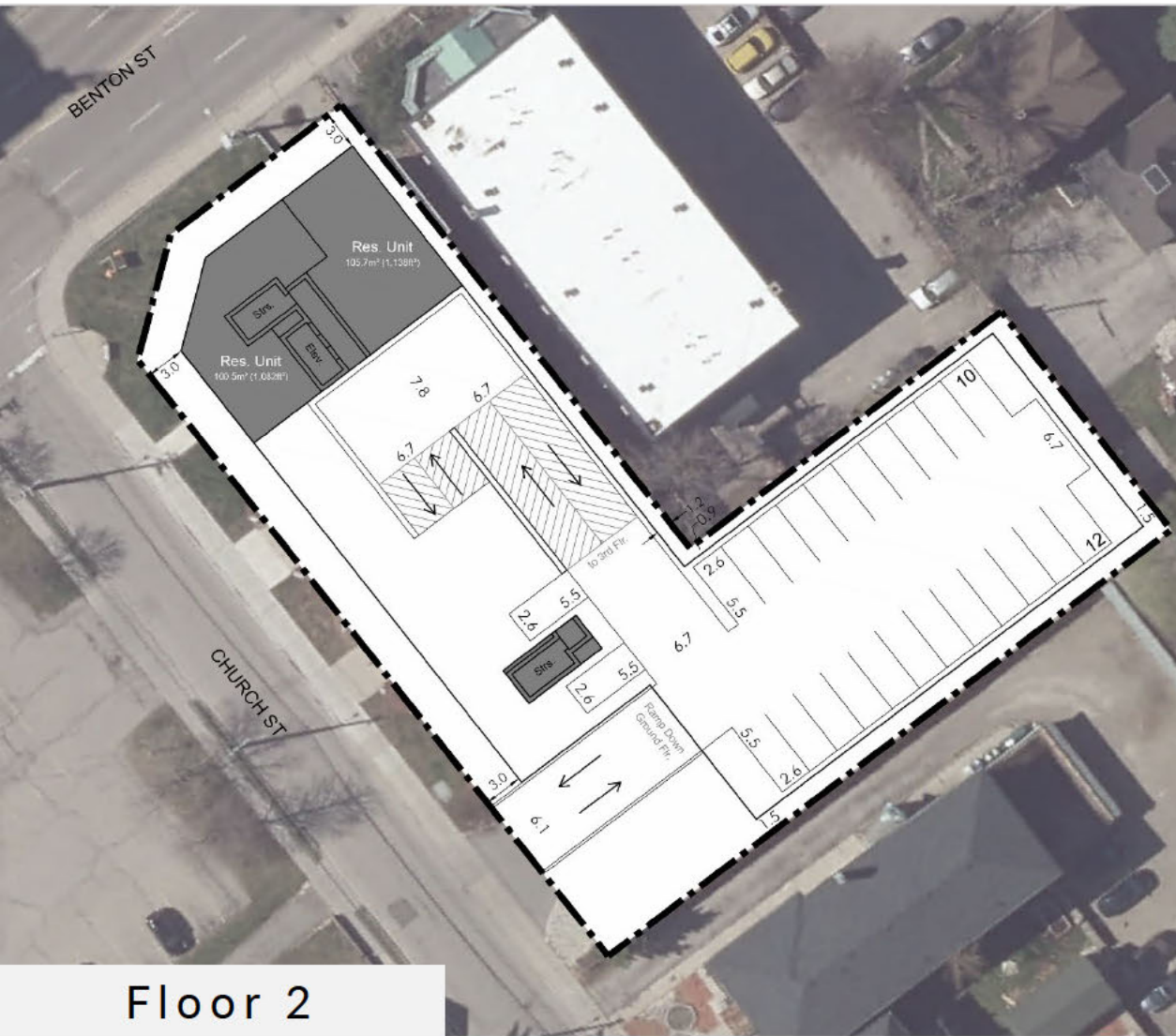
Underground Parking



Floor 1

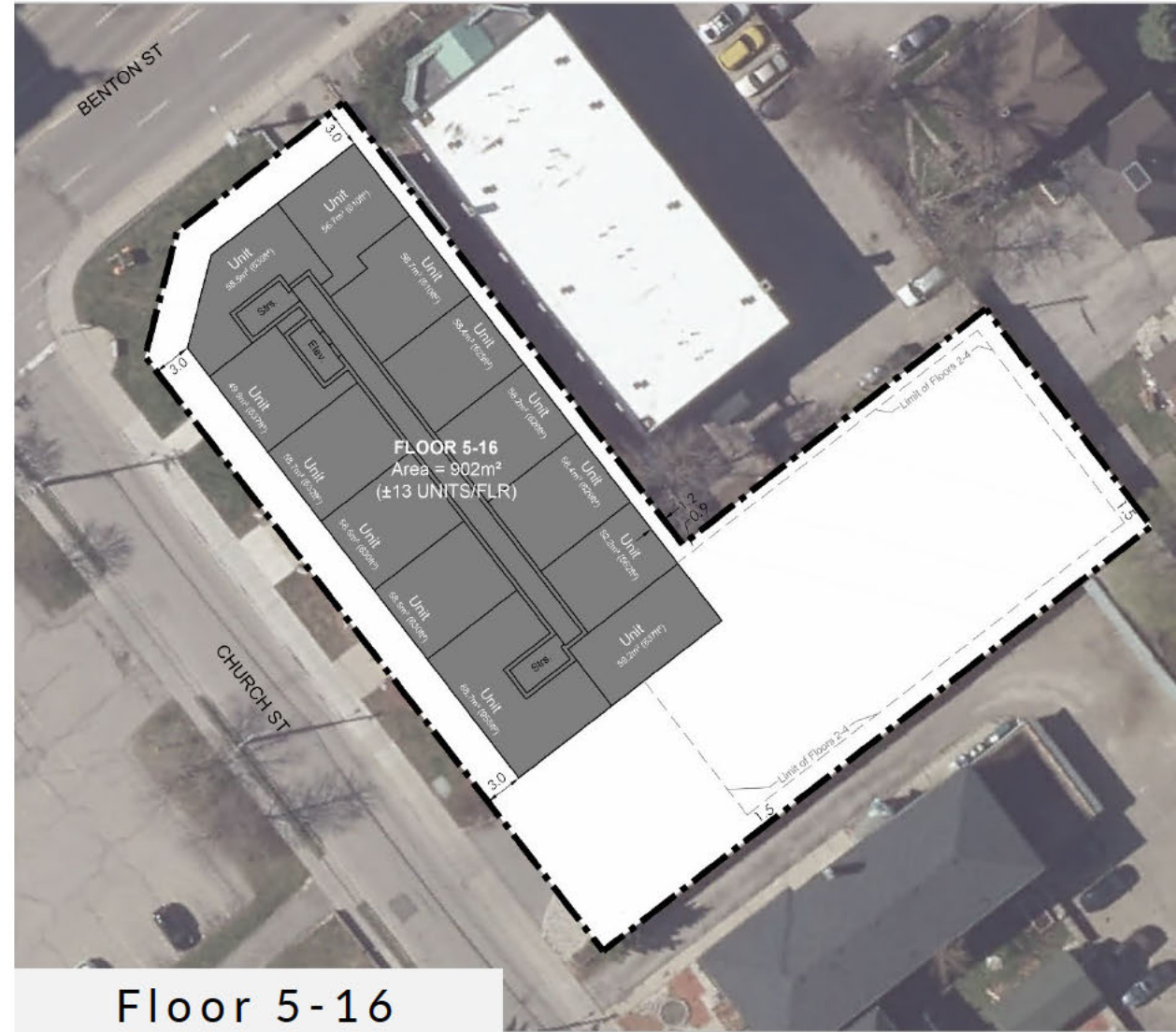
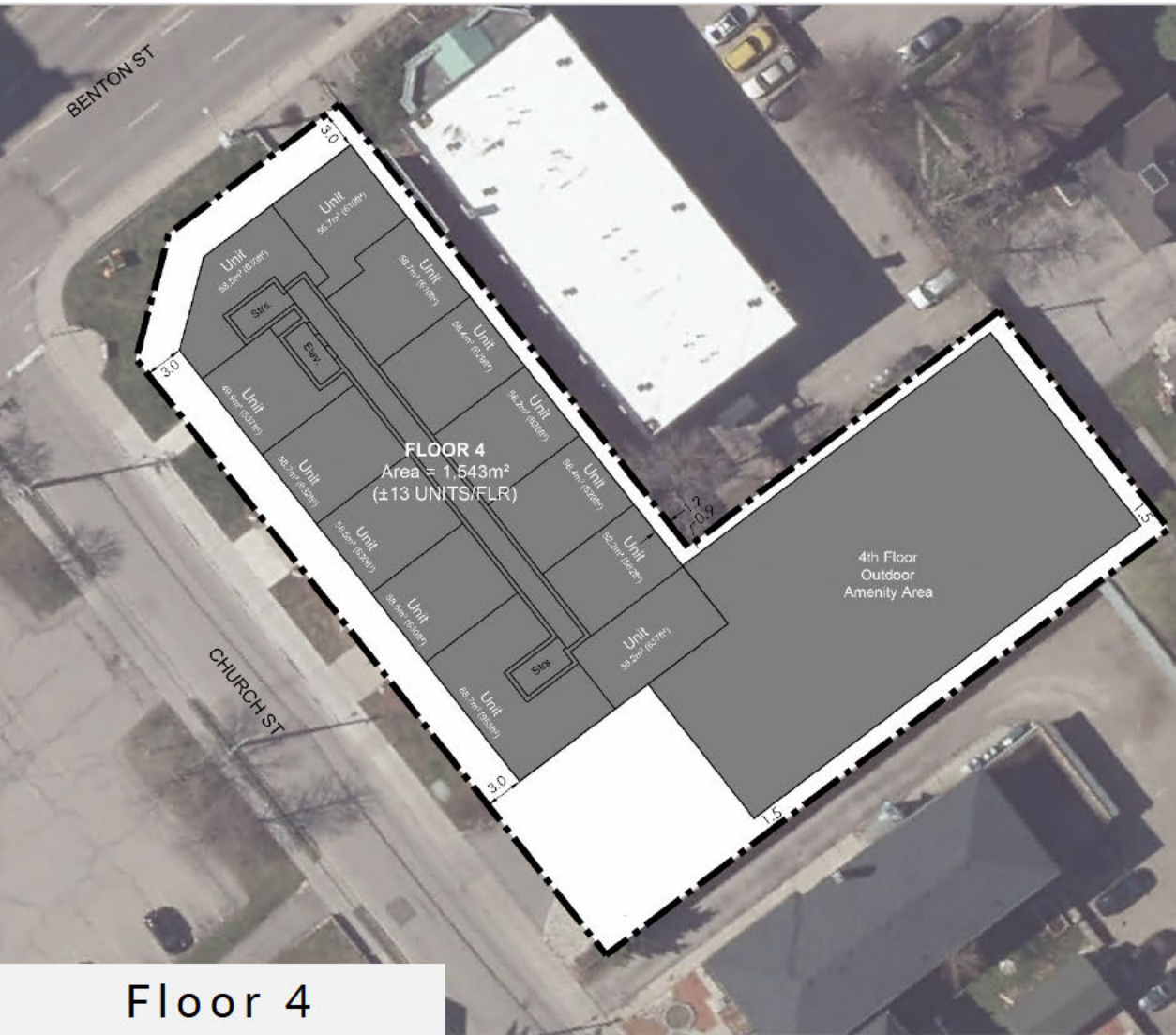


# Concept Plans





# Concept Plans





# Interior Renderings



Living and Kitchen



Bedroom



# Interior Renderings



Bathroom



Dining Room





## Overview

Viewpoint images for the 51 Benton Dr. Project are based on Floors 5-16 (the tower) at a height of 50 meters, and Floors 2-4 (the covered parking podium) at 14 meters. These images offer a visual representation of the project from different perspectives, giving stakeholders and potential investors a glimpse of the development's aesthetic and functional qualities.

The 51 Benton Dr. Project promises to be a significant addition to the Kitchener, ON community, offering a mix of residential and commercial spaces that cater to the needs of the local population. The development's thoughtful design and amenities make it an attractive investment opportunity and a valuable addition to the city's urban landscape.

For further details and inquiries, please do not hesitate to contact the project team.



February 29, 2024

City of Kitchener – Planning Division  
200 King Street West, 6<sup>th</sup> Floor  
PO Box 1118  
Kitchener, ON N2G 4G7

Via email to [planningapplications@kitchener.ca](mailto:planningapplications@kitchener.ca)

Attention: Natalie Goss  
Manager, Policy and Research

Reference: 70 Borden Ave South  
Growing Together, Zoning By-law Amendment

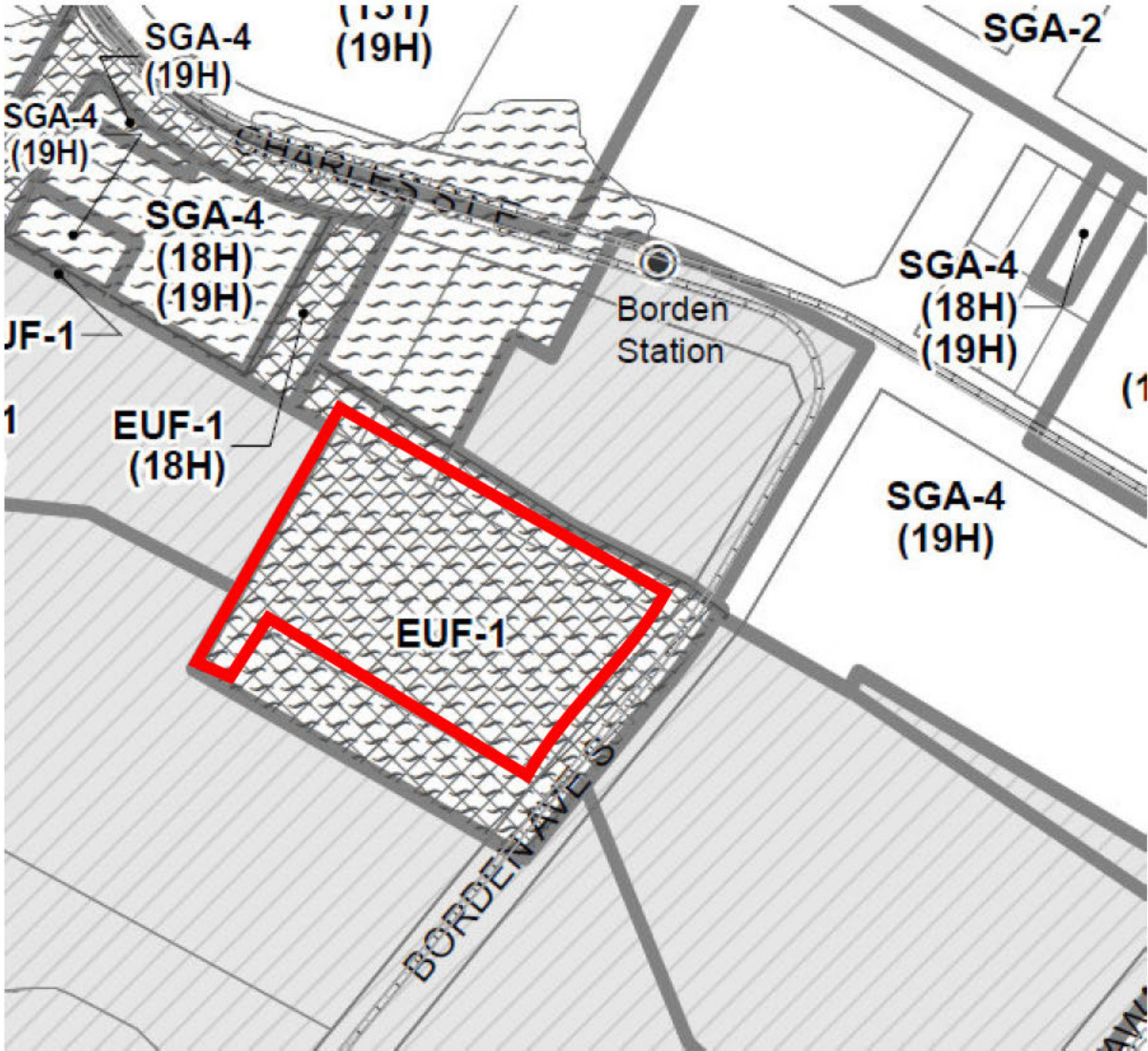
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Polocorp Inc has been retained by 1361821 Ontario Inc, owners of the parcel municipally described as 70 Borden Avenue South (the "Subject Lands"). The Subject Lands are generally rectangular in shape with 66 metres of frontage on Borden Ave. The total area is 0.82 hectares. The Subject Lands are located in Downtown Kitchener, southwest of the intersection of Charles Street and Borden Avenue and ~110 metres from the Borden ION Station. The property is occupied by a two low-rise industrial buildings, and surrounded by industrial uses. Schneider Creek is approximately 100 metres to the south. Given this, the lands are ideally situated for high-density redevelopment.

The Subject Lands fall within the study area of two on-going studies within the City of Kitchener; the Growing Together Official Plan and Zoning By-law Review ("Growing Together"); and, the Schneider and Shoemaker Creek Naturalization Environmental Assessment ("Creek EA"). Per current GRCA mapping, the Subject Lands fall within the engineered flood plain and the mapping within each study reflects this. As a result, the Growing Together Study identifies the Subject Lands as Existing Use Floodplain (EUF-1). It should be noted, however, that the Creek EA will ultimately re-delineate the flood plain. Given the location of the Subject lands, it is anticipated that they will ultimately be removed from the engineered floodplain and, as such, are a prospective development site. As such, we request that staff **identify the Subject Lands as Strategic Growth Area C (SGA-C) and Strategic Growth Area 4 (SGA-4) within the proposed amendments** through the Growing Together Study. It is understand that no development can occur on the lands until the floodplain is delineated. Given this, **a Holding Provision should be applied to the parcel until such time that the floodplain is confirmed.** By applying the underlying designation and zoning to the parcel now, initial works can be undertaken with confidence so as to expedite the delivery of much-needed housing within an MTSA.

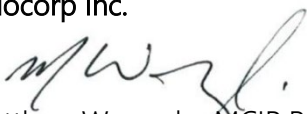


It should be noted that 50 Borden Ave, immediately north of the Subject Lands, is currently being contemplated for high-rise, high-density redevelopment. It should also be noted that the above request follows a similar request from adjacent landowners made through a delegation at the January 29, 2024 Committee meeting. Given their proximity, we trust that staff will give similar consideration to the Subject Lands and consider the block as a whole. With that said, should staff opt not to pre-emptively designate and zone the Subject Lands at this time, we understand that staff-initiated amendments will be undertaken, following the finalization of the Creek EA and floodplain. Similarly, we trust that the Subject Lands will be considered through this process.



We trust that the information provided is sufficient to consider this request. Should you require any additional information, or wish to discuss further, please feel free to contact the undersigned.

Sincerely,  
**Polocorp Inc.**

A handwritten signature in black ink, appearing to read 'm. warzecha', written over the printed name.

Matthew Warzecha MICIP RPP  
Director of Development and Planning

CC: Marko Sandalj, 1361821 Ontario Inc



## **BENEFITS OF A HERITAGE CONSERVATION DISTRICT (HCD)**

### ➤ **General:**

- The essential benefit of heritage district designation under the Ontario Heritage Act (OHA) is to ensure that future developments, renovations, repairs, restorations and infrastructure are complementary to the character of the district. A clear and well-drafted HCD Plan can be an effective means to prevent demolition of significant buildings and to protect streetscapes by ensuring that new construction or renovations and other alterations are in keeping with the character of the area.
- District designation is a method for owners to express pride in the heritage value of their properties and neighbourhoods, and for the community to protect and promote awareness of its local history. Importantly, heritage status provides a process to ensure that property changes respect the community's heritage values and are appropriately managed.

### ➤ **Existential Climate Crisis and the Critical Role of Existing Buildings:**

- In the climate crisis, how do we make the case for retention of existing buildings?

The argument confronts us with the climate change consequences — in the form of carbon/greenhouse gas (GHG) emissions — of destroying buildings.<sup>1</sup> It runs something like this:

- Destroying sound buildings to make way for new builds wastes resources (the materials and embodied energy in a structure, which stays locked up if destruction is avoided).
  - Demolition activity itself, including transporting the waste, takes energy and adds to carbon emission.
  - Most new construction is heavily concrete and steel reliant; the production of cement, the key ingredient in concrete, is one of the largest contributors of GHG emissions in the built environment.
  - Compared to new construction, building retrofit and reuse reduces climate change and environmental impacts by 4 to 46%, depending on type, location and assumed level of energy efficiency.
  - The greenest building is the one that already exists.
- The argument concludes:
    - Keeping, retrofitting (especially to increase energy efficiency) and reusing Ontario's buildings — and integrating them into redevelopment — is better for the planet than demolition and building new. Retaining and enhancing our existing building stock reduces carbon emissions and helps Ontario/Canada meet our climate change targets.
  - In addition, the emissions created by demolition of existing structures on a site and their replacement with new construction is very difficult to off-set. The Greenest Building Study (2012)<sup>2</sup> found it would take between 10 and 80 years for a new highly energy efficient replacement building to offset: (i) the emissions created in its construction; and (ii) the destruction of the existing building.

### ➤ **Economic Arguments:**

- HCDs promote revitalization and stabilization of areas, which create more certainty and which, in turn, encourage investment. Investors prefer to put their funds to work where there is long term stability. Investors shy away from sketchy areas in decline — unless they buy properties for a bargain when the area is undervalued and gamble on the area improving. Establishing an HCD in a declining area is a potential way to reverse the decline.
  - With the steady increase in Ontario's population, there is enormous pressure for intensification even in HCDs. There is the potential, however, to use HCD Plans to control and shape the intensification so that, even though it occurs, it does not adversely impact the heritage elements in an HCD. If one of the main considerations for intensification is the construction of as many housing units as possible without defaulting to urban sprawl, HCDs may assist in mitigating any adverse effects so that such areas are still where residents want to live and work.
  - There is a strong relationship between HCDs and cultural tourism. HCDs can be used both to encourage and manage tourism activity. Managing tourism is critical to ensure that the number of visitors does not overwhelm and destroy the character of a heritage area and interfere with the well-being of local citizens. When initially working on a proposed HCD, it is important to engage with citizens who live and work in the area under consideration. It is critical for the HCD Plan to specifically identify and address how to maintain a balance between local citizen well-being and cultural tourism.
  - In an established built-up district, development/construction activity may well take the form of repair and renovation rather than new construction. Revitalization of heritage properties creates more jobs than construction of new buildings.<sup>3</sup>
  - HCDs can be used to reduce realty taxes by instituting a heritage property tax relief program in accordance with the provisions of the Municipal Act, 2001, section 365.2.
  - HCDs often have municipal grant programs to assist property owners and tenants with appropriate maintenance, renovation and restoration of heritage properties.
  - Canadian and U.S. studies indicate that heritage district status tends to accelerate property value increases during periods of rising prices, and sustains values during recessions. There is no evidence that designation reduces the market value of heritage properties. For example, the results of a study by the Heritage Resources Centre, University of Waterloo titled “Heritage Conservation Districts Work! Phases 1 and 2” indicate that market value of properties in an HCD are not adversely affected by designation. The executive summary of Phase 2 includes the following conclusions: (i) “Real estate values in Heritage Conservation Districts generally rise more consistently than surrounding areas”; and (ii) “Residents' thoughts about real estate show an understanding of what is happening in their districts, and a majority thought the value increased”.<sup>4</sup>
- **Community Building:**
- The first step in studying the potential establishment of an HCD is to involve the community and ask the community members if they support the undertaking of the study. Community support and interest are an essential part of the process. It is best if the process



is community driven; if instead it is driven by the municipality or an outside group the process should require working closely with the neighbourhood and responding to its concerns. Involving community members as volunteers in the process can add to these volunteers learning more about their own neighbourhood and may develop a personal interest in the outcome of the study – supporters of the study. Volunteers want the study to have a positive impact on their neighbourhood.<sup>5</sup>

- If there is a broad range of community involvement, there is an opportunity to recognize diverse cultures in an HCD. For example, this could include the influences of new immigrants from different parts of the world and could also include the influences of Indigenous peoples prior to European settlement.

➤ **Educating the Public:**

- HCDs based on careful historical research and evaluations promote the understanding and appreciation of an area's heritage values and attributes. This benefit is not only shared by property owners and tenants in the HCD but in the wider community and society. For example, tourists are drawn to HCDs. Also a successful HCD with its plan, policies and guidelines can be used as a precedent for developing an HCD elsewhere.
- During the study and research phase of an HCD, there is opportunity for the community to develop an understanding and appreciation of the community's heritage resources and the strong relationship between patterns of activity, memory, and imagination and physical patterns of buildings, other structures, streetscapes, land forms and natural features. Heritage district designation allows these resources and relationships to be identified and protected.<sup>6</sup>
- HCDs increase the interest and expertise among residents in conservation technology, such as historic woodwork, paint, masonry, as well as metal work and others. This increases the market for highly skilled craftspersons and the need for training such craftspersons.<sup>7</sup>
- Most people have busy day-to-day lives with little concern for and understanding of generational transitions (e.g. building techniques, building materials, cultural attitudes, religious beliefs, prejudices, historic events, etc.). HCDs, and the underpinning research, not only educate the public about generational transitions but provide a mechanism to preserve the understanding of these elements for further generations to come.

➤ **Satisfaction of Residents and Business Owners:**

- Designation allows a community to recognize and commemorate what it values within an area, that contributes to its sense of place. It provides a process for sustaining these elements into the future.<sup>8</sup>
- Home owners, entrepreneurs, local government and property developers all appreciate the benefits of culturally vibrant and established urban and rural communities. An HCD contributes towards the development of a rich physical and cultural environment and the promise of continuity and stability into the future. Such places are able to embrace a wide variety of lifestyle options and economic activities while still maintaining physical continuity and social cohesion. These are often attractive areas for commercial, residential

and mixed-use investment.<sup>9</sup>

- Research confirms that there is overwhelming satisfaction of residents and business owners located in HCDs.<sup>10</sup>

➤ **Designating Multiple Properties:**

- In the face of the Bill 23 amendments to the OHA and the new two-year expiry of properties listed on the municipal heritage register, HCD designation may be considered as a potential way to deal with multiple listed properties in a defined area. This could be more efficient than attempting to designate individual properties under Part IV of the *Ontario Heritage Act*.

**To Maximize These Benefits, HCDs Require:**

➤ **HCD Plans with Clear Policies and Guidelines:**

- A successful HCD will likely have a well-drafted plan with clear policies and guidelines (including periodic updates): (i) to ensure the integrity and sustainability of the area's unique cultural resources; and (ii) to manage the impacts of cultural tourism, adaptive reuse of buildings, and ongoing development. HCDs are not intended to prohibit development but rather to ensure that any development is compatible with, and perhaps even complementary to, the existing identified heritage architecture and other attributes. When establishing an HCD Plan with its policies and guidelines, municipal decision makers must ensure that the HCD Plan does not impede growth potential and future benefits of the area, and takes into account economic considerations plus the larger municipal planning policy framework. Note that there are a number of older HCDs, particularly those predating the 2005 amendments to the OHA, that do not have robust HCD Plans with policies and guidelines; so, to provide the necessary integrity and sustainability of these HCDs, robust up-to-date plans with much specificity need to be drafted and implemented. As is the case with Official Plans and the Provincial Policy Statement, all HCD Plans should be reviewed and updated periodically, perhaps every ten years.
- Official Plans and zoning bylaws do not adequately address adjacency and the compatibility of neighbouring buildings. HCDs address aesthetics and can provide detailed urban design guidelines. “The immediate benefit ... is a planning process that respects a community's history and identity. ... It is one of the best ways to ensure that this identity is conserved. The adoption of an HCD plan as part of the designation process ensures that the community's heritage conservation objectives and stewardship will be respected during the decision-making process.”<sup>11</sup>
- Once an HCD Plan is adopted, its policies and objectives take precedence in the event of a conflict with existing municipal zoning and other by-laws that were in place before the designation of the district.<sup>12</sup>
- An HCD Plan can include the embellishment of a neighbourhood's streetscapes with improvements such as tree replanting, custom streetlights and signs, and traffic calming



- features. Also, landscapes such as public parks and other spaces in the neighbourhood can be improved with period landscaping, statuary and interpretive plaques.<sup>13</sup>
- “HCDs and the process for the studies that create them could be applied much more broadly to neighbourhoods anywhere, commercial or residential. While based on the Ontario Heritage Act and specifically intended to protect significant heritage resources, it is worthwhile to consider how the process of heritage district analysis could form the basis for good planning and contribute to understanding and managing change within almost any built environment.”<sup>14</sup>

➤ **Efficiency and Consistency in Policy/Guideline Application:**

- Efficient and consistent handling of heritage permit applications and development proposals is critical so that property owners have a good understanding of what is required and what is likely to be approved. Any decisions need to be in accordance with the HCD Plan and its policies and guidelines, plus the provisions of the OHA and the Provincial Policy Statement. Pure NIMBY arguments should not be a factor. Having clarity and specificity in the HCD Plan is critical for the efficient and consistent handling of applications and proposals. Furthermore, proper training of municipal staff and volunteer members of municipal heritage committees is critical for this efficiency and consistency.

➤ **Clear Communications and Challenging of HCD Myths/Misconceptions:**

- There are a number of myths and misconceptions about HCDs which can be broken down by robust communication. Some of these are:
  - *HCDs stop development.* This is not the case. HCDs encourage and manage compatible development.
  - *HCD properties are frozen in time and cannot be changed.* This is not the case. All properties require maintenance and repairs, so HCD properties are no different. The applications for HCD alterations or demolitions do not prohibit changes but rather are there to ensure that changes are compatible within the context of the HCD guidelines and policies.
  - *HCD's control alterations to the interior space in buildings.* This is not the case as stipulated in Section 42(1) & (2.1) of the OHA. If, however, a property individually designated under Part IV of the OHA is located in an HCD, interior heritage attribute alterations on that property are controlled under the provisions of Part IV, Section 33(1). With that exception, heritage applications for the renovation or adaptive reuse of commercial and residential interiors are not required. This is critically important in commercial areas where retail spaces are frequently renovated or adaptively reused.
  - *HCD designation controls the type of use for designated properties.* This is not the case. It is other instruments, such as Official Plans and zoning by-laws, that regulate use so that, for example, industrial, commercial, institutional, and residential uses are restricted to certain areas of a municipality.
  - *HCDs lower the market value of properties.* This is not the case. In fact, studies provide evidence to the contrary (as already mentioned above under “Economic Arguments”).
  - *HCDs interfere with property rights.* It is true that HCDs regulate changes to the exterior of buildings and landscapes but this is no different than regulations such as those in building codes, fire codes, property standard by-laws, conservation authority regulations and zoning by-laws. Don't forget that for the vast majority of properties in Ontario all

ownership rights are subject to Crown prerogatives, such as expropriation.

- *HCD properties are more expensive to insure.* It is true that some insurance companies will not insure designated heritage properties or, alternatively, they will provide insurance but with a high premium to account for the potential replacement cost. There are, however, insurance companies that will insure designated heritage properties at reasonable rates. Also, education of insurance company actuaries is needed so they understand that, if a designated heritage building is damaged, it is not a requirement under heritage legislation that the replacement is an exact replica, especially if the damage is catastrophic.
- For an HCD to operate successfully, property owners and business owners should be regularly informed of HCD matters via methods such as a website, podcasts, brochures, lectures and letters. Welcoming new owners by visiting them and providing them with a welcoming letter and HCD material, such as contact information, can help ensure that new owners are aware of HCD matters, especially requirements for alteration and demolition permits or development plans.
- Successful operation of an HCD also needs the involvement of dedicated and knowledgeable volunteers. In addition to an active and experienced municipal heritage committee, having an ongoing volunteer committee to manage HCD community communications can be very effective.

## Architectural Conservancy Ontario September 2023

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1. Dan Schneider “*In the Climate Crisis, How Do We Make the Case for Older Buildings?*” PHA + M blog, University of Waterloo, Heritage Resources Centre, November 30, 2021
  2. [https://living-future.org/wp-content/uploads/2022/05/The\\_Greenest\\_Building.pdf](https://living-future.org/wp-content/uploads/2022/05/The_Greenest_Building.pdf)
  3. Ontario Home Builders Association: “*2021 Engine That Drives*” <https://www.ohba.ca/2021-engine-that-drives>
  4. Heritage Resources Centre, University of Waterloo, Projects, Heritage Conservation Districts Work! — More Stories of Success, Heritage Conservation District Study Phase 2, Summary Report, December 2012, section 4.1 Conclusions, page 15
  5. McClelland article in A Collection of Papers and Notes From Workshops held in 2003 and 2004
  6. “Heritage Conservation Districts: A Guide to District Designation under the Ontario Heritage Act”, part of the Ontario Heritage Tool Kit, page 8
  7. Stephen Hamilton: “*Checking Off the Boxes*”: <https://www.ohba.ca/checking-off-boxes>
  8. “Heritage Conservation Districts: A Guide to District Designation under the Ontario Heritage Act”, part of the Ontario Heritage Tool Kit, page 8
  9. “Heritage Conservation Districts: A Guide to District Designation under the Ontario Heritage Act”, part of the Ontario Heritage Tool Kit, page 8



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10. Heritage Resources Centre, University of Waterloo, Projects, Heritage Conservation Districts Work! — More Stories of Success, Heritage Conservation District Study Phase 2, Summary Report, December 2012, section 4.1 Conclusions, page 15
  11. “Heritage Conservation Districts: A Guide to District Designation under the Ontario Heritage Act”, part of the Ontario Heritage Tool Kit, page 8
  12. Ontario Heritage Act, Section 41.2 (1): “Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not, (a) carry out any public work in the district that is contrary to the objectives set out in the plan; or (b) pass a by-law for any purpose that is contrary to the objectives set out in the plan. (2) In the event of a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district, the plan prevails to the extent of the conflict, but in all other respects the by-law remains in full force.”
  13. “Heritage Conservation Districts: A Guide to District Designation under the Ontario Heritage Act”, part of the Ontario Heritage Tool Kit, page 8
  14. McClelland article in A Collection of Papers and Notes From Workshops in 2003/2004

TO: Kitchener City Councillors and Mayor

COPY: Growing Together Team

DATE: February 24, 2024

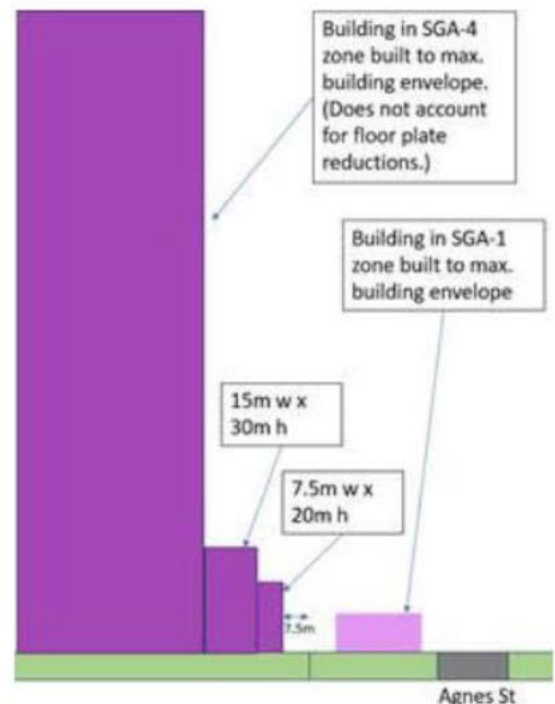
SUBJECT: Growing Together – Low Rise adjacent to High Rise Zoning

I appreciate the work done by city planners on **Growing Together** and I understand the need for housing, particularly housing that is affordable and meets the needs of residents through missing-middle developments. As the planners and councillors continue to fine tune the proposal, I would request that attention be paid to areas of the city where SGA 4 zoning is adjacent to SGA 1 zoning. While SGA 4 zoning addresses the *Growing* aspect of the project it takes a sledgehammer to any pretense that *Together* is equally important to planners and council.

I won't make points about floor space ratio, setbacks, step-backs, podium height, minimum landscape area, urban design guidelines, shadowing, heat islands, public greenspace, nor traffic. Fine tuning these aspects of SGA 4 zoning allowing a cluster of towers of unlimited height adjacent to SGA 1 zoning will not mitigate the consequences to the livability of the adjacent low rise residential properties.

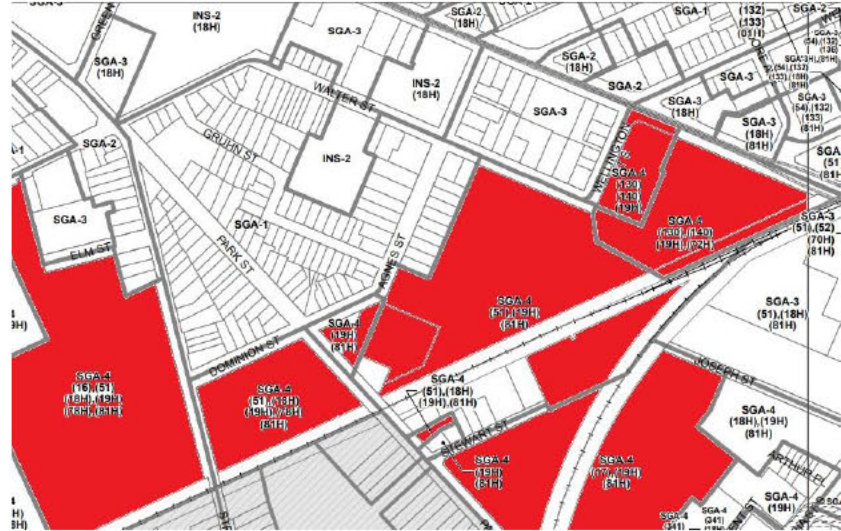
It's been suggested that strong visuals will help decision makers understand the impact of SGA 4 zoning adjacent to SGA 1 zoning, but this shouldn't be necessary. It shouldn't take much for you to recognize how this urban planning decision would affect your own property. It's a bleak exercise to take a few minutes to contemplate the changes you would experience if your backyard was adjacent to a cluster of towers of unlimited height. In case you do need a visual, consider the representation of a single SGA 4 development adjacent to low rise residential properties on Agnes Street in figure 1. Then consider five or more towers of this magnitude in you backyard.

Figure 1.





The designation of SGA 4 zoning in the Walter, Agnes and Park Streets area is extensive. It surrounds the residential streets on two sides. The King Street corridor appears to be favoured in terms of limiting development to mid-rise zoning. SGA 2 and SGA 3 zoning has been proposed along King Street in mid-town and downtown Kitchener because the impact of SGA 4 on the character and micro-climate of the street is unacceptable. SGA 4 is equally unacceptable adjacent to low rise residential properties.



I request that SGA 4 zoning adjacent to SGA 1 zoning not be permitted in Growing Together. Consider the importance of low rise residential streets to the fabric of mid-town and downtown Kitchener and make decisions that respects all property owners.

Gwen Wheeler  
Kitchener, Ontario

**From:** [Kevin Stewart](#)  
**To:** [Adam Clark](#)  
**Cc:** [Margaret Johnston](#)  
**Subject:** Growing Together - Community Engagement Feb. 29th  
**Date:** Thursday, February 29, 2024 9:11:53 PM

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Adam

This message is a follow up to my attendance Feb 29th.

I certainly learned much from planning staff about this important project.

In particular, I was pleased that the plan addresses a need that I have felt has been missed in planning communities.

That is permitting businesses to operate in residential areas. As a child in Ontario, I recall in the 60's growing up on a street of mixed residential and commercial use, where for example an immigrant family moved into the house next door and started a sign making business.

Since then zoning restrictions have created what I feel are often sterile homogeneous residential areas with little commercial diversity.

Therefore I was very pleased to see that the proposal includes areas to be zoned to permit businesses within a residence. The costs of requiring separate residence and business spaces certainly creates barriers, especially to young entrepreneurs and immigrants.

I have copied my Councillor Margaret Johnston to advise her of my support.

Kevin Stewart

[REDACTED]

On Feb 12, 2024, at 5:29 PM, Growing Together (SM)  
<GrowingTogether@kitchener.ca> wrote:

Good afternoon,

Over the past 2 weeks, staff have been preparing an additional conversation with the community as a result of Council's deferral of Growing Together. This email provides the details of the additional drop-in session, which will be similar in format to those offered in November 2023.

- **Thursday February 29<sup>th</sup> from 3:30pm to 6:30pm** in the **Rotunda on the first floor of City Hall**. Staff from the Growing Together team as well as additional planning staff with expertise in land use policies, zoning regulations, and cultural heritage will be available. The councillors for wards 9 and 10, Cllr. Debbie Chapman and Cllr. Stephanie Stretch, will also be in attendance.

Through the Growing Together project, staff have had conversations with over 1,100 community members at 13 unique engagements spanning more than 72 hours. This additional engagement opportunity has been created to have further dialogue with the



community on the general theme areas related to matters raised through written and verbal delegations at the Planning and Strategic Initiatives Committee meeting on January 29<sup>th</sup> 2024. Those themes include:

- How Growing Together works with Heritage Conservation District policies;
- How built-form transition works where a low-rise zone abuts a mid-rise or high-rise zone;
- The permissions and regulations in the SGA-1 zone; and
- Lands outside of the Major Transit Station Areas within existing Secondary Plan Areas that are proposed to be zoned through this process.

Thank you, and we look forward to continued community engagement on Growing Together.

-Growing Together Team

**From:** [Paul Heidebrecht](#)  
**To:** [Growing Together \(SM\)](#)  
**Subject:** UWaterloo research report: "What's a park worth to the economy?"  
**Date:** Friday, February 9, 2024 11:46:27 AM

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

As a resident of Kitchener, I would urge a closer integration of parks planning in your work. Please see this recent report from the University of Waterloo that highlights the social, environmental, and economic benefits of urban parks: <https://uwaterloo.ca/news/media/whats-park-worth-economy>





February 29, 2024

[growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

Attn: Natalie Goss - Manager Policy & Research  
City of Kitchener  
Planning Division, 6th floor  
200 King Street West  
Kitchener, ON N2G 4G7

Dear Ms. Goss:

**RE: GROWING TOGETHER / DRAFT OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS  
CANTIRO, 45-53 COURTLAND AVE EAST, KITCHENER - OUR FILE 2144A**

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We are writing on behalf of our client, Cantiro, with respect to the above noted matter. This letter has been prepared as a follow up to our earlier correspondence, dated December 5, 2023, and our recent meeting held on February 28, 2024. We appreciate staff's willingness to meet to consider our request.

Cantiro has been actively working with the City of Kitchener towards the development of 45-53 Courtland Avenue East and in that regard went through an Official Plan Amendment and Zoning By-law Amendment process in order to obtain approvals for a six-storey condo building that, once constructed, helps the City in achieving more "missing middle" housing. The applications were submitted in June of 2022 and the Amendments were ultimately approved by Council in March of 2023.

Since the lands were first acquired by Cantiro, there has been a dramatic shift in the market. While the original intent was to develop the lands as a mid-rise (six storey) condo building, the project is no longer financially viable for that purpose. Cantiro is now looking to shift the project towards purpose built rental, but financial viability is still challenging with a rental product for the limited number of units that can be developed under the current height and density permissions.

Through the City's "Growing Together" process, the subject lands are proposed to be designated Strategic Growth Area A and zoned Strategic Growth Area 2 (SGA-2). **We are writing to confirm support of the proposed designation and zoning category for our client's lands. Further, we confirm that our client would like to waive the site specific regulations approved in March 2023 (saved and except for the Holding Provision) in favour of the new SGA-2 regulations.** We believe the increased height permissions and reduced parking permissions proposed with the SGA-2 category will provide for the financial viability that will allow this project to proceed.

It is our intent to still maintain the large rear yard setback established through the previous rezoning process, and in that regard we confirm that the rear yard setback will exceed the required rear yard under the SGA-2 regulations.

Cantiro is actively working through the site plan approval process and wants to proceed with construction as soon as possible. Should Council support the Growing Together zoning on March 18, it would be our intent to submit a revised site plan concept compliant with the SGA-2 regulations in the immediate future.

In summary, our formal request is that the City proceed with the proposed SGA-2 zoning for the Courtland lands, and that Site specific provision 173 be deleted. We further request that the subject lands be removed from Section 18.4 (Deemed to Comply) of the draft by-law as it is our intent to comply with the new SGA-2 zoning, not the previous 85-1 zoning.

We once again thank staff for their support and consideration.

## **MHBC**



Andrea Sinclair, MUDES, BES, MCIP, RPP  
Partner

cc. Cantiro Project Team  
Garett Stevenson  
Brian Bateman  
Juliane von Westerholt



March 4, 2024

Ms. Natalie Goss  
 Manager, Policy and Research  
 City of Kitchener  
 200 King Street West, 6<sup>th</sup> Floor  
 Kitchener, ON N2G 4G7  
[growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

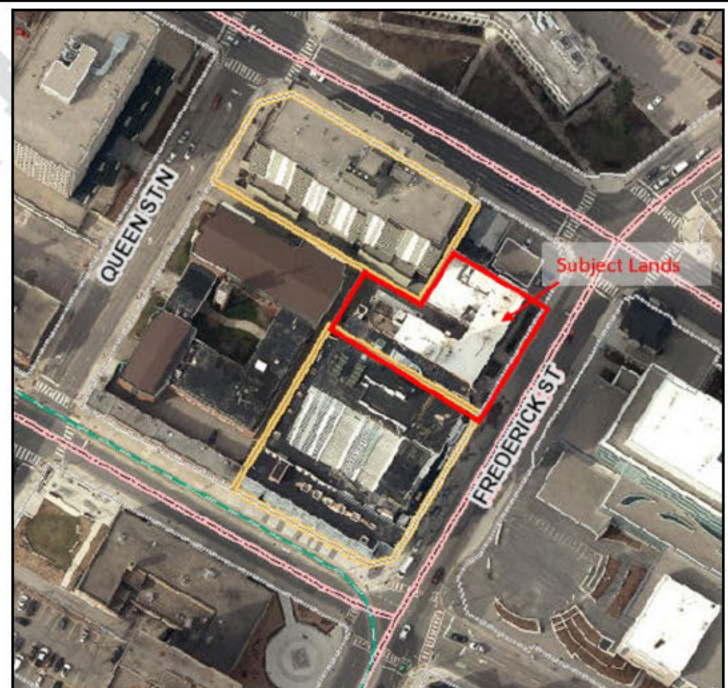
Dear Natalie:

**RE: Growing Together / Draft Official Plan Amendment and Zoning By-law Amendment  
 YWCA Kitchener Waterloo, 84 Frederick Street, Kitchener  
 OUR FILE 09144W**

We are writing on behalf of the YWCA Kitchener Waterloo ("YWKW") with respect to the lands municipally known as 84 Frederick Street (the "subject lands"). On behalf of our client we have reviewed the City's recommended Official Plan and Zoning By-law Amendments prepared through the Growing Together initiative. The purpose of this letter is to provide comments on the proposed zoning for the subject lands.

**BACKGROUND**

The subject lands are located on the west side of Frederick Street, to the south of Weber Street and the north of Duke Street in downtown Kitchener. The subject lands have an area of 1,698 square metres and have 38 metres of frontage on Frederick Street. They are presently occupied by a three storey building owned and operated by YWKW. The subject lands are located in downtown Kitchener and are proximate to a range of uses, including residential, office, retail and commercial, and institutional uses. The subject lands are within a comfortable walking distance of a range of amenities including the Kitchener Public Library Main Branch, Waterloo Region Courthouse and Kitchener Market. The subject lands are located within an area that is well served by public





transit, including rapid transit and bus services, with the Frederick Street Ion (LRT) Station less than 200 metres to the south.

Our client has been operating out of the 84 Frederick Street site for more than 100 years. However, the YWKW has plans to move operations from their current facilities to a new, modern location. The YWKW is in the process of acquiring a new site and it is anticipated that operations at the subject lands will cease in 2024.

Given the location of the subject lands centrally within the Downtown, proximate to the Frederick Street Station and our client's plans to relocate their operations, the subject lands represent an excellent location for compact-transit supportive redevelopment and intensification.

### **CURRENT LAND USE DESIGNATION AND ZONING REGULATIONS**

The subject lands are located within the City's Urban Growth Centre (Downtown) and are further located within a Major Transit Station Area in the City's Official Plan. The Official Plan provides that the Urban Growth Centre will be the primary area in the City for intensification and establishes a minimum density target of 225 people and jobs combined per hectare by 2031.

The subject lands are designated City Centre District on Map 4 of the Official Plan. The City Centre District designation permits a broad range of uses including multiple residential uses. The City Centre District designation has a maximum FSR of 3.0 with additional density permitted through bonusing. The Official Plan strongly encourages bonusing within the Downtown and Major Transit Station Areas, however, it is noted that these policies were established prior to changes to Section 37 of the Planning Act.

The subject lands are zone Official District Zone ("D-4") by the in-force Zoning By-law 85-1. The D-4 zone permits a broad range of uses and does not contain regulations related to height or density.

### **PROPOSED "GROWING TOGETHER" LAND USE DESIGNATION & ZONING REGULATIONS**

#### *Proposed Designation*

Through Growing Together, the subject lands are continue to be identified as within the Urban Growth Centre and a Protected Major Transit Station Area. They are proposed to be designated Strategic Growth Area C. Strategic Growth Area C also applies to all lands surrounding the subject lands.

The Strategic Growth Area C designation is intended to accommodate significant intensification at a high density. The draft Official Plan Amendment provides that Strategic Growth Area C lands are generally located within Intensification Areas and/or represent significant intensification





opportunities at higher densities. A range of uses are permitted within this designation including medium and high density housing. Section 15.D.2.53 of the draft Official Plan provides that lands designated Strategic Growth Area C may have no maximum building height and that the implementing zoning by-law may limit building heights.

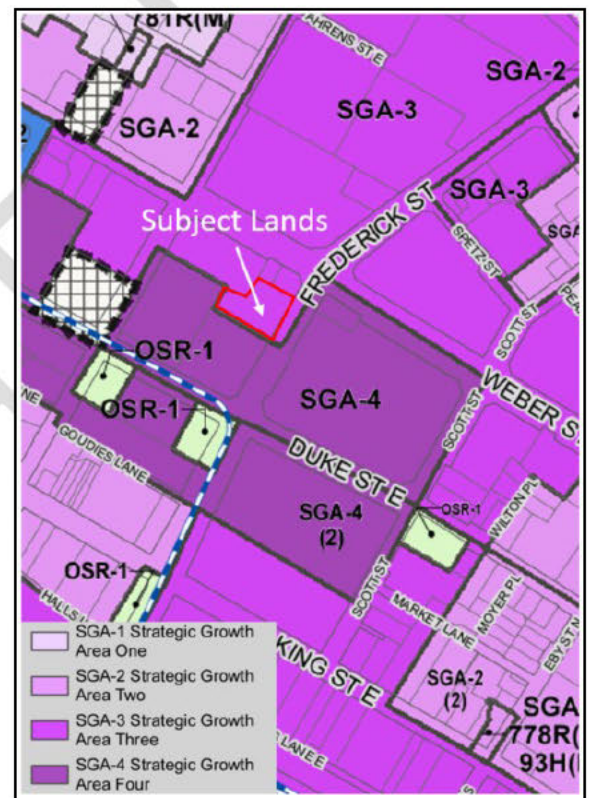
Our client is supportive of the designation proposed for subject lands proposed by the draft Official Plan Amendment as it reflects the location of the subject lands centrally within the Urban Growth Centre (downtown), within a Protected Major Transit Station Area. The subject lands are a good candidate for redevelopment and intensification given that the existing use will cease in the short term.

### *Proposed Zoning*

The subject lands are proposed to be zoned Strategic Growth Area 3, ("SGA-3"): High Rise Growth Zone (Limited). The intent of the SGA-3 zone is to create opportunities for high-density growth in both mid and high-rise forms, up to 25 storeys in height. The SGA-3 zone is intended to permit a wide range of residential and non residential uses.

We respectfully request that the zoning of the zoning by-law be revised from SGA-3 to SGA-4. Our reasons for this request are as follows:

- The subject lands are located centrally within the Urban Growth Centre and are within a Major Transit Station Area. The draft Official Plan Amendment proposes to designate the subject lands Strategic Growth Area C. The subject lands are within an area intended for high density and transit supportive development. Zoning the subject lands SGA-4 reflects the proposed Strategic Growth Area C land use designation which applies to the subject lands and all adjacent lands.
- Issues related to compatibility resulting from increased building height and density are not anticipated as lands to the south, west and east are proposed to be zoned SGA-4. The subject lands are immediately adjacent to other multiple residential developments, including the DTK condo site (39 storeys) and the Regency at 57 Queen Street (19 storeys). The Waterloo Region Courthouse is located to the east, on the east side of Fredrick Street.
- The subject lands represent an appropriate location for compact, dense, and transit oriented development as the lands are proximate to a range of existing transit routes, including LRT, with the Frederick Street Station being located less than 200 metres from the subject lands.
- The subject lands have a frontage of 38 metres on Frederick Street and a lot area of approximately 1,698 square metres, which satisfies the minimum lot width and area requirements of the SGA-3 and SGA-4 zone set out at Table 6-5. Should a development





proposal be advanced for the subject lands, specific relief from the zoning by-law requirements may be addressed, if required, subject to the criteria set out at Section 15.D.2.5 of the draft Official Plan Amendment. Other technical considerations could be investigated through detailed planning applications, as appropriate.

- There are no cultural heritage constraints on the subject lands that would limit the development of a high density residential or mixed-use building.
- The subject lands are presently zoned D-4 which does not include any maximum height or density requirements. The proposed SGA-3 zoning represents a significant reduction to the maximum development potential of the subject lands. The proposed SGA-4 zoning more closely aligns with the in-force D-4 zoning.

For these reasons, the SGA-4 zone is considered to be appropriate.

## **SUMMARY**


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In closing, we respectfully request that the SGA-4 zoning be extended to the north to include the subject lands. This would allow for the maximum redevelopment potential of the subject lands to be achieved. The subject lands represent an excellent opportunity for compact, transit-supportive intensification and redevelopment given the location and as plans are underway for the existing use to relocate from the subject lands, in the short term.

We appreciate staff's consideration of this matter and would be pleased to discuss this letter with you at your convenience.

Yours truly,

**MHBC**



Emily Elliott, BES, MCIP, RPP  
Partner

*cc. Jennifer Breaton*



**From:** [North Waterloo Region Branch](#)  
**To:** [Growing Together \(SM\)](#)  
**Subject:** Growing Together Plan  
**Date:** Monday, February 26, 2024 12:28:46 PM

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

Dear Growing Together Team,

The ACO North Waterloo Region Branch would like to arrange a meeting to discuss the impact of the Growing Together proposal on HCDs.

The Growing Together proposal has what appear to be contradictory statements about zoning SGA2 and SGA3 inside HCDs.

In January, our concerns were expressed at the Heritage Kitchener Advisory Committee and at the Planning and Strategic Initiatives Committee meetings. We have received no response from the Growing Together team other than a notice of a public meeting on January 29th. We have heard that there is no change anticipated in the zoning of the HCDs and that zoning for SGA2 and SGA3 will remain.

This is despite the statement in the Community Guide to Growing Together about the Victoria Park and Civic Centre HCDs:

The policies in these plans remain and take precedence over the new land use and zoning anywhere there is a conflict, though we have also worked to minimize any potential for conflict.

How has conflict been minimized? Already at least one developer has put considerable time and money into proposing a 52-storey building on the property on Joseph and Queen, where one building was allowed to deteriorate and so ensure demolition. The only reason such a massive high rise was proposed was because Growing Together identified the area as a "growth area" or SGA3. They were not satisfied with a 25-storey building but proposed much more. HCDs are not, and can never be, growth areas; by definition, they are "preservation areas".

We know from different examples that developers will buy properties, let them deteriorate in order to get a vacant property. The heritage districts are protected areas with specific guidelines as to what should be built inside them. A 52-storey building can never be part of heritage.

With only 2% of more than 65,000 properties in Kitchener being designated or in HCDs, there is plenty of room for development outside HCDs. We should not diminish the heritage value

that is inside them.

In short, we are asking that the HCDs be excluded from the Growing Together recommendations on SGA2 and SGA3 in the Protected MTSAs.

Sincerely,

Marg Rowell, President

Gail Pool, Communications Coordinator

Architectural Conservancy of Ontario, North Waterloo Region Branch

cc:

Debbie Chapman, Councillor Ward 9

Mayor Berry Vrbanovic

Rosa Bustamante, Director of Planning



**We acknowledge that the land on which we live was inhabited by the Haudenosauee, Anishinaabe and Attawandaron (Neutral) people before the arrival of Europeans. We recognize the enduring presence and deep traditional knowledge of the Indigenous people with whom we share this land today. This land was part of the Haldimand Tract proclamation of 1784, which promised the Haudenosaunee land six miles on both sides of the Grand River from Lake Erie to its source. We also affirm our commitment to reconciliation in our community.**



February 28, 2024

Requested Amendments to the Jan. 19, 2024 Growing Together Proposal  
Hal Jaeger

1. Zoning of lands outside the 7 Major Transit Station Areas be removed from implementation at this time.
2. Changes to commercial uses beyond 'home occupations' in residential zones in Secondary Plan areas and separating distances between patios associated with commercial uses and residential zones be removed from implementation at this time.
3. Changes to separating distances between patios associated with commercial uses and residential zones be removed from implementation at this time.
4. If the above-two requests are not amenable, then I request that:
  - a) In Table 6-1 (Permitted Uses within the Strategic Growth Area Zones), that a Brewpub, Financial Establishment, Health Clinic, Restaurant or Veterinary Service not be permitted in SGA-1 zones, in the Olde Berlin Town neighbourhood.
  - b) That patios, decks, and outdoor recreation associated with a restaurant not be located within 20 metres of a low-rise residential zone or SGA-1 zone, in the Olde Berlin Town neighbourhood.
  - c) That backlit, electronic or moving signs not be permitted in the SGA-1 zone and the interior of the Olde Berlin Town neighbourhood.
  - d) That signs in an SGA-1 zone, in the Olde Berlin Town neighbourhood, be limited in size to no more than 0.75m<sup>2</sup>, and to a location on or within 0.5m of a building, with a maximum height no more than 1.5m above grade.
5. The Secondary plans not be repealed, but rather amended as needed, with further review to be completed through another exercise.
6. The insertion of the following policy into the Official Plan, after proposed Section 15.D.2.8: "Zoning permissions do not necessarily reflect heritage preservation requirements."
7. The adoption of proposed requirements for an "Unobstructed Walkway" from the Enabling Four Units Draft Amendment to Zoning Bylaw 2019-051:

*Unobstructed Walkway – means a path of travel providing access to a principal entrance of an additional dwelling unit (attached) or additional dwelling unit (detached) and shall be unencumbered by obstructions including but not limited to: stairs, decks and porches (except those which form part of the path of travel to the principal entrance); parking spaces; driveways; chimney breasts; window wells; balconies; secure outdoor areas associated with pools; mechanical, heating, ventilation, air-*

*conditioning equipment and utility meters; or amenity structures such as playgrounds, garden trellises, pergolas, etc.”*

8. The revision of the following passages in Section 6.1 of the proposed Zoning Bylaw amendment, to include the bolded text.

a) “SGA-2: Mid Rise Growth Zone – the purpose of this zone is to create opportunities for moderate growth in mid-rise forms up to **the lesser of a) 8 storeys or b) 27.5m** in height. The SGA-2 zone will permit a mix of residential and non-residential uses. This zone applies to lands designated Strategic Growth Area A or Strategic Growth Area B in the City of Kitchener Official Plan.

9. In Table 6-4 (SGA-2) in the proposed Zoning Bylaw amendment,

- a) The revision of the value for “Maximum building height” to “the lesser of 8 storeys or 27.5m”.
- b) The replacement of “For Storeys 7 and above” with “For the lesser of a) 7 storeys and above or b) heights in excess of 21m”.

10. The application of the SGA-3 (or, if necessary, SGA-4) built-form regulations to lands zoned INS-2, within the Growing Together Study Area.

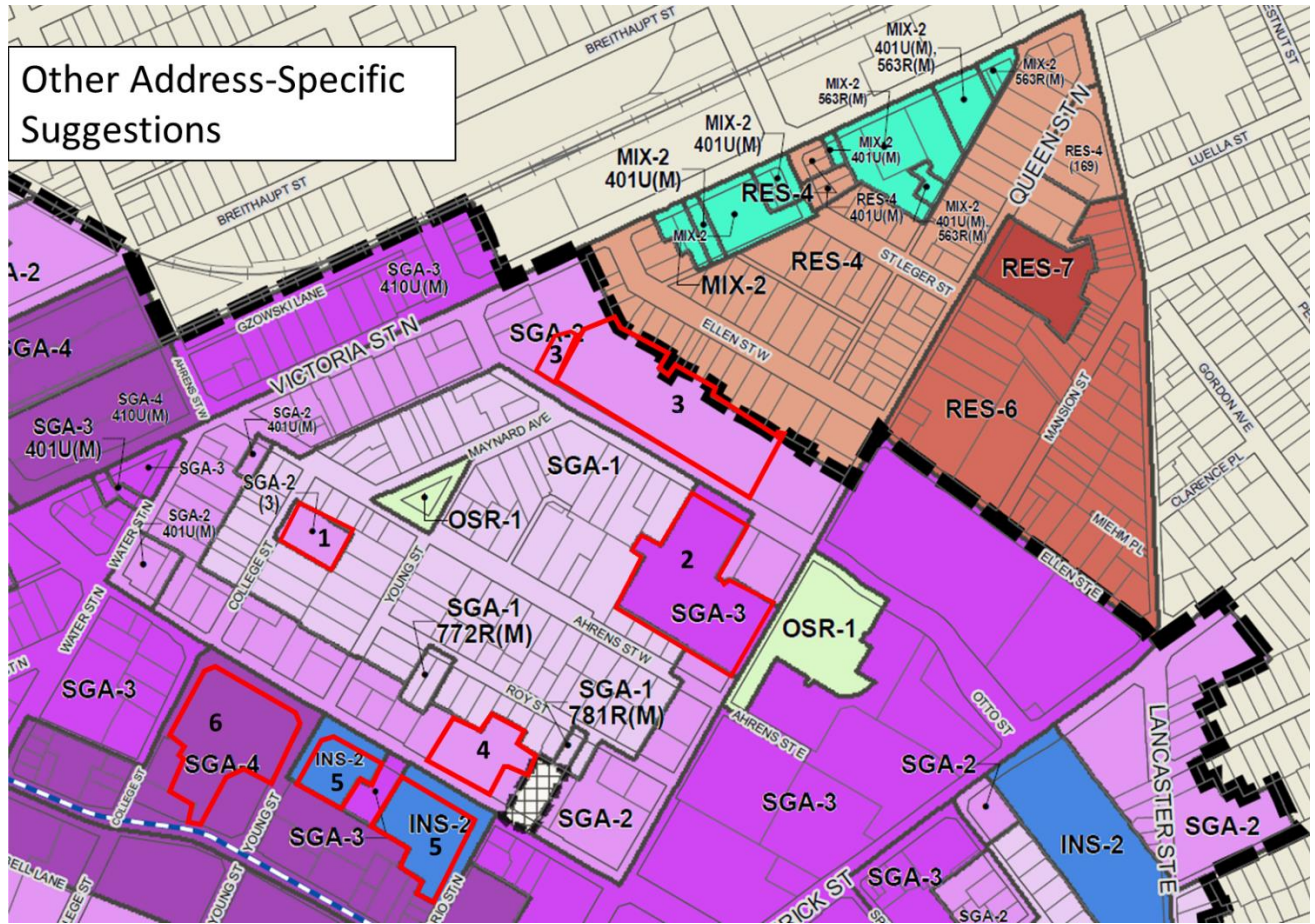
11. The sunset clause (proposed zoning bylaw Section 18.5) provide for a 5-year transition period for the expiry of approved developments and the list of properties in Section 18.4 be expanded to include 149-151 Ontario Street N & 21 Weber St W (C of A # A2019-050 / HPA-2023-IV-030) and any other approvals made by Council since Nov. 3, 2023.

12. Other Address-Specific Amendments (outlined in red on map below

#	Address	Requested Change(s)
1	119 College St	SGA-1 uses.
2	11 Margaret Ave/ 100 Queen St N	SGA-2 uses. Match height limit to existing build.
3	30-40, 54 Margaret Ave (even)	SGA-1 uses and a 21.116.5m height limit, in accordance with OMB ruling MM080017. The lands are at the outer boundary of the SGA and abut a low-rise residential area.
4	32 Weber St W	Permit severance of the property along the line parallel to Roy St, 30 metres from the Roy St street line, if owner requests. No vehicular access to Roy St, whether consolidated with 41 and/or 51 Roy St or not, as per the Secondary Plan Special Policy 13.1.3(1).
5	35&37 Weber St W	INS-2 uses with SGA-3 built-form regulations.
6	80 Young St	SGA-3, for the first 50m south of Weber St W, or a site-specific provision to limit height to SGA-3 limit in the first 50m south of Weber St W to 50m, to limit shadow impact on the north side of Weber St W.



# Other Address-Specific Suggestions



## **General Rationale:**

1. The community that reviewed the Growing Together project initially and found it did not address their immediate surroundings was not able to properly comprehend that the geographic scope of the work had been expanded at a later time.
2. The community that reviewed the Growing Together project initially did not comprehend that elimination of the Secondary Plans was under consideration. The Secondary Plans and the proposed terms for the Secondary Plans drafted through the Neighbourhood Planning Review address matters beyond the updated base land designations and zoning proposed via Growing Together.
3. The community that reviewed the Growing Together project initially could not have known that permitting more commercial uses in residential areas might be under discussion.
4. The community that reviewed the Growing Together project after release of the “Draft Approach to Growth and Change” still could not have envisioned the extent of commercial uses proposed for residential areas.
5. The proposed commercial uses in residential areas and the removal of a minimum separating distance requirement could lead to substantial increase in nuisance between neighbours and may not constitute an appropriate transition. This matter merits a more fulsome discussion at a neighbourhood (Secondary Plan) level.
6. The Growing Together project proposes zoning for properties that are subject to heritage preservation directives. The proposed zoning regulations do not, in all cases, reflect the heritage preservation requirements. It is only prudent and fair to fully notify current and future owners, Planning Staff and Councillors. Such notification may also reduce potential frictions.
7. An appropriate transition cannot be guaranteed via regulations of storeys. The relationship between built-forms is at issue and needs to be measured in a common unit – such as metres. The height in metres can be set so as to accommodate any desired flexibility.
8. The increased scope of the project, in terms of geographic area, commercial uses, and elimination of Secondary Plans, was not mandated by the Province for completion by this deadline and is not needed to meet the requirements of Bill 23, at this time. Staff did not receive formal Council direction to undertake this additional work in its decision of June 19, 2023. This work can be continued through the new OP review or other exercise. Some elements on which there is not universal agreement may be better handled the Secondary Plans.
9. The possibility of unlimited height and floor space, without built-form regulations, as is proposed for INS-2 zones, does not afford so much as a nod to an appropriate transition. It defies the overarching goals and objectives of the Growing Together project. The zoning category is, furthermore, an outlier among lands otherwise limited to the Strategic Growth Area designations and zoning.
10. The sunset clause addresses many developments that would benefit from the revised thinking on parking requirements and the absence of other regulations. The removal of one zoning bylaw component without commensurate adjustments can produce inappropriate transitions and other harms to the community. The 2019-051 sunset clause provided for a 3-year transitional period. 5 years is substantially more generous.



Michael Morgenroth

February 29<sup>th</sup>, 2024

To: Kitchener City Council  
Reference: **Mid Town Station Area (MTSA), Agnes St. Re-zoning**

Dear Councilors and Mayor of Kitchener

Five years ago, my family and I moved here to Agnes Street attracted by a tree-lined street with historic character. What we found is a livable space with walkable access to restaurants, schools, markets, places of worship and shopping, a place where owners take care of and invest in their homes, where neighbors stop to chat, watch over each other's children and drive them to hockey practice, and even put on a theatre production in the local church. In short, the kind of neighborhood any city would envy Kitchener for.

My back fence is separated from the train tracks by the open grass of the OSC property that also separates us from the "Station Park" development where two concrete towers have exposed us to construction noise, dirt and traffic for several years now and three more of those monstrous towers are yet to be constructed before the project is complete. Developer profiteering led to small, expensive condominiums without community accessible spaces being designed that have been shown around the world to be prone to isolation inhabitants and causing social problems. The densification that is needed to ease pressures on our Green Belts could rather be implemented through blending in of in-law suits in existing residences, townhouses, multiplexes and walk-ups without elevator that would be more suitable and affordable for the average family.

On the other hand, and predictably, a densification that blindly produces units in concrete towers according to the present draft plan will lead to a host of problems including any of frustration, disenfranchisement, legal and direct action by existing residents, exodus, abandonment and neglect during the transition time, i.e. the exact opposite of what exists and what would be desirable for a city with vision.

Densification obviously needs spaces for people to breathe and meet, and the OSC property presents that opportunity as one of the last large, open spaces in the area. Only it is presently available for the tower inhabitants to interact socially with residents of the neighborhood, and is de facto being used as a recreational space.

Planners cannot be expected to provide the vision, they execute according to their instructions. Therefore, I emphatically ask you as my elected representatives to protect me and the neighborhood from an ill-conceived draft plan and reject it. Please send your planners back to the drafting board with a vision to create the plan that preserves a historic, walkable and livable space, which blends the needed densification into the existing fabric compatibly and that creates a new park and recreation center at the OSC property.

Sincerely,



Michael Morgenroth

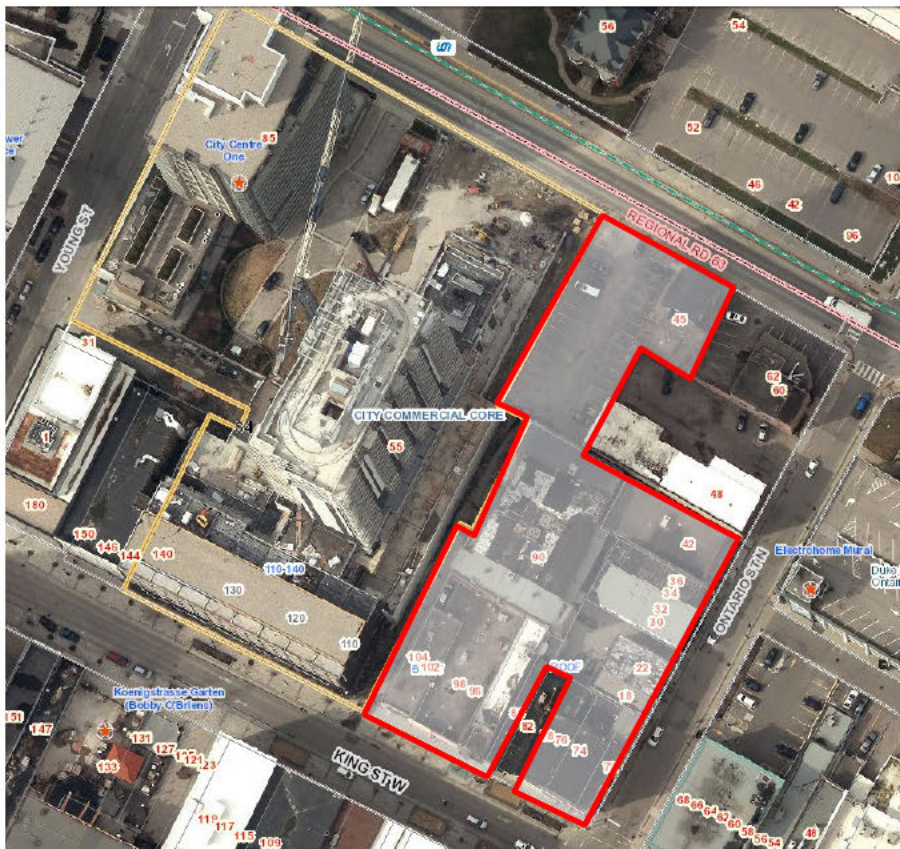
March 1, 2024

growingtogether@kitchener.ca  
Attn: Natalie Goss - Manager Policy & Research  
City of Kitchener  
Planning Division, 6th floor  
200 King Street West  
Kitchener, ON N2G 4G7

Dear Ms. Goss:

**RE: GROWING TOGETHER / DRAFT OFFICIAL PLAN AND ZONING BY-LAW  
AMENDMENTS KING AND ONTARIO STREET BLOCK, KITCHENER - OUR FILE 18297A**

I'm writing on behalf of our client, Tony Di Batista, who has significant land holdings within Downtown Kitchener, including a substantial portion of the block located east of "City Centre", between King Street West, Duke Street West and Ontario Street North (outlined in red below).





## **BACKGROUND**

Site plan approval for construction of a 23-storey residential apartment building has been received on the lands located at 45 Duke Street West. 45 Duke Street was permitted to develop with an FSR of 10.35. The design for 45 Duke Street West was planned to accommodate a future phase with a second tower to be located on the remainder of our clients landholdings within this block. In that regard, underground parking for 45 Duke Street West was designed with a knock-out wall intended to allow for the expansion of the parking to serve a second tower on the site. This was discussed in detail with City staff (Juliane von Westerholt and Sandro Basanese) during the site plan application process for 45 Duke Street. City staff comments on the parking level plans (see **Attachment 1**) reference both the knock out wall and Phase 2.

A concept plan illustrating a second phase of development (a 37 storey tower) is enclosed as part of this submission and discussed in further detail herein (**Attachment 2**).

## **CURRENT LAND USE DESIGNATION AND ZONING FRAMEWORK**

The subject lands are located within the Urban Growth Centre (Downtown) and are further located within a Major Transit Station Area. The subject lands are designated "City Centre District" on Map 4 of the Official Plan. The City Centre District lands use permits a range of uses including multiple residential with the predominant use along King Street intended to be ground floor retail and restaurants with residential, office or personal services on upper floors. The City Centre District designation permits a maximum FSR of 3.0, with the potential for additional FSR through bonusing. Official Plan policies (prepared prior to more recent changes to Section 37) strongly encouraged the used of bonusing by-laws within the Downtown and Major Transit Station Areas.

The subject lands in their entirety are currently zoned Retail Core (D-1). The D-1 zone permits a full range of commercial, residential and employment uses. The D-1 zone has a maximum FSR permission of 2.0, with additional FSR permitted through zoning. As previously noted, the 2014 Official Plan strongly encouraged bonusing within the Downtown, and it is reasonable to assume that additional FSR could have been achieved on the remainder of the subject lands through a Section 37 Agreement if that mechanism was still available. Absent updated Official Plan policies and zoning post changes to the Section 37 provisions, increases to height and density within the Downtown have proceeded by way of Official Plan Amendments and Zoning By-law Amendments.

## **PROPOSED "GROWING TOGETHER" LAND USE AND ZONING FRAMEWORK**

The subject lands are proposed to be split designated Strategic Growth Area B and Strategic Growth Area C with Strategic Growth Area B generally applied to King Street and Ontario Street properties and Strategic Growth Area C applying to 45 Duke Street.

Similarly, the subject lands are proposed to be split zoned SGA-4 and SGA-2, with the SGA-4 zoning applying to 45 Duke Street West and the SGA-2 zoning applying to the Ontario Street and King Street properties.



Above: Figure showing proposed "Strategic Growth Area B" and "Strategic Growth Area C" land uses.

## REQUESTED AMENDMENT TO GROWING TOGETHER FRAMEWORK

The Strategic Growth Area B designation and related SGA-2 zoning will undermine our client's plans for the second phase of the project (Tower 2), a phase which has been comprehensively planned for in the design of 45 Duke Street, and in particular in the design of underground parking for Duke Street (which was designed to expand to accommodate parking for a future tower). **As such, we respectfully request that the City extend the extent of the Strategic Growth Area C designation and the SGA-4 zoning to generally include the "mid-block" properties within our client's landholdings.** This would allow our client to proceed with a second tower on the site, while still maintaining the SGA-2 zone along the King Street frontage. **Attachment 3** illustrates the proposed limit of the SGA-4 zone (with the same extent proposed for the corresponding Strategic Growth Area C designation).

In support of this request ABA has prepared a concept plan illustrating a tower design **that is fully compliant with the SGA-4 regulations for a building up to 36 storeys in height.** In our opinion the ABA concept plan meets the test set out in Policy 15.D.2.5 for sites seeking a change to the Official Plan and/or Zoning By-law.

Our response to policy 15.D.2.5 is as follows:



a) *compatibility with the planned function of the subject lands and adjacent lands;*

The subject lands and surrounding area are located within the Urban Growth Centre and Protected Major Transit Station Area, which is intended for transit supportive intensification. The subject lands are surrounded by higher density development including the approved tower at 45 Duke Street North, City Centre to the west, and an existing 13 storey building on the south side of King Street, southeast of the subject lands. Lands on the east side of Ontario Street are developed in part with a parking structure and surface parking lot. The surface parking lot is roughly aligned with the location of the proposed Phase 2 tower. The concept plans demonstrate that the tower can be designed in compliance with the physical separation guidelines, which will ensure appropriate tower separation between the proposed building and existing/proposed towers in the surrounding area. The subject lands are surrounded fully by lands proposed to be zoned SGA-2 or SGA-4, and do not abut any low rise residential zones.

b) *suitability of the lot for the proposed use and/or built-form;*

The podium and tower represented in the preliminary massing study meet the SGA-4 zoning regulations. This includes the proposed setback, tower length and tower separation regulations included in the draft zoning framework.

c) *lot area and consolidation as further outlined in Policy 3.C.2.11;*

The Phase 2 lands meet the minimum lot area requirements and lot consolidation is not required as the lands have already been assembled by our client.

d) *compliance with the City's Urban Design Manual and Policy 11.C.1.34;*

The proposed extension of the SGA-4 zoning would allow for a compact, dense, transit-oriented form of development within the downtown and less than a block away from the ION LRT route on Duke Street. The preliminary massing study further demonstrates that the subject lands can support a point tower and podium form while meeting the regulations and guidelines, including tower separation, floor plate area, and tower placement. Specific compliance with the Urban Design Manual and Policy 11.C.1.34 would be analyzed through a future Site Plan Approval application, as appropriate.

e) *cultural heritage resources, including Policy 15.D.2.8; and,*

There are no cultural heritage constraints on the subject lands that would limit the development of a high-rise residential or mixed use building. The subject lands are adjacent to a designated property (48 Ontario Street), and in that regard an HIA was prepared in support of the 45 Duke Street development to assess the impact of the proposed tall building on this resource. The HIA ultimately supported the proposed development. In the preliminary concept plans the tower is proposed to be setback 12 metres from the 48 Ontario Street property. Through site specific applications an updated HIA would be required.

f) *technical considerations and other contextual or site specific factors.*

Other technical considerations would be investigated through detailed planning applications, as appropriate. Contextually, the proposal is appropriate. The lands have frontage on a public street and can be designed in compliance with all proposed zoning standards. The lands are further located within a primary intensification area; are separated from low-rise residential uses; and can be developed with appropriate tower separation from other existing and planned towers within the block. The proposed extension of the SGA-4 zoning and Strategic Growth Area C designation are generally aligned with the City Centre 2 tower, providing for a logical division between SGA-2 and SGA-4.

**In closing, we respectfully request that the Strategic Growth Area C designation and SGA-4 zoning be further extended to the south as illustrated in the attached plans. This would allow for Phase 2 of our clients development to proceed as originally contemplated and discussed with City staff, while at the same time, preserving the SGA-2 zoning along the King Street interface.**

We appreciate staff's consideration of this matter.

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read "Andrea Sinclair", with a long horizontal flourish extending to the right.

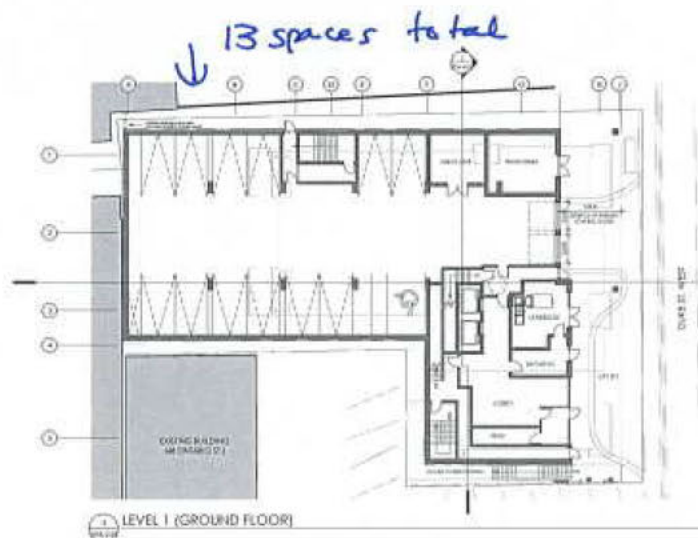
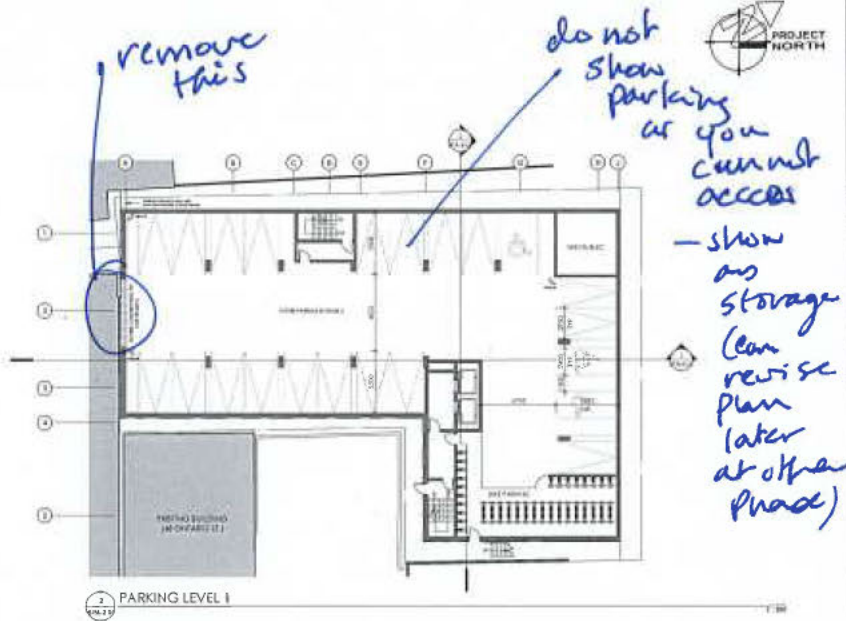
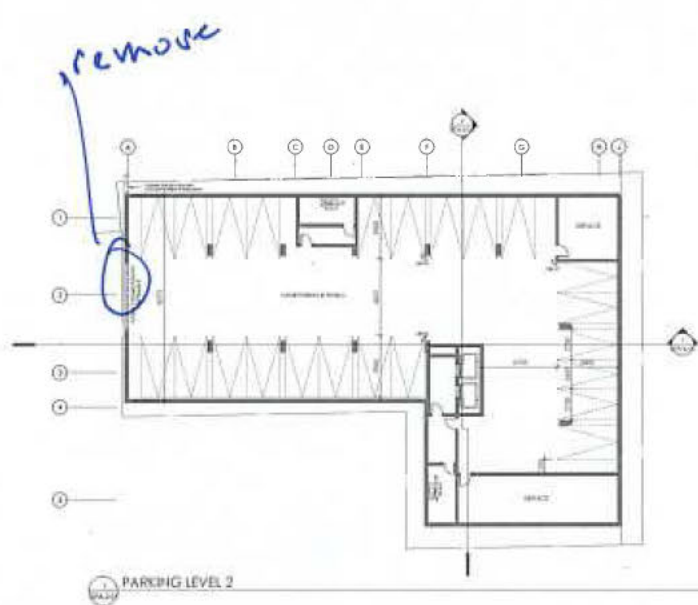
Andrea Sinclair, MUDES, BES, MCIP, RPP

cc. *Andrew Bousfield*  
*Tony Di Batista*  
*Dave Aston*



# **Attachment 1**

## **City Comments on 45 Duke Street Plan Referencing Phase 2 Development**



Pam,  
 Please only show parking that is only accessible from Duke St. i.e. Level 1 <sup>ground floor</sup>  
 All other parking that requires the knock out wall and Phase 2 of development plans to access the site do not show. So no parking on Level 1 and Parking Level 2 do not show as you cannot access from Duke.

Note: you will need to discuss the Section 37 Agreement with your client

PROJECT NORTH

PROFESSIONAL ASSOCIATION OF ARCHITECTS OF ONTARIO

NO.	REVISION	DATE

536357 ONTARIO INC.

45 DUKE ST. W.  
WATERLOO ON N2L 1G5

FLOOR PLANS

SPA-2.01

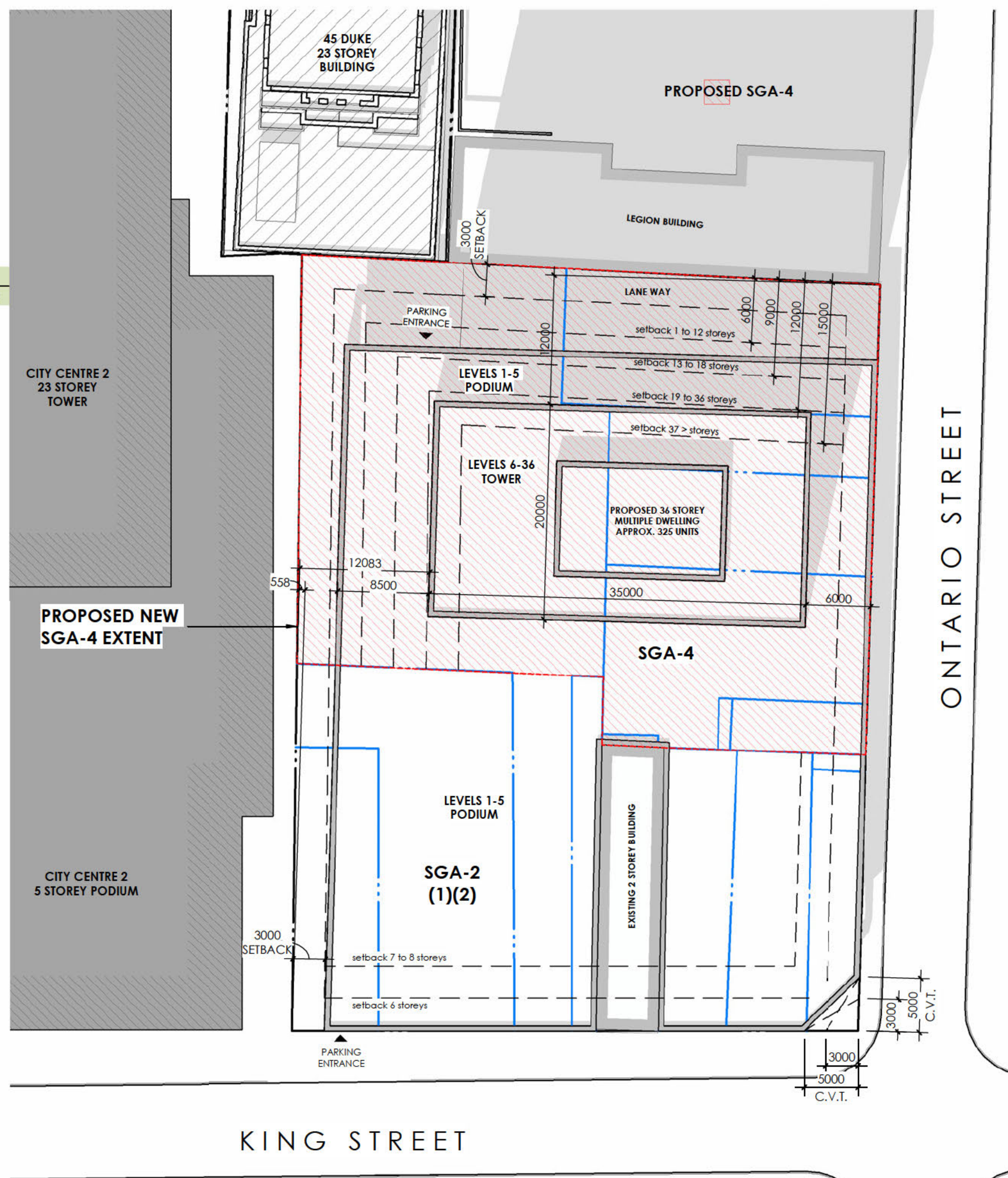


# **Attachment 2**

## **Concept Plan Illustrating Compliance with SGA-4 Regulations**

**Zoning Compliance Chart**

	SGA-2 (1)(2) Portion			SGA-4 Portion		
	Req'd	Provided	Comply	Req'd	Provided	Comply
Front Yard Setback (King Str)	0m	0m	YES	n/a	n/a	n/a
Exterior Side Yard Setback (Ontario Str)	0m	0m	YES	0m	0m	YES
Internal Side Yard Setback (West)	0m	3m	YES	3m	3m	YES
Internal Side Yard Setback (North)	n/a	n/a	n/a	0m	7m	YES
Tower Stepback - Ontario Str	n/a	n/a	n/a	6m	6m	YES
Tower Physical Separation (North, West) (L18-36)	n/a	n/a	n/a	12m	12m	YES
Minimum Building Base Height	n/a	n/a	n/a	3 Storeys	5 Storeys	YES
Maximum Building Base Height	n/a	n/a	n/a	6 Storeys	5 Storeys	YES
Minimum FSR	1	TBD	YES	2	TBD	YES
Minimum Str Line Ground Floor Building Height	n/a	n/a	n/a	4.5m	4.5m	YES
Minimum Façade Openings	10%	TBD	n/a	10%	TBD	n/a
Minimum Str Line Façade Openings	20%	TBD	n/a	20%	TBD	n/a
Maximum Building Length (L19-36)	n/a	n/a	n/a	48m	35m	YES
Maximum Floor Plate Area	n/a	n/a	n/a	900m <sup>2</sup>	700m <sup>2</sup>	YES

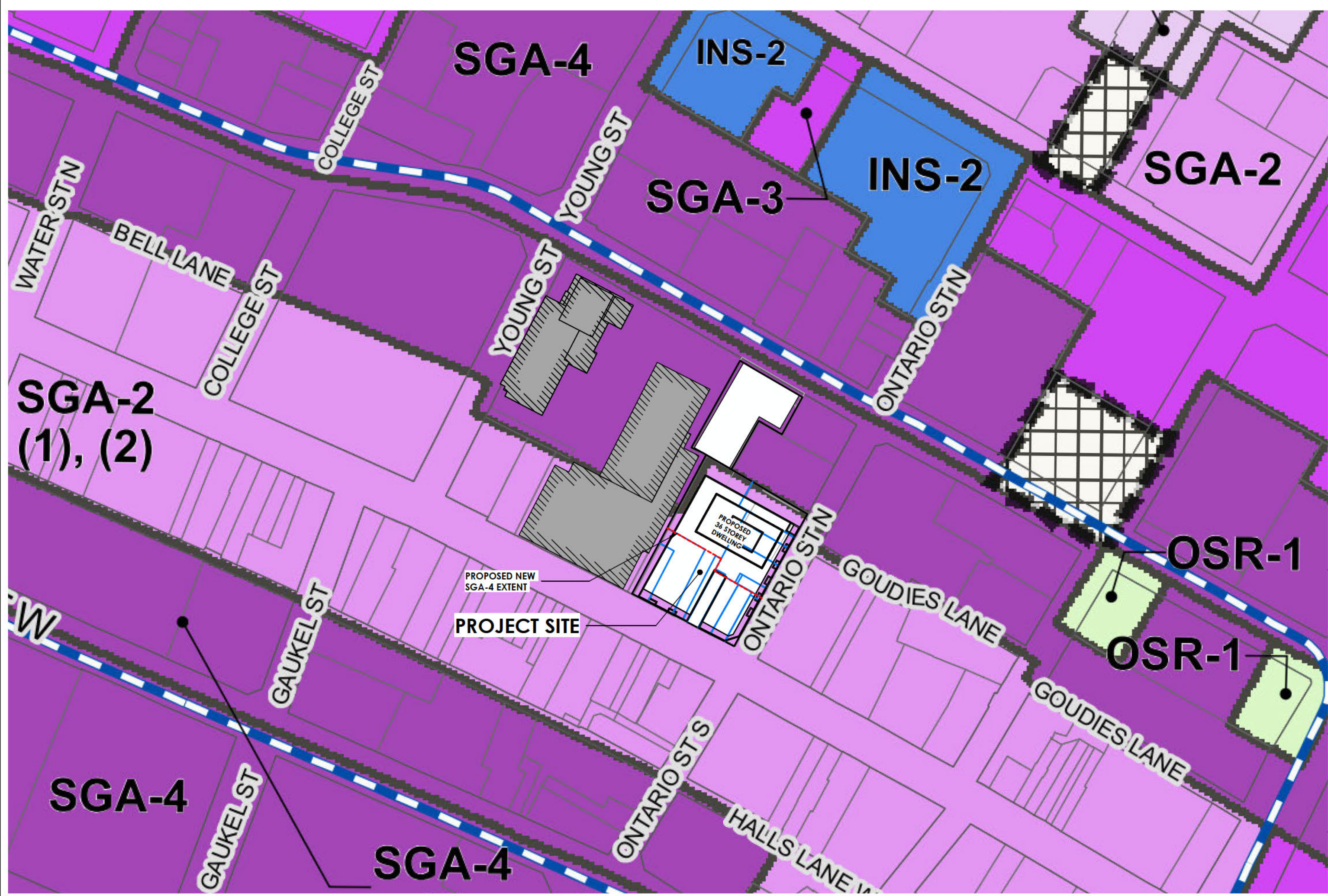




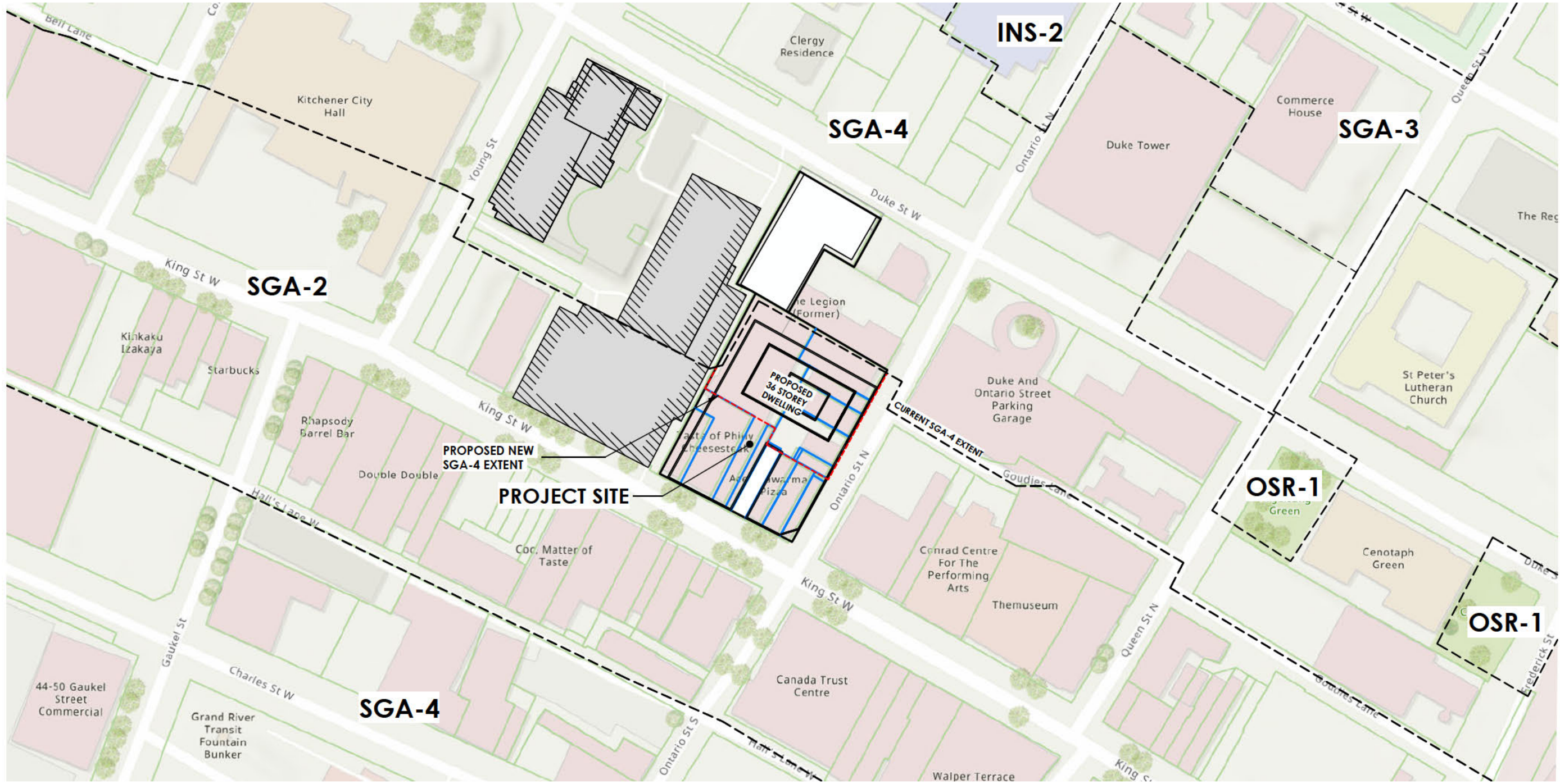
# **Attachment 3**

## **Plan Illustrating Proposed Extension of SGA-4 Zoning and Strategic Growth Area C Land Use Designation**









Plan Illustrating Proposed Extent of Strategic Growth Area C Designation and SGA-4 Zoning



February 26, 2024

200 King Street W  
Kitchener, ON  
N2G 4G7

Re: Request for zoning enhancement for three adjacent properties located at:  
a) 648 King Street W, Kitchener, Kitchener, N2G 1E1, owner: Aditya (Ad) Tayal  
b) 12 Wellington St N, Kitchener, N2H 5J4, owner: Alem (Helen) Zeray  
c) 16 Wellington St N, Kitchener, N2H 5J4, owner: Roy Cleeves



Dear Growing Together Team:

The purpose of this submission is to request consideration through the Growing Together initiative that the above-addressed properties be zoned Special Growth Area 3 (SGA-3) with provision for up to 25 storeys. The owners of the three properties are making the request jointly and are undersigned below.

Per the correspondence received on February 12, 2024, we are writing to address the criteria for consideration of a change to the draft planning instruments.

1) Proof of lot ownership:

Enclosed copies of latest property tax bills for the three lots.

2) Concept design:

At the present moment we do not have a concept design ready, however, we request your consideration at this time to facilitate consolidation and intensification of the Site as further elucidated below.

3) Planning Justification addressing proposed Official Plan policy 15.D.2.5:

The subsections that follow provide a planning opinion for the six criteria of draft policy 15.D.2.5.

**15.D.2.5a) compatibility with the planned function of the subject lands and adjacent lands**

The subject lands are located at the intersection of King Street West and Wellington Street North and lands at all other corners of the intersections are already proposed to be Strategic Growth Area 3 (SGA 3) or Strategic Growth Area 4 (SGA 4). The planned function of the Strategic Growth Area designations is to provide opportunities to accommodate intensification, including housing, that is



transit-supportive in close proximity to ION rapid transit. We propose this change will serve this purpose, in addition to beautifying the skyline.

**15.D.2.5b) suitability of the lot for the proposed use and/or built-form.**

The Site is suitable for up to 25 storey tower development because it is so near to the Central ION station, which is located just south on King St W. It is in a core area, immediately across the street from Google offices and other high-rise developments. The Site has adequate existing services, including transit services, to support the use and no transportation improvements are required to accommodate the projected traffic increases from the proposed development.

**15.D.2.5c) lot area and consolidation as further outlined in Policy 3.C.2.11.**

The Site is an assembly of three lots and has an area of 2,910 sq m, exceeding the lot area required for the SGA-3 Zone. Further, the proposed change will facilitate the consolidation of the three lots, a desired outcome of Policy 3.C.2.11 to accommodate intensification.

**15.D.2.5d) compliance with the City's Urban Design Manual and Policy 11.C.1.34.**

Any proposed design will fully comply with proscribed policies and will make the skyline more visually appealing as it is along the main corridor facing King St W.

**15.D.2.5e) cultural heritage resources, including Policy 15.D.2.8.**

There is no conflict with the Heritage Conservation District Plan.

**15.D.2.5f) technical considerations and other contextual or site specific factors.**

The Site is situated immediately across Google's new offices and very near to the Central ION station. It is at an intersection in which all other corners are designated SGA-3 or SGA-4. These contextual factors support the requested zoning change as requested herein. There is sufficient servicing to support the zoning requirements. The transportation network is adequate to support the proposed development and there are no traffic improvements required.

We thank you for your consideration. Please do not hesitate to contact us if you require any additional information.

Authentisign  
*Ad Tayal*

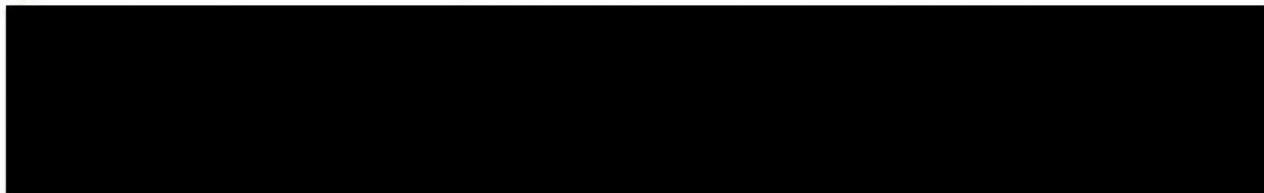
02/28/24

Authentisign  
*HELEN ZERAY*

02/28/24

Authentisign  
*Roy Cleeves*

02/28/24



**From:** [Andrea Sinclair](#)  
**To:** [Growing Together \(SM\)](#); [Natalie Goss](#); [Adam Clark](#)  
**Cc:** [Garett Stevenson](#); [Nicolette van Oven](#)  
**Subject:** Growing Together / 61 and 65 Roy Street  
**Date:** Wednesday, March 6, 2024 2:58:36 PM  
**Attachments:** [image001.png](#)  
**Importance:** High

---

Good Afternoon,

Nicolette and I were just approached this morning by our clients who own 61 and 65 Roy Street asking if they could add a 6<sup>th</sup> unit, or if this would require a new OPA/ZBA. Under the existing framework development is limited to 5 units. We reviewed the Growing Together designation and zoning (SGA-1) and believe through the Growing Together process our client would have the permissions to build six units (within a 3 storey building) without having to go through an amendment.

We know this request is coming in at the 11<sup>th</sup> hour, but we will be submitting correspondence requesting that the site specific for these properties be waived (similar to our request for Courtland Avenue). We believe we can comply with the SGA-1 regulations and support this zoning for the subject lands.

Nicolette will submit a letter as soon as possible. If you want to discuss further we would be happy to meet with the Growing Together team, otherwise I think the request is fairly straight forward.

Thank you,

Andrea

**ANDREA SINCLAIR** BES, MUDES, MCIP, RPP  
Partner

Follow us: [Webpage](#) | [Linkedin](#) | [Facebook](#) | [Twitter](#) | [Vimeo](#) | [Instagram](#)



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

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PLANNING  
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& LANDSCAPE  
ARCHITECTURE

March 4, 2024

Natalie Goss  
Manager, Policy & Research, Planning Division  
City of Kitchener  
200 King Street W. N2G 4G7

Dear Ms. Goss,

**RE: Follow-up Submission on Kitchener "Growing Together"  
659-667 King Street and 48, 52-54 & 58-60 Walter Street  
OUR FILE: 1405**

---

On behalf of our client, HIP Developments, thank you for meeting with us to review the request to Council to modify the block of lands located at 659-667 King Street and 48, 52-54 & 58-60 Walter Street (the subject lands), as follows:

- 1/ Designate the lands as Strategic Growth Area "C"; and,
- 2/ Zone the lands SGA-4.

**Please accept the following information to assist with the evaluation of the request:**

- 1) Information on lot ownership is attached in the form of ownership and authorizations of lands identified in the submission;
- 2) A concept site plan is attached that demonstrates the general building footprint and tower design. The information on the site plan demonstrates compliance with zoning regulations for the SGA-4 Zone; and
- 3) Additional analysis and justification/information to address proposed Official Plan policy 15.D.2.5 is provided below.

The following provides an analysis and justification/information to address Policy 15.D.2.5:

- a) *compatibility with the planned function of the subject lands and adjacent lands;*
  - The SGA-4 Zone would promote more dense development for transit supportive development in association with the LRT. The subject lands are within the 'Central

Station Area', which is one of the locations with the highest density permissions along the LRT.

- Surrounding lands are identified for the SGA-4 zone. Surrounding lands have higher density permissions and higher density would be compatible on the subject lands.
- The public consultation process identified the lands as a location for high-rise building.

*b) suitability of the lot for the proposed use and/or built-form;*

- Buildings can be designed to comply with the SG-4 Zone, as shown on the attached plan.

*c) lot area and consolidation as further outlined in Policy 3.C.2.11;*

- The subject lands are a large, consolidated block. No land assembly is required for redevelopment. The consolidated properties support the interest of comprehensive planning to achieve the best design for the site configuration, the provision of amenities and land use and design efficiency.

*d) compliance with the City's Urban Design Manual and Policy 11.C.1.34;*

- Streetscape design supports safe and comfortable public use of the street;
- The site can be developed to address the Urban Design Manual and not impact the potential development of adjacent lands.
- The proposed site plan provides for consideration of tall building design principles including physical separation, overlook, relative height, floor plate area, building length, tower placement, orientation and building proportion. These details can be accommodated through design of the site in the Site Plan process.
- The location of the lands, site area and configuration provides the opportunity for design compatibility with surrounding planned land uses (proposed as SGA-4) and the existing low rise uses that are in the area. The existing low rise area is adjacent to proposed SGA-4 areas and appropriate distance can address shadow and wind considerations.

*e) cultural heritage resources, including Policy 15.D.2.8; and,*

- The lands do not contain any cultural heritage resources and are not designated for institutional use.

*f) technical considerations and other contextual or site specific factors.*

- The existing MU-3 Zone represents the highest density zone and the request would maintain the current zoning intent that the subject lands be designed with the highest density and height permissions.
- Building design would compliment the massing and scale associated with existing and planned surrounding development.



We request City staff recommend the requested modifications to Council for consideration of the final amendment documents.

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read 'DWA', followed by a long horizontal line extending to the right.

David W. Aston, MSc, MCIP, RPP  
Vice-President

c. Joel Doherty

# MASSING & PROGRAM

Option B (Including 60 Walter St.)

659 - 667 King St. W.

Kitchener, ON

27/02/2024

ZONING, CITY OF KITCHENER:  
Strategic Growth Area B, SGA-3

Max. Height = 25 Storeys  
Proposed Height 30 Storeys (Walter St.)  
26 Storeys (King St.)

## Residential Units

	1-BR	2-BR	Suites/ Floor
P1	0	0	0
L1	0	0	0
L2	7	0	7
L3	7	7	14
L4	0	0	0
L5-L30	192	288	480
<b>Total</b>	<b>206</b>	<b>295</b>	<b>501</b>

## Parking

L1	75
L2	75
L3	75
L4	75
<b>Total</b>	<b>300</b>
<b>Total After Contingency</b>	<b>270</b>

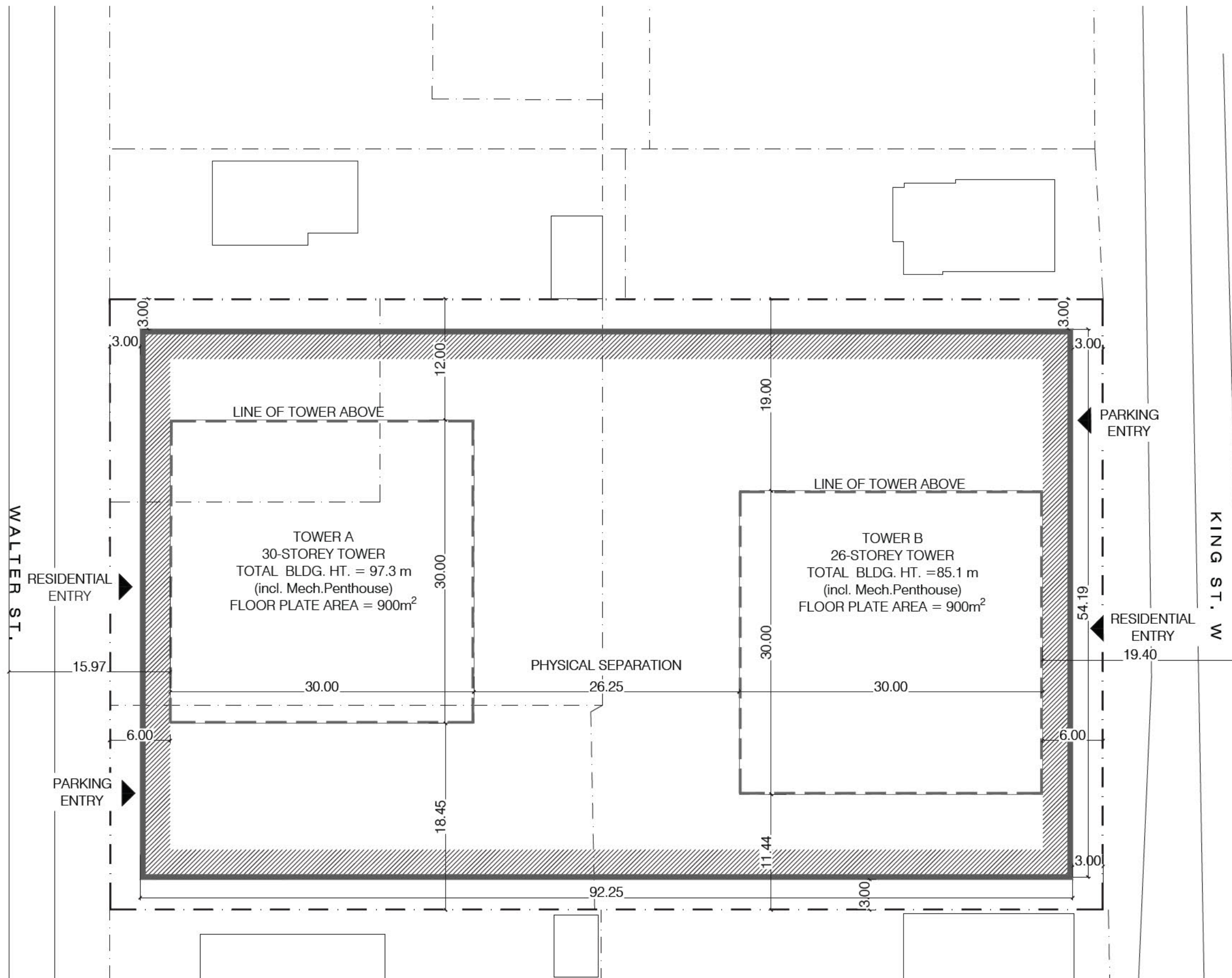
Ratio: 0.53 spaces / unit

Physical Separation Tower A =  
 $97.3 \times 30.00 = 14.6\text{m}$   
200

Physical Separation Tower B =  
 $85.1 \times 30.00 = 12.8\text{m}$   
200

Between Tower A and B =  
 $14.6 + 12.8 = 27.4\text{m}$

SITE PLAN





March 5, 2024

Natalie Goss  
Manager, Policy & Research, Planning Division  
City of Kitchener  
200 King Street W.  
N2G 4G7

**RE: HIP Developments Inc. and MHBC Planning, – Authorization for Representation  
48 Walter Street, Kitchener, ON**

---

Edna Radtke and William <sup>Radtke</sup>Radke are the current owners of 48 Walter Street, Kitchener. We have entered into an Agreement of Purchase and Sale to sell the property to HIP Developments Inc.

We hereby authorize HIP Developments and its planning consultant, MHBC Planning, to act as agents for the above noted property with respect to the "Growing Together" Official Plan Amendment.

Yours Truly,

X   
\_\_\_\_\_  
Edna Radtke

X   
\_\_\_\_\_  
William Radtke

March 5, 2024

Natalie Goss  
Manager, Policy & Research, Planning Division  
City of Kitchener  
200 King Street W.  
N2G 4G7

**RE: HIP Developments Inc. and MHBC Planning – Authorization for Representation  
58-60 Walter Street, Kitchener, ON**

---

Scott Matthews and Tracey Matthews are the current owners of 58-60 Walter Street, Kitchener.

We hereby authorize HIP Developments and its planning consultant, MHBC Planning, to act as agents for the above noted property with respect to the "Growing Together" Official Plan Amendment.

Yours Truly,

X Tracey Matthews  
Tracey Matthews

X Scott Matthews  
Scott Matthews



March 5, 2024

Natalie Goss  
Manager, Policy & Research, Planning Division  
City of Kitchener  
200 King Street W.  
N2G 4G7

**RE: HIP Developments Inc. and MHBC Planning – Authorization for Representation  
52-54 Walter Street, Kitchener, ON**

---

2302843 Ontario Inc. is the current owner of 52-54 Walter Street, Kitchener. We have entered into an Agreement of Purchase and Sale to sell the property to HIP Developments Inc.

We hereby authorize HIP Developments and its planning consultant, MHBC Planning, to act as agents for the above noted property with respect to the "Growing Together" Official Plan Amendment.

Yours Truly,

**2302843 Ontario Inc.**

Per: 

Name: William Radtke

Title: *President*

I have the authority to bind the Corporation



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

Natalie Goss  
Manager, Policy & Research, Planning Division  
City of Kitchener  
200 King Street W.  
N2G 4G7

Dear Ms. Goss,

**RE: Follow-up Submission on Kitchener "Growing Together", 300-400 King Street West**  
**OUR FILE: Y202AZ**

---

On behalf of our client, Hallman Construction Limited, thank you for meeting with us to review the request to Council to modify the block of lands located on the north side of King Street West, between Water Street North and Francis Street South (the subject lands), as follows:

- 1/ Designate the lands as Strategic Growth Area "C"; and,
- 2/ Zone the lands SGA-4.

**Please accept the following information to assist with the evaluation of the request:**

- 1) Information on lot ownership is attached in the form of parcel abstracts. Please be advised that 2040799 Ontario Ltd is Hallman Construction Limited and the other parcels are owned with a partner. The entire block is generally treated as a 'parcel'. Hallman Construction Limited is authorized to make the application on behalf of all owners/partners;
- 2) An updated site plan design is attached that illustrates the general building footprint and tower design. The information on the site plan demonstrates compliance with zoning regulations for the SGA-4 Zone and the implementation of the priority streets regulations; and, the desired zone; and,
- 3) Additional analysis and justification/information to address proposed Official Plan policy 15.D.2.5 is provided below.



The following provides an analysis and justification/information to address Policy 15.D.2.5:

- a) *compatibility with the planned function of the subject lands and adjacent lands;*
- The SGA-4 Zone would promote more dense development for transit supportive development in association with the LRT and transit hub. The location will also support alternative transportation modes in the Downtown.
  - Surrounding lands have higher density permissions and higher density would be compatible - lands immediately to the north of this block on the opposite side Bell's Lane frontage on Duke Street have been assigned the SGA-4 zone lands. The subject lands are not adjacent to any low rise residential zones, and therefore have no land use compatibility concerns.
- b) *suitability of the lot for the proposed use and/or built-form;*
- Buildings can be designed to comply with the SG-4 Zone – the block can be designed to accommodate the criteria of the SG-4 Zone. A pre-application meeting was held with City staff and minor technical comments were raised with the building design.
  - The proposed design is intended to support the desire to maintain the potential for King Street for public and pedestrian use for events or festivals.
  - The design provides for gateway features on the building at the podium level at the corner of Francis Street as a design element to the entry to the downtown.
  - The public square at approximately mid-block provides for a pedestrian connection from Bells Land through to King Street and also a public space that breaks up the building massing along King Street.
- c) *lot area and consolidation as further outlined in Policy 3.C.2.11;*
- The subject lands are the largest consolidated block within DTK for intensification.
  - No land assembly is required for redevelopment.
- d) *compliance with the City's Urban Design Manual and Policy 11.C.1.34;*
- Streetscape design supports safe and comfortable public use of the street;
  - A high quality public realm is designed with interaction with the street through a use of mixed uses, public spaces and squares and opportunity to provide an active street frontage and, where possible, increase tree canopy within the boulevard;
  - Create active space along the boulevard with direct connections from the private development to the public realm for the commercial uses and for potential public squares and open spaces;
  - Provide for a pedestrian connection through the site that is aligned with pedestrian connectivity for lands to the south; and,
  - Establish creative building facades and intersection treatments through buildings and landscaping as gateway features and wayfinding areas.
- e) *cultural heritage resources, including Policy 15.D.2.8; and,*
- The lands do not contain any cultural heritage resources. The Kaufman building on the opposite site of Francis Street is 6 storeys in height. The proposed podium is of similar

scale to the existing Kaufman building. The proposed setback of the tower from the podium provides for an appropriate transition in scale and mass.

f) *technical considerations and other contextual or site specific factors.*

- Building design would support the continued use of King Street as a primary retail and events destination – the proposed ground floor commercial and retail uses in combination with the public realm considerations support the continued objective for the Downtown.
- The proposed building design establishes a base/podium that ranges between 1-5 storeys to maintain massing that is supportive of the public realm in DTK and the setback of the towers from the podium and location of the towers with a large separation are intended to address concerns associated with a large continued building mass along the entire frontage of King Street. The design approach will minimize impacts of shadowing and wind on the sidewalk and the larger streetscape.

In conclusion, the request would result in creating:

- Transit supportive density with high quality design that supports the vision and objectives of DTK as a vibrant place with the a mix of uses to support peoples needs any day of the week;
- Population and jobs to support a connect community in DTK through mix of commercial, office and residential uses;
- Pedestrian friendly streetscape that supports an active King Street; and,
- High quality design to continue to build on the successful City investment in DTK into the future.

We request City staff recommend the requested modifications to Council for consideration of the final amendment documents.

Yours truly,

**MHBC**



David W. Aston, MSc, MCIP, RPP  
Vice-President

c. Paul Grespan, Jim Hallman, Jon McGinn

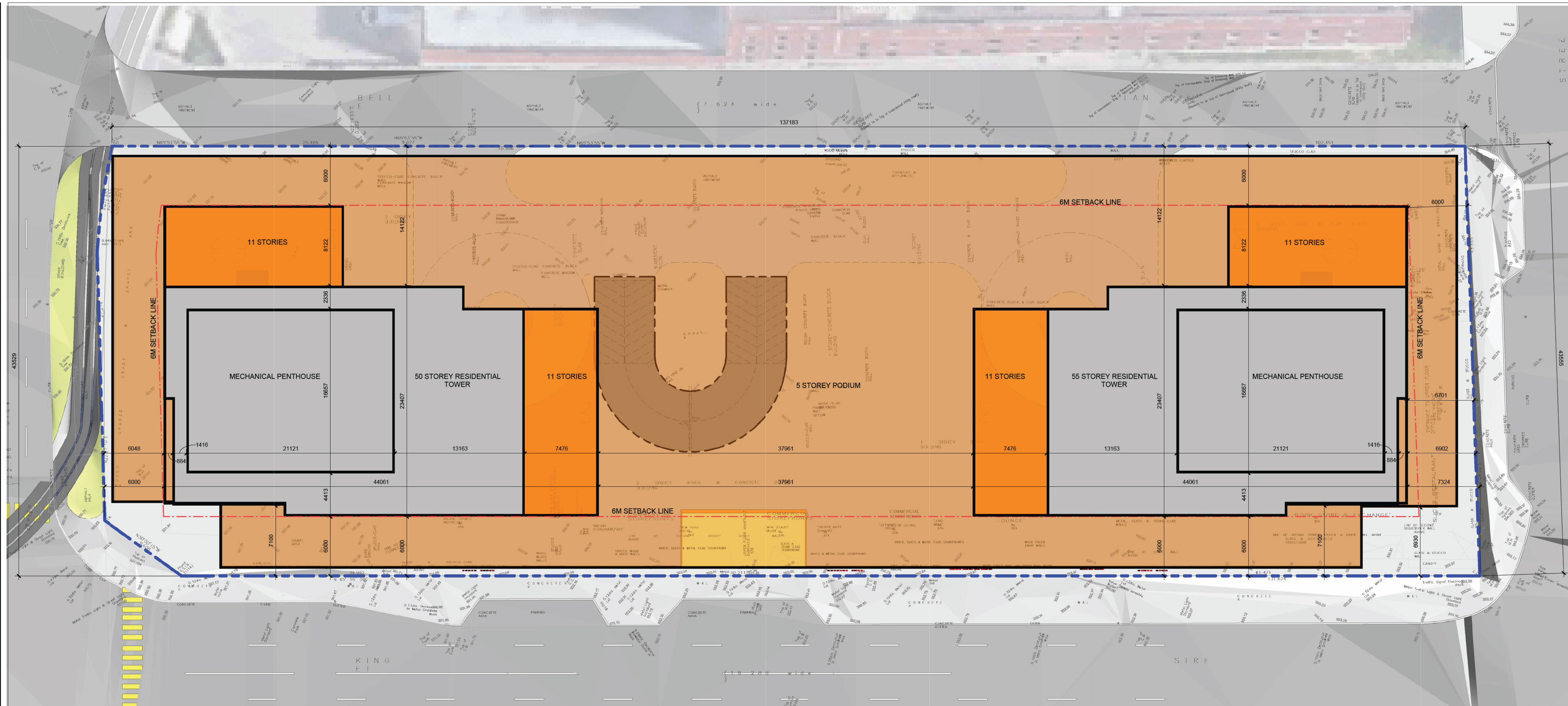


NO.	ISSUED	DATE
	CLIENT'S REVIEW	2023/11/03
	CITY REVIEW	2024/03/01

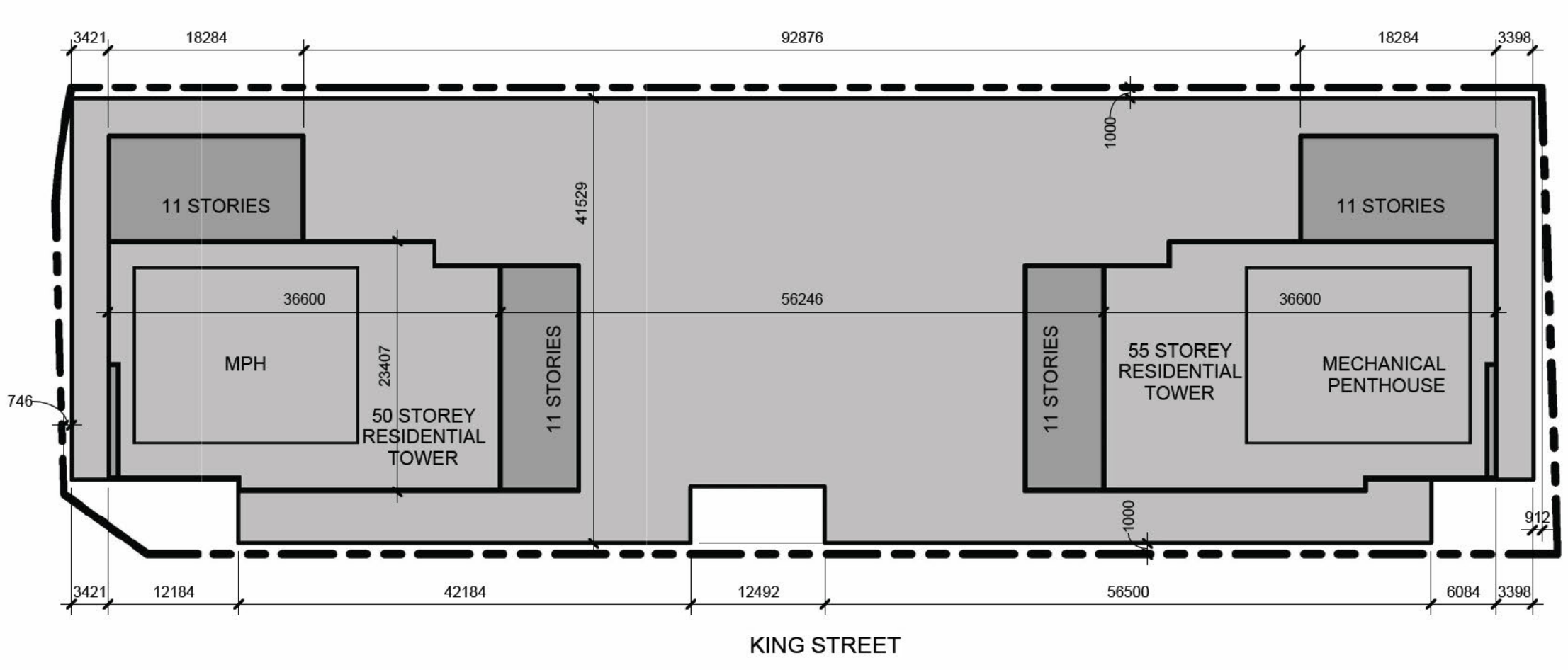
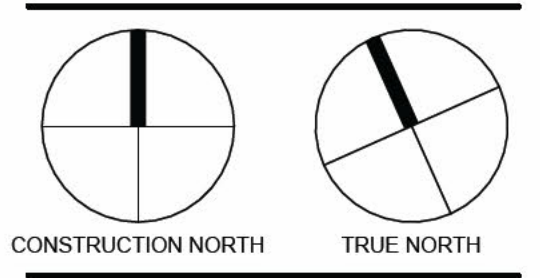
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**1 SITE PLAN**  
A.001 1:200



**SETBACK PLAN**  
1:500

**Table 6-5: Multiple Dwellings, Mixed Use Buildings, and Non-Residential Buildings**

Regulation	SGA-3 & SGA-4	Conforms
<b>For Entire Building</b>		
Minimum lot width	30.0m(1)	✓
Minimum lot area	1500m <sup>2</sup>	✓
Minimum yard setback	3.0m	✓
Minimum building base height	3 storeys	✓
Maximum building base height	6 storeys	✓
Minimum floor space ratio	2.0	✓
Maximum building height in the SGA-3 zone	25 storeys	✓
Maximum street line ground floor building height	4.5m	✓
Minimum facade openings	10%	✓
Minimum street line facade openings	20%	✓
<b>For Storeys 7-12</b>		
Minimum lot width	30.0m	✓
Minimum lot area	1500m <sup>2</sup>	✓
Minimum front and exterior side yard setback	6.0m	✓
Maximum building length	60.0m	✓
Maximum floor plate area	2000m <sup>2</sup>	✓
Physical separation	6.0m	✓
<b>For Storeys 13-18</b>		
Minimum lot width	36.0m	✓
Minimum lot area	1800m <sup>2</sup>	✓
Minimum front and exterior side yard setback	6.0m	✓
Maximum building length	54.0m	✓
Maximum floor plate area	1200m <sup>2</sup>	✓
Physical separation	9.0m	✓
<b>For Storeys 19-36</b>		
Minimum lot width	42.0m	✓
Minimum lot area	2000m <sup>2</sup>	✓
Minimum front and exterior side yard setback	6.0m	✓
Maximum building length	48.0m	✓
Maximum floor plate area	1000m <sup>2</sup>	✓
Physical Separation	12.0m	✓
<b>For Storeys 37 and Above</b>		
Minimal lot width	48.0m	✓
Minimal lot area	2400m <sup>2</sup>	✓
Minimum front and exterior side yard setback	6.0m	✓
Maximum building length	42.0m	✓
Maximum floor plate area	900m <sup>2</sup>	✓
Physical separation	15.0m	✓

Transition to Low Rise Zones		
Maximum building height within 15m of a lot with an...	20.0m(2)	✓
Maximum building height within 30m of a lot with an...	30.0m(2)	✓
Minimum yard setback where the lot abuts a lot with an...	7.5m	✓
<b>For Lot Lines Abutting a Priority Street Identified on Appendix G</b>		
Refer to Section 5.5 - Priority Streets.		
<b>Private Amenity Space Requirements</b>		
Refer to Section 6.7 - Private Amenity Space.		



**KEYPLAN**  
1:5000

**BLOCK THAT ROCKS**

Francis Street and King Street

SHEET NAME

**SITE PLAN**

START DATE 03/11/2023

DRAWN BY MA

CHECKED BY SM & CC

SCALE As indicated

PROJECT NO. 123042

DRAWING

**A.001**

C:\Users\hnam\Documents\123042 - Block that Rocks - Building RV\2024-08-02 2024\_Instrum\NPP\1





6M  
SETBACK

6M  
SETBACK

5 STORY PODIUM

GROUND FLOOR  
RETAIL /  
COMMERICAL

RECESSED SPACES  
AT GRADE TO ALLOW  
PERMIT  
INTERIOR/EXTERIOR  
INTERACTIONS

- SOLID  
MASSING  
ALONG PODIUM  
- DISSIPATES AS  
DESIGN MOVES  
INTO TOWER













THE COFFEE SHOP





THREADS

SPORT

COFFEE BAR















**From:** [Debbie Chapman](#)  
**To:** [DAVID SCHNELL](#)  
**Cc:** [Adam Clark](#)  
**Subject:** Re: zoning changes re: 393 & 395 Ottawa St.S.  
**Date:** Saturday, February 17, 2024 5:34:27 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)

---

Hi David,

Thank you for reaching out with this request. I am copying Adam Clark on this message as he is leading this project. I am sure he will work through this with you.

**Debbie Chapman, PhD**

Subscribe to monthly newsletter here: <https://bit.ly/3NMIDTe>

Councillor, Ward 9 | City of Kitchener  
O: 519-741-2200 ext. 2798 C: 226-752-7104  
[Debbie.Chapman@kitchener.ca](mailto:Debbie.Chapman@kitchener.ca)



Customers can now connect with the City of Kitchener anytime by calling the 24/7 Corporate Contact Centre at 519-741-2345

---

**From:** DAVID SCHNELL [REDACTED]  
**Date:** Sunday, February 11, 2024 at 2:50 PM  
**To:** Debbie Chapman <[Debbie.Chapman@kitchener.ca](mailto:Debbie.Chapman@kitchener.ca)>  
**Subject:** zoning changes re: 393 & 395 Ottawa St.S.

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

Dear Councillor Chapman,

My wife and I own the properties at 393 and 395 Ottawa St. S. in Kitchener. They are scheduled to be re-zoned to "SGA-3". We watched the live-stream on January 29 and were impressed by your skill as Chair of the Hearing. Since the decision to approve the new zoning has been delayed, I writing to you to request your advocacy, as we feel it would be very beneficial to the community to have the area re-zoned instead to "SGA-4".

My wife and I have lived at 395 Ottawa St. S. since we purchased the property in 1988 with my parents. We made an application to build an addition onto the property and duplex the house. The property was 284' deep and the zoning had just been changed to M-2, which also allowed us to build a 23' x 60' workshop on the property. Around that time, my father



Art and I created a business named 'Art's Countertops', which has served the community for nearly 40 years and is still active on the property today. In 1996 we purchased the rear portion of 397 Ottawa St. S. to allow for more parking and the possibility to expand. In 2001 we added another 40' x 40' portion to our shop on this land, which was merged into 395 Ottawa St. Finally, in 2010, we purchased the home at 393 Ottawa St. S. and renovated it. My son currently lives there with his wife and three kids. He also works at Arts Countertops.

I attended a couple of the "Growing Together" meetings and understand there is hope that this area will grow in culture, livelihood and help address Kitchener's housing problems. I believe the various changes we've made to these properties have now created an excellent opportunity for a dense and vibrant community to grow in their place. We can really see the potential for sprawling high rises, rooftop gardens, and diverse commerce within the bottom levels. The properties are located within 100m of the Mill St. Light Rail Transit stop and, as you know, are also close to a Highway 7/8 access point. The proximity of the Concordia club also invites Oktoberfest- based events.

It is our belief that the more flexible "SGA-4" zoning is much more appropriate for properties of this size and considering the City's plans. These two properties are not like the typical residential properties on Ottawa St. S. They are at least 2.5x deeper and, importantly, are adjacent to other "SGA-4" zoned properties which comprise most of the rest of the surrounding area. The homes on our street will likely not be around in another 10 years as most have been rented or left in some disrepair.

My wife and I plan to sell our properties to a developer to fund our retirement once the re-zoning is official. We have already done the phase 1 environmental on both properties.

I understand that the deadline for re-zoning requests has already passed. Over the last two years my health has deteriorated significantly, which has contributed to the delay in me sending this letter. Due to slugging countertops for over 30 years, I tore my bicep tendon and have a torn rotator cuff. I have been living with pain for many years and recently developed a stomach ulcer. I have also been suffering with depression since 2000 and these health conditions just exacerbated the situation. On December 12, 2023 I was able to have surgery on my shoulder and it has been getting better weekly – but has kept me laid up.

Since the decision to approve the new zoning has been delayed, I felt you could be an advocate for my moving forward in this matter.

Thank you for your time and consideration.

David Schnell



## **GROWING TOGETHER**

### Final Draft Framework Comments

I strongly disagree with altering existing low-rise residential zoning to the proposed SGA1, and would like to start by asking if the Province has specifically directed that Municipalities designate low-rise residential to be zoned SGA1 (or something similar) in Major Transit Station Areas, or is this the City interpreting Provincial policy to intensify these MTSA's by zoning the existing low-rise residential neighbourhoods as SGA1? I could not see any evidence within the amended Planning Act that specifically requires the City to place this type of zoning within low-rise neighbourhoods, only that the definition of "development" does not include construction of buildings with ten (10) units or fewer. Why has the City moved forward with this specific zoning change within these existing neighbourhoods, including some that have cultural heritage value, when there is ample space for infill development along the major corridors of the MTSA's including King St., Victoria St., Ottawa St., Frederick St., and Weber St. My greatest concern with the proposed SGA1 zoning is that it allows for the dismantling of established neighbourhoods by degrading the character of these places as multi-unit buildings sporadically replace older homes because developers can make more money by building cheap, unattractive structures with up to ten (10) units. I understand there is a housing issue in this City and across the country, and it is not fair to prevent the construction of homes within the City; however, character does mean something in City building. The character of a neighbourhood includes the aesthetics, as well as the feeling a person has being, and living in said community; the history of a place; feeling safe; being comfortable in your home and on your streets. The character of a place is what drives people to want to live there, to raise families there. The character of a place can drive economic development, insert knowledge and skills into the local workforce, create a sense of home and pride in place for residents. Conversely, the poor character of a place can drive residents away, can remove knowledge and skills from the workforce as residents leave, and destroys the pride residents feel about a city. If multi-unit residential buildings and services are permitted haphazardly throughout existing neighbourhoods, you are condemning these neighbourhoods to death by a thousand cuts. As more minor variances are permitted, they set precedents allowing further intensification and development that may not meet the original intent of the City in their zoning and policies. I would ask that the City remove the SGA1 zoning entirely from these existing residential neighbourhoods, and only allow multi-unit residential infill developments along the larger roadways within the MTSA areas.

Having said that, I have six (6) comments related the SGA1 zoning with the assumption that these zoning changes are imminent and will not be altered based on community concerns.

1. Within the amended Planning Act, there are provisions for the City to enact Site Plan Control Areas either through by-law or the appointment of an Authorized Person. While the amended Planning Act removes the ability of the City to control many aspects of the design of the building including the interior design, exterior design, interior layout and manner of construction; it does not prevent the City from using other planning tools to control what is developed within established neighbourhoods. Some of these tools could include establishing greater setbacks for buildings with more than three (3) units, building height restrictions - specifically including penthouse suites and mechanical/operational equipment within these maximum heights. I would ask that the City designate site plan control areas within these neighbourhoods, and look into the tools available to keep these neighbourhoods unique, beautiful and liveable.
2. There are currently no mechanisms within the City to direct that these units be designated as rentals or condos, that any units be made to a certain standard or size (family vs. studio), nor that they be made affordable/attainable. There are also currently no mechanisms for the City to



control the design or aesthetics of these proposed infill developments as the City's urban design requirements can not be applied to developments of the size allowable within the SGA1 zoning. As such, I would like to see the City develop architectural templates for developments within these areas to ensure that the infill buildings are compatible with the neighbouring scale, form, and general aesthetics; as well as designing floor plans that can provide the type of housing needed most for their respective neighbourhood.

3. It has been less than a year since the implementation of a proposal to allow up to four residential units on any low-rise residential property provided lot size is sufficient – allowing basement apartments, as well as backyard homes or units. And now the City is jumping ahead to allow up to 10 units on these same single-family residential lots if the frontage and square footage is sufficient. I would request that the City delay the implementation of the SGA1 zoning until it can be determined if the previous proposal for gentle intensification has an impact on the “missing middle” housing in the selected neighbourhoods.
4. The City is powerless to prevent developers from taking rejected claims for minor variance to the Ontario Land Tribunal (OLT) – which is (in)famously pro-developer – where proposed infill developments could be expanded beyond what the SGA1 zoning allows. The City has previously rejected minor variances for select developments, and yet has abandoned local residents to appeal these unacceptable developments at the OLT. With a lack of resources, knowledge of the process, and overall expert opinions to counter developer claims of minor variance, these challenges almost exclusively are decided in favour of the developer. I would like to see a binding policy implemented by the City where if City staff and the Committee of Adjustment unanimously reject claims for minor variance and/or zoning bylaw amendments that the City would automatically initiate an appeal at the OLT. Having the full weight of the City's resources in any appeal would certainly be a deterrent for most developers looking to take advantage of a developer-friendly environment to increase heights, reduce minimum offsets, increase building footprint, and generally decrease the compatibility of the proposed development within the existing neighbourhood.
5. Another concern with this strategy is with the lack of thought towards the provision of additional greenspace within these existing neighbourhoods. Please refer to the internal document “Places and Spaces” strategy to give a better idea of the parkland deficit in many of the neighbourhoods shown – specifically the King East neighbourhood. This is one of the most underserved areas of the City with no public green space within its boundaries, and with each successive development application – see 926 King St. E., 321-325 Courtland Ave. E. (the former Schneider property on Courtland), 1001 King St. E., 169 Borden Ave. N., etc. there is less and less green space provided, and fewer opportunities for the City to establish any substantive network of greenspace. Adding additional residential units within the fabric of these neighbourhoods only exacerbates the lack of green space for local residents and their families.
6. There are numerous instances in the City's Official Plan that reference the City's responsibility to evaluate appropriateness of development, as well as provide the public with opportunities to become involved in the processes and implementation of the Official Plan – [Section 1.A.1.](#), [Section 1.A.4](#), [Section 17.E.3.](#), etc. To date, the City of Kitchener has initiated some public consultation; however, two of the ward councillors impacted by these changes were not present or available to their constituents to answer questions and provide guidance throughout portions or the entirety of the public engagement process. As these changes to the zoning are significant and have far reaching impacts now and into the future, I would like to request an extension for the public consultation process until such time as these two ward councillors have familiarized themselves with the proposed changes and are able to respond to their constituents' concerns.

March 4, 2024

Ms. Natalie Goss  
 Manager, Policy and Research  
 City of Kitchener  
 200 King Street West, 6<sup>th</sup> Floor  
 Kitchener, ON N2G 4G7  
[growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

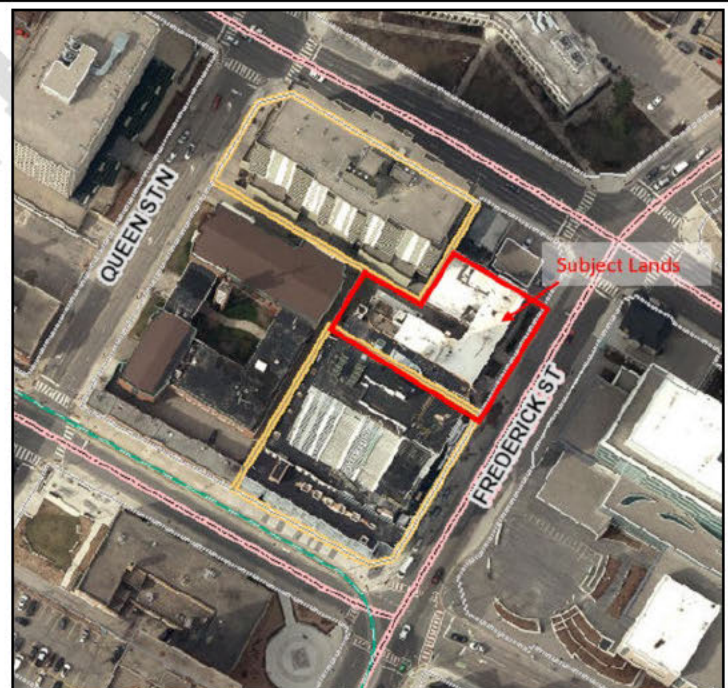
Dear Natalie:

**RE: Growing Together / Draft Official Plan Amendment and Zoning By-law Amendment  
 YWCA Kitchener Waterloo, 84 Frederick Street, Kitchener  
 OUR FILE 09144W**

We are writing on behalf of the YWCA Kitchener Waterloo ("YWKW") with respect to the lands municipally known as 84 Frederick Street (the "subject lands"). On behalf of our client we have reviewed the City's recommended Official Plan and Zoning By-law Amendments prepared through the Growing Together initiative. The purpose of this letter is to provide comments on the proposed zoning for the subject lands.

**BACKGROUND**

The subject lands are located on the west side of Frederick Street, to the south of Weber Street and the north of Duke Street in downtown Kitchener. The subject lands have an area of 1,698 square metres and have 38 metres of frontage on Frederick Street. They are presently occupied by a three storey building owned and operated by YWKW. The subject lands are located in downtown Kitchener and are proximate to a range of uses, including residential, office, retail and commercial, and institutional uses. The subject lands are within a comfortable walking distance of a range of amenities including the Kitchener Public Library Main Branch, Waterloo Region Courthouse and Kitchener Market. The subject lands are located within an area that is well served by public





transit, including rapid transit and bus services, with the Frederick Street Ion (LRT) Station less than 200 metres to the south.

Our client has been operating out of the 84 Frederick Street site for more than 100 years. However, the YWKW has plans to move operations from their current facilities to a new, modern location. The YWKW is in the process of acquiring a new site and it is anticipated that operations at the subject lands will cease in 2024.

Given the location of the subject lands centrally within the Downtown, proximate to the Frederick Street Station and our client's plans to relocate their operations, the subject lands represent an excellent location for compact-transit supportive redevelopment and intensification.

### **CURRENT LAND USE DESIGNATION AND ZONING REGULATIONS**

The subject lands are located within the City's Urban Growth Centre (Downtown) and are further located within a Major Transit Station Area in the City's Official Plan. The Official Plan provides that the Urban Growth Centre will be the primary area in the City for intensification and establishes a minimum density target of 225 people and jobs combined per hectare by 2031.

The subject lands are designated City Centre District on Map 4 of the Official Plan. The City Centre District designation permits a broad range of uses including multiple residential uses. The City Centre District designation has a maximum FSR of 3.0 with additional density permitted through bonusing. The Official Plan strongly encourages bonusing within the Downtown and Major Transit Station Areas, however, it is noted that these policies were established prior to changes to Section 37 of the Planning Act.

The subject lands are zone Official District Zone ("D-4") by the in-force Zoning By-law 85-1. The D-4 zone permits a broad range of uses and does not contain regulations related to height or density.

### **PROPOSED "GROWING TOGETHER" LAND USE DESIGNATION & ZONING REGULATIONS**

#### *Proposed Designation*

Through Growing Together, the subject lands are continue to be identified as within the Urban Growth Centre and a Protected Major Transit Station Area. They are proposed to be designated Strategic Growth Area C. Strategic Growth Area C also applies to all lands surrounding the subject lands.

The Strategic Growth Area C designation is intended to accommodate significant intensification at a high density. The draft Official Plan Amendment provides that Strategic Growth Area C lands are generally located within Intensification Areas and/or represent significant intensification





opportunities at higher densities. A range of uses are permitted within this designation including medium and high density housing. Section 15.D.2.53 of the draft Official Plan provides that lands designated Strategic Growth Area C may have no maximum building height and that the implementing zoning by-law may limit building heights.

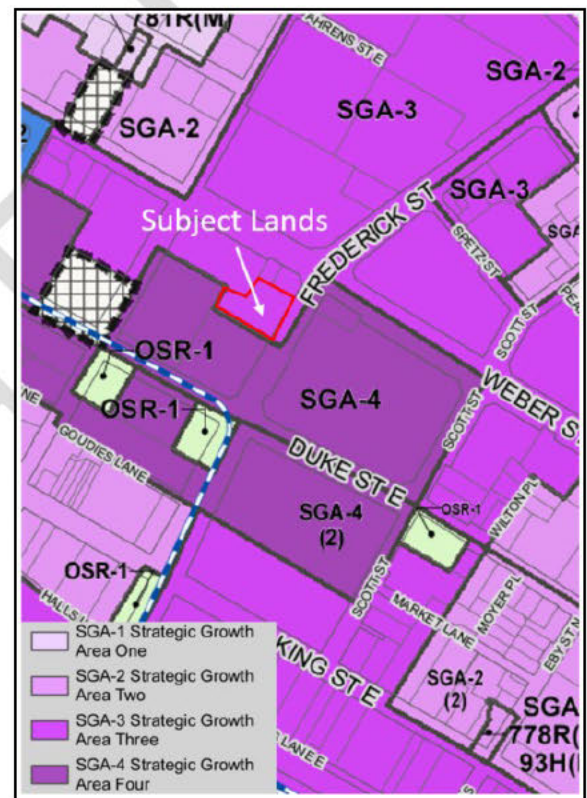
Our client is supportive of the designation proposed for subject lands proposed by the draft Official Plan Amendment as it reflects the location of the subject lands centrally within the Urban Growth Centre (downtown), within a Protected Major Transit Station Area. The subject lands are a good candidate for redevelopment and intensification given that the existing use will cease in the short term.

### *Proposed Zoning*

The subject lands are proposed to be zoned Strategic Growth Area 3, ("SGA-3"): High Rise Growth Zone (Limited). The intent of the SGA-3 zone is to create opportunities for high-density growth in both mid and high-rise forms, up to 25 storeys in height. The SGA-3 zone is intended to permit a wide range of residential and non residential uses.

We respectfully request that the zoning of the zoning by-law be revised from SGA-3 to SGA-4. Our reasons for this request are as follows:

- The subject lands are located centrally within the Urban Growth Centre and are within a Major Transit Station Area. The draft Official Plan Amendment proposes to designate the subject lands Strategic Growth Area C. The subject lands are within an area intended for high density and transit supportive development. Zoning the subject lands SGA-4 reflects the proposed Strategic Growth Area C land use designation which applies to the subject lands and all adjacent lands.
- Issues related to compatibility resulting from increased building height and density are not anticipated as lands to the south, west and east are proposed to be zoned SGA-4. The subject lands are immediately adjacent to other multiple residential developments, including the DTK condo site (39 storeys) and the Regency at 57 Queen Street (19 storeys). The Waterloo Region Courthouse is located to the east, on the east side of Fredrick Street.
- The subject lands represent an appropriate location for compact, dense, and transit oriented development as the lands are proximate to a range of existing transit routes, including LRT, with the Frederick Street Station being located less than 200 metres from the subject lands.
- The subject lands have a frontage of 38 metres on Frederick Street and a lot area of approximately 1,698 square metres, which satisfies the minimum lot width and area requirements of the SGA-3 and SGA-4 zone set out at Table 6-5. Should a development





proposal be advanced for the subject lands, specific relief from the zoning by-law requirements may be addressed, if required, subject to the criteria set out at Section 15.D.2.5 of the draft Official Plan Amendment. Other technical considerations could be investigated through detailed planning applications, as appropriate.

- There are no cultural heritage constraints on the subject lands that would limit the development of a high density residential or mixed-use building.
- The subject lands are presently zoned D-4 which does not include any maximum height or density requirements. The proposed SGA-3 zoning represents a significant reduction to the maximum development potential of the subject lands. The proposed SGA-4 zoning more closely aligns with the in-force D-4 zoning.

For these reasons, the SGA-4 zone is considered to be appropriate.

## **SUMMARY**


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In closing, we respectfully request that the SGA-4 zoning be extended to the north to include the subject lands. This would allow for the maximum redevelopment potential of the subject lands to be achieved. The subject lands represent an excellent opportunity for compact, transit-supportive intensification and redevelopment given the location and as plans are underway for the existing use to relocate from the subject lands, in the short term.

We appreciate staff's consideration of this matter and would be pleased to discuss this letter with you at your convenience.

Yours truly,

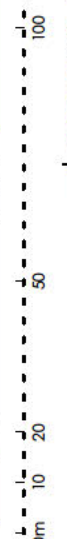
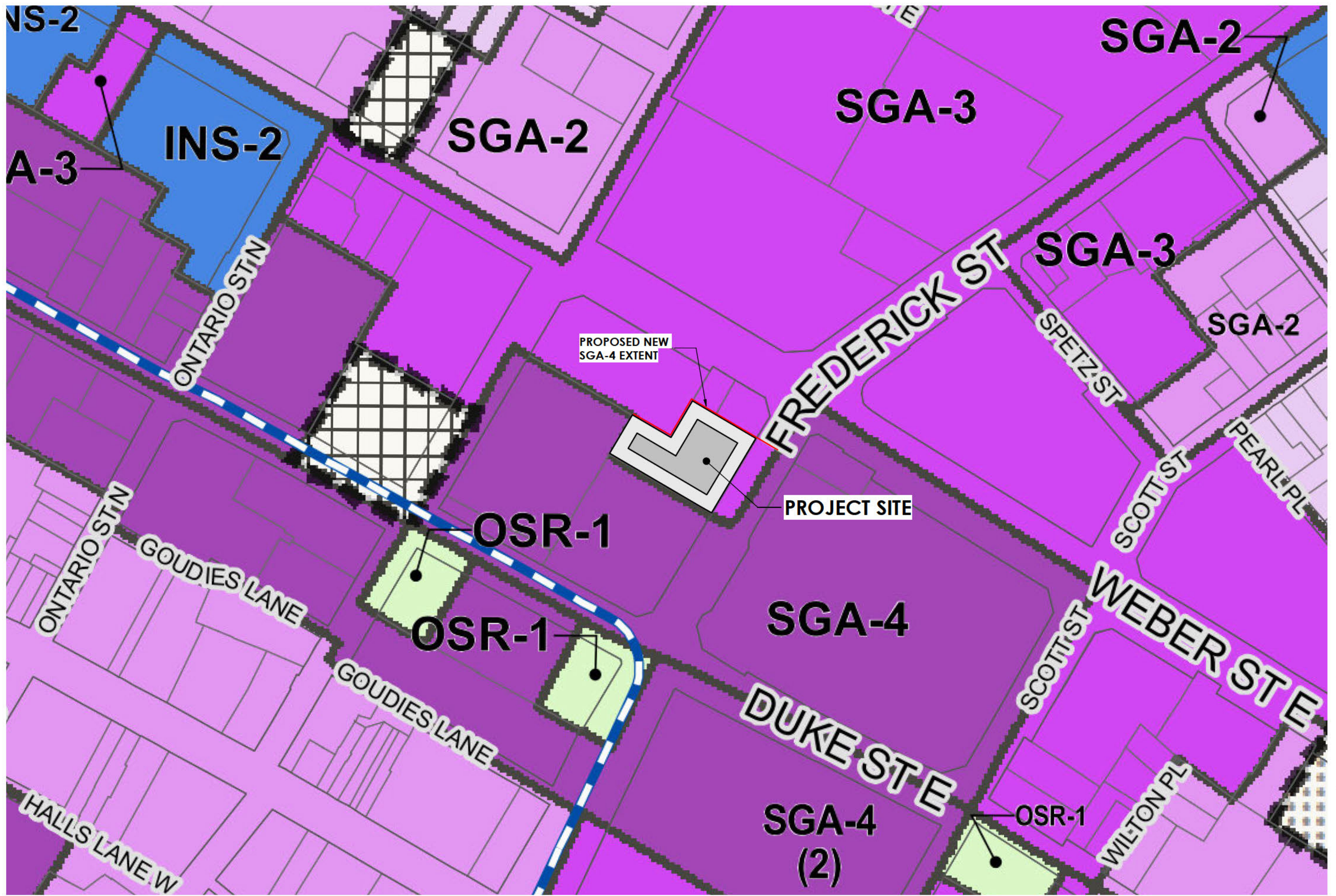
**MHBC**



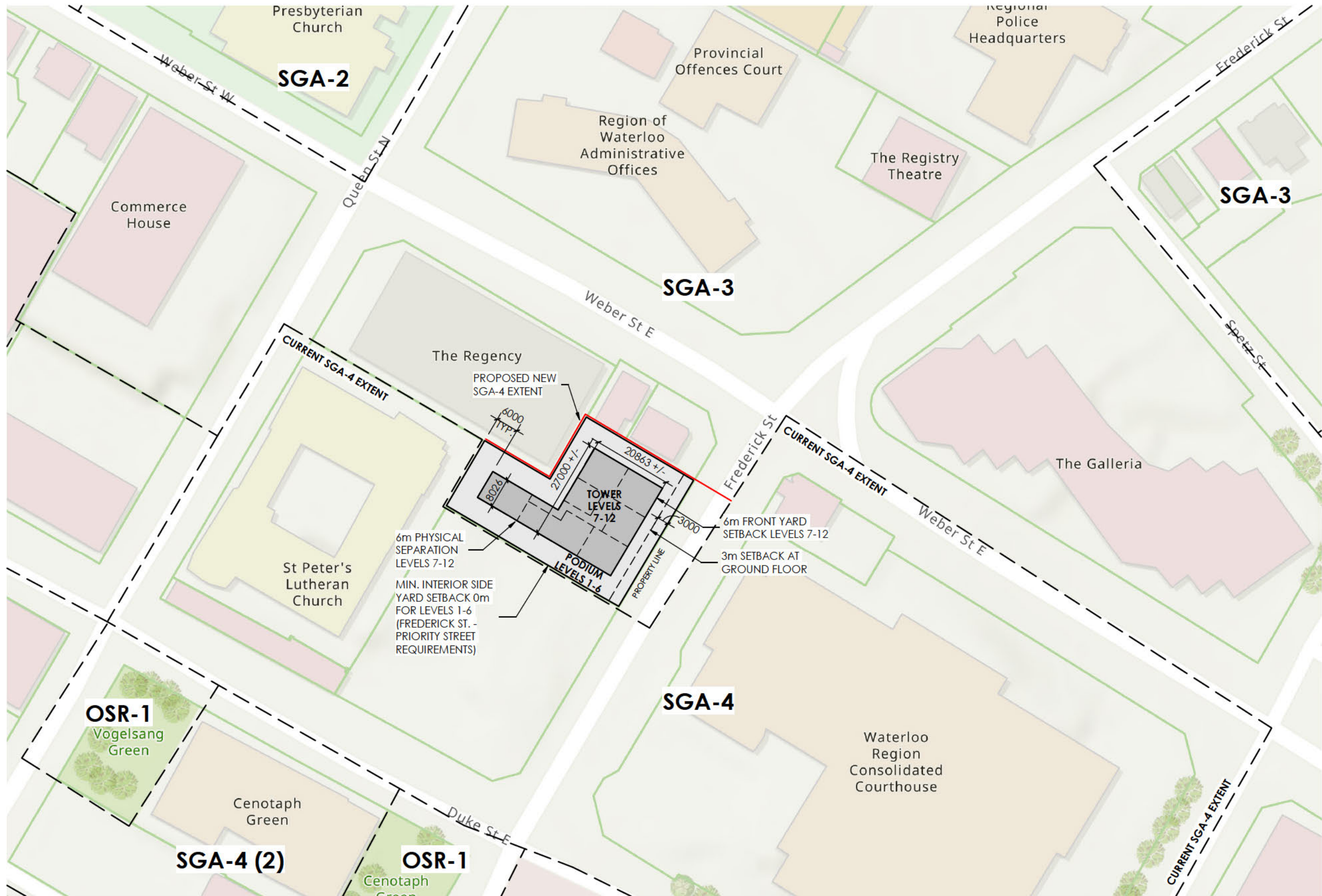
Emily Elliott, BES, MCIP, RPP  
Partner

*cc. Jennifer Breaton*

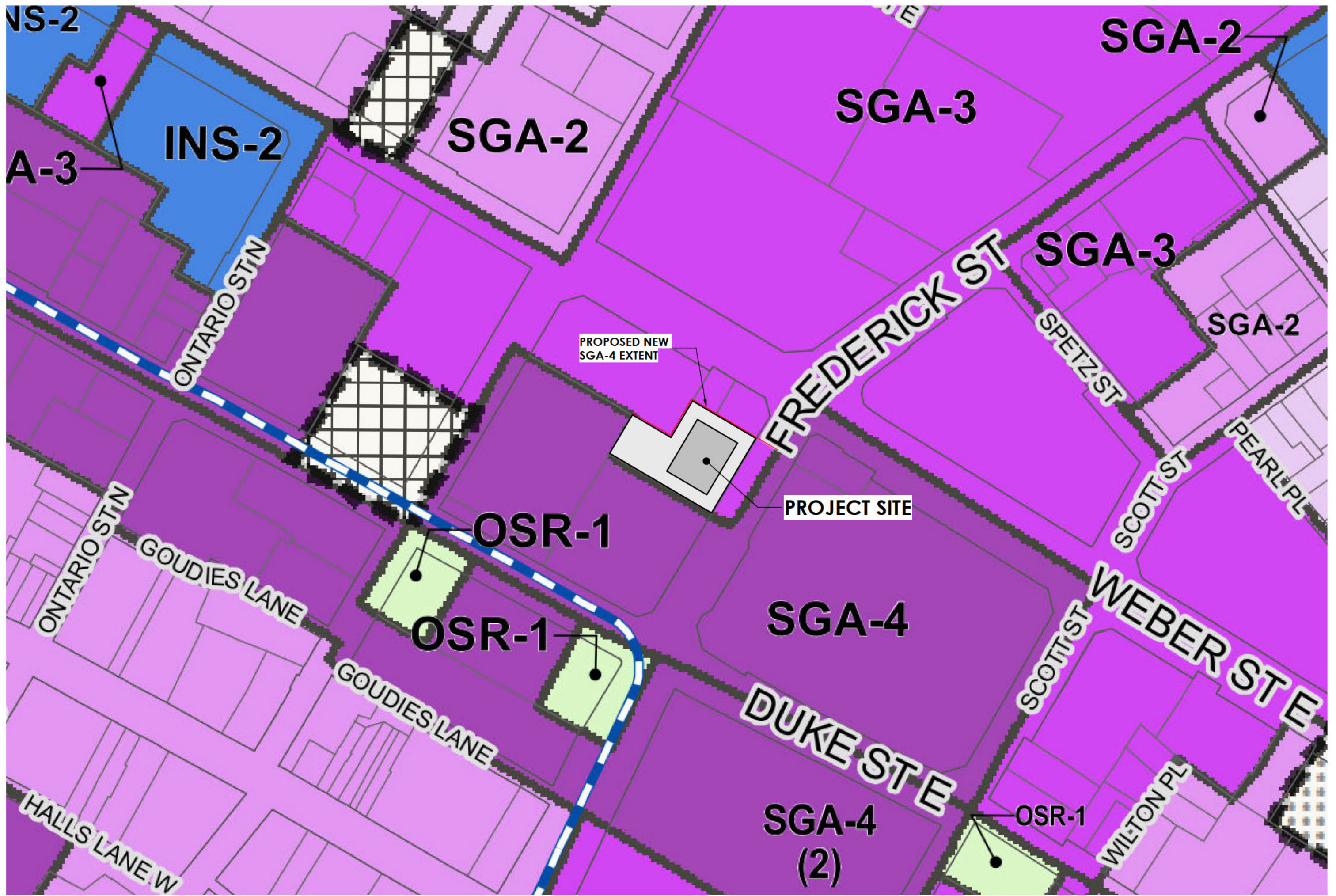




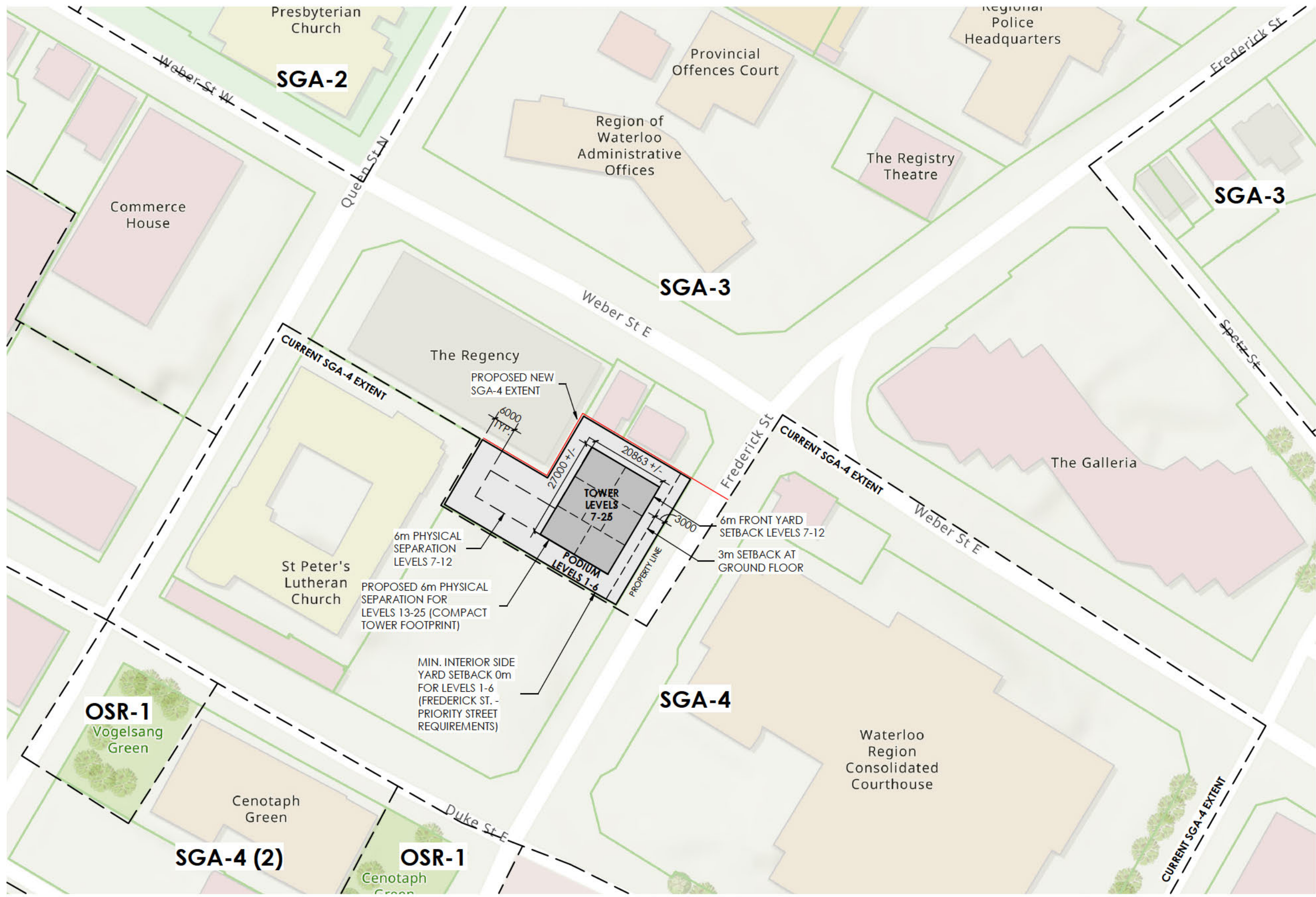












February 23, 2024

Ms. Natalie Goss  
Manager Policy and Research  
Planning Division  
City of Kitchener

Mr. Adam Clark  
Senior Urban Designer  
Planning Division  
City of Kitchener

Submitted via e-mail to: [growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

**Re: Growing Together  
Comments on Built Form Regulations for the SGA-4 Zone  
Seeker Labs**

On behalf of my client, Seeker Labs, please accept this letter with respect to the City of Kitchener's ongoing 'Growing Together' initiative. I have reviewed the draft materials related to the initiative available on the City's 'Engage WR' webpage including the proposed draft implementing Official Plan Amendment and Zoning By-Law Amendment on my client's behalf.

Seeker Labs vision is to create world-class innovation facilities to power Canadian life science and health technology innovation. Seeker Labs develops purpose-built life science and research and development facilities from the ground up to provide health-sector innovators with the optimal environment needed to create the continuous cycle of research and commercial success to strengthen Canada's science ecosystem. My client is interested in developing a ~10 storey purpose-built innovation facility in Kitchener's downtown, on a property currently proposed to be zoned Strategic Growth Area Four (SGA-4).

As an overarching statement, my client is generally supportive of the Growing Together initiative and the progressive vision and implementing regulatory framework for priority growth areas of the City. Notwithstanding, on behalf of my client, I offer the following comments with regards to two components of the built form regulations proposed for the SGA-4 zone, being:

- Maximum building length for storeys 7-12 (max 60 m)
- Maximum floor plate area for storeys 7-12 (max 2,000 sq. m)

This letter discusses the City's current approach to regulating these matters, discussion on the proposed built form requirements for the City's proposed Strategic Growth Areas, and makes land use planning recommendations to the City on matters related to the same.

**Current Approach and Proposed Built Form Regulations for SGA-4 Zone**

The Draft Implementing Zoning By-Law (November 2023) for the City's Growing Together initiative introduces regulations relating to the built form of new buildings within the SGA-4 zone. In simplistic terms, it is understood that the aim of these regulations is to provide considerable flexibility with regards to Floor Space Ratio (removal of maximum FSR limits) and building heights (removal of maximum height limits) provided that the massing of buildings generally decrease with additional building heights and that additional step-backs and physical separation be provided as the overall heights of buildings increase.



We understand that the purpose of this approach is to facilitate context sensitive intensification of the City's Strategic Growth Areas, while aiming to balance and codify matters previously guided by the City's Tall Building Design Guidelines to support compatibility with surrounding lands.

As part of this approach and as contemplated by the draft regulations for the SGA-4 zone, the City is proposing the introduction of a regulations establishing a maximum building length for storeys 7-12 of 60 m and establishing a maximum floor plate area for storeys 7-12 of 2,000 sq. m. This differs from the City's current approach in its MIX and MU zones, which does not establish maximum floor plate sizes or building lengths, but rather defers to the City's Urban Design Manual to guide such matters. Likewise, it is noted that current industrial, office and commercial zone regulations do not include similar regulations, providing considerable flexibility in the design of office developments.

The rationale for limiting the massing / floor area and façade lengths for tower developments is generally intuitive given the compound effects of large floor plate towers on matters related to overlook, shadowing, and wind impacts (among others), however we question the appropriateness of applying these regulations to midrise buildings. We note that the City's Tall Building Design Guidelines currently apply to buildings over 9 storeys in height and recommend that the *base* of *tall* buildings generally not be greater than 70 m in length, whereas the SGA-4 zone introduces a lesser maximum building length (60 m) which is proposed to apply to shorter buildings (7 storeys and up).

My client is concerned with the impact of these regulations as it relates to their future project, given the floor space requirements of anticipated tenants who generally require entire floors of ~35,000 sq ft. to accommodate their uses for operational, safety and security reasons.

While I understand the rationale for regulating the length and massing of towers, I question the proposed approach to regulating such matters for mid-rise buildings, particularly non-residential buildings.

### **Recommendations**

Based on the above, it is my recommendation that the proposed floor area and building length regulations for floors 7-12 be removed from the draft SGA-4 regulations or that the regulations be amended to provide alternate standards for non-residential buildings.

### **Conclusion**

I trust that the information provided in this letter will be considered as you finalize the Growing Together project and the implementing Zoning By-Law Amendments for the same. Should you have any questions or to discuss, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Galbraith".

David Galbraith MCIP RPP

**From:** [Kae Elgie](#)  
**To:** [Natalie Goss](#); [Growing Together \(SM\)](#)  
**Subject:** Serious Concerns about Heritage Conservation District zoning naming  
**Date:** Tuesday, March 12, 2024 11:19:39 AM

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Hello Natalie,

I'm very interested in Kitchener's proposed zoning bylaw amendment, having been very involved in Waterloo's similar exercise a few years ago. As a citizen frequently engaged in land development discussions, I know it will be helpful for citizens if both cities use similar practices. As you know, some properties are in both cities!

Waterloo's revised Zoning Bylaw created a special Conservation Land Zone for its heritage conservation district, and then signalled areas where growth was expected as Area A, B, C. etc

Could Kitchener consider following the same model? Instead of overlaying other zones on the land contained in Heritage Conservation District (HCD) boundaries and noting somewhere in the fine print that an HCD Plan defines what development can occur on that land.

To me, it's easier for citizens to see, at first glance, that the property they are considering buying is in a Heritage Conservation District. As you know, the [Ontario Heritage Act](#) clearly states that a municipality cannot carry out any public work, nor pass a bylaw that is contrary to the objectives set out in the HCD Plan.

Consistency with heritage conservation district plan

**41.2(1)** Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not,

- (a) carry out any public work in the district that is contrary to the objectives set out in the plan; or
- (b) pass a by-law for any purpose that is contrary to the objectives set out in the plan.

In my opinion, the zoning bylaw and especially the zoning map should convey the legal primacy of the HCD Plan.

This could be done by creating Conservation Land Zones, possibly separate ones for each HCD, and then earmarking areas where the HCD Plan already anticipated development as Area VPA, CCA, etc.



It could be argued that, to not adequately signal to citizens that "the objectives set out in the [HCD] plan" are the "rules" for that property, runs afoul of provincial legislation.

Engage Kitchener suggests you are the person heading up this project, Natalie. I would like to discuss this further with you and/or whoever determines the zoning categories, as soon as possible, as this matter goes to Council next week.

Kae Elgie





March 6, 2024

[growingtogether@kitchener.ca](mailto:growingtogether@kitchener.ca)

Attn: Natalie Goss - Manager Policy & Research  
City of Kitchener  
Planning Division, 6th floor  
200 King Street West  
Kitchener, ON N2G 4G7

Dear Ms. Goss:

**RE: GROWING TOGETHER / DRAFT OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS,  
61 & 65 Roy Street, KITCHENER - OUR FILE 20266A**

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We are writing on behalf of our client, The Windermere Apartments Inc. and Roy Street Investments Inc. with respect to the above noted matter. This letter has been prepared as a follow up to our earlier e-mail correspondence of today and we thank you in advance for your consideration of our request.

The Windermere Apartments Inc. and Roy Street Investments Inc. have previously actively worked with the City of Kitchener towards the development of 61 & 65 Roy Street through an Official Plan Amendment and Zoning By-law Amendment process in order to obtain approvals for 5 unit multi-residential development for each of the lots at 61 & 65 Roy street. The Amendments were ultimately approved by Council in January of 2022. Additional demand for residential units has necessitated a request for an additional unit in each of the residential dwellings.

Through the City's "Growing Together" process, the subject lands are proposed to be designated Strategic Growth Area A and zoned Strategic Growth Area 1 (SGA-1). **We are writing to confirm support of the proposed designation and zoning category for our client's lands. Further, we confirm that our client would like to waive the existing site specific regulations approved in January 2022 in favour of the new SGA-1 regulations.** We believe the additional unit provisions and reduced parking permissions proposed with the SGA-1 category will provide the additional needed flexibility for additional rental units that can be provided within the existing building footprints.

It is our clients' intent is to meet all requirements of the proposed Strategic Growth Area 1 Zone and related Strategic Growth Area designation.





In summary, our formal request is that the City proceed with the proposed SGA-1 zoning for the Roy Street properties, and that Site specific provision 772R(M) be deleted. We further request that the subject lands be removed from Section 18.4 (Deemed to Comply) of the draft by-law as it is our intent to comply with the new SGA-1 zoning, not the previous 85-1 zoning.

We once again thank staff for their support and consideration.

## **MHBC**



Andrea Sinclair, MUDS, BES, MCIP, RPP  
Partner



Nicolette van Oyen, BES, MCIP, RPP  
Senior Planner

cc. Gabriel Diamond  
Adam Brunstein  
Garett Stevenson  
Tim Seyler



March 13, 2024

File No. 24050

Office of Mayor and City Council  
Planning Division, 2<sup>th</sup> Floor  
200 King Street West  
Kitchener, Ontario  
N2G 4Y9

Attention: Mayor Vrbanovic and Members of Council

Dear Mayor Vrbanovic:

**Re: Growing Together  
Protected Major Transit Station Area Land Use & Zoning Framework  
115 Benton Street**

On behalf of 1001235 Ontario Ltd., please accept the following commentary and response to the Growing Together – Protected Major Transit Station Area Land Use and Zoning Framework as presented to Planning and Strategic Initiatives Committee Meeting on January 29, 2024 and being considered by Council on March 18, 2024.

The subject property is proposed to be located within a Protected Major Transit Station Area in the Official Plan Amendment as part of the Growing Together Initiative.

The property is proposed to be designated as Strategic Growth Area B in the Official Plan Amendment as part of Growing Together initiative, which would accommodate a range of medium and high density residential housing types along with non-residential uses, such as commercial uses, personal services, offices, conference facilities, health-related offices, institutional uses and social service establishments with a maximum building height of 25 storeys, a minimum Floor Space Ratio (FSR) of 1.0 and no maximum FSR.

Finally, the property is proposed to be zoned SGA-2: Mid Rise Growth Zone in the Zoning By-law Amendment as part of the Growing Together initiative, which would permit a range of low and medium-rise residential uses with a maximum building height of 8 storeys, a minimum FSR of 1.0 and no maximum FSR.

1001235 Ontario Ltd supports the proposed Protected Major Transit Station Area and Strategic Growth Area B designation. The property represents an excellent opportunity for intensification proximate to the iON station at the intersection of Benton Street and Charles Street and can be redeveloped as a high-density, mixed-use project designed to be compatible with and sensitive to the existing low rise residential uses along Hebel Place.





However, 1001235 Ontario Ltd. requests the property be zoned SGA-3: High Rise Growth Zone (Limited) in the Zoning By-law Amendment as part of the Growing Together initiative.

The redevelopment of subject property can be designed to be sensitive to the existing low-rise residential uses between Hebel Place and Cedar Street as well as compatible with the existing and contemplated medium to high-density mixed-use development along Benton Street. Please find enclosed a preliminary development concept that supports this.

Policy 15.D.2.5 of the proposed Official Plan Amendment associated with the Growing Together initiative allows for the consideration of site-specific applications for Zoning By-law Amendment through the consideration of a number of factors. The following provides a summary of the requirements of proposed Policy 15.D.2.5 as well as commentary and justification for the property to be zoned SGA-3: High Rise Growth Zone (Limited) as requested.

<p>Notwithstanding Policy 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or special zoning regulation(s), seek to amend the Zoning By-law to change land use permissions, and/or seek to amend this Plan to change from one land use designation to another, will consider the following factors:</p>	
<p>a) Compatibility with the planned function of the subject lands and adjacent lands</p>	<p><i>The property is located within a Protected Major Transit Station Area, which are areas intended to accommodate a significant portion of future growth and development.</i></p> <p><i>The property is located approximately 300 metres south of the existing iON Station at the intersection of Benton Street and Cedar Street; future mixed-use, high-density development will assist the City in achieving the required density target of 160 residents and jobs per hectare identified for this area.</i></p> <p><i>The majority of the area surrounding the property is proposed to be designated and zoned to permit medium to high-density residential development. Furthermore, the property is proposed to be designated as Strategic Growth Area B; the requested SGA-3 Zone is consistent this designation.</i></p> <p><i>We believe the redevelopment of the property can be designed to be compatible with the surrounding uses (including low, medium and high-rise uses) and reasonably scaled to provide for appropriate residential intensification adjacent to existing low-rise residential uses.</i></p>

b)	Suitability of the lot for the proposed use and/or built-form	<i>As demonstrated by the attached redevelopment concept, the property is suitably sized and configured to provide for future high-density residential development that incorporates appropriate setbacks and separation from surrounding low rise residential uses.</i>
c)	Lot area and consolidation as further outlined in Policy 3.C.2.11	<p><i>Not applicable.</i></p> <p><i>While the subject property includes a small portion of land that extends to Hebel Place, it is not intended that this portion of the site will accommodate any future mixed-use buildings and/or structures.</i></p>
d)	Compliance with the City's Urban Design Manual and Policy 11.C.1.34	<p><i>The preliminary development concept submitted in support of this request takes into consideration the proposed zoning regulations and development standards associated with the SGA-3 Zone as well as the applicable policies of the City's Urban Design Manual, including those pertaining to tall buildings.</i></p> <p><i>The preliminary development concept proposes a 25-storey mixed-use building with approximately 184 dwelling units. The preliminary development concept has been designed to include appropriate tower setbacks, as specified in the draft Zoning By-law for the Growing Together initiative. The preliminary development concept includes underground and podium parking with the provision of approximately 189 parking spaces.</i></p> <p><i>Policy 11.C.1.34 of the proposed Official Plan Amendment for the Growing Together initiative indicates that new tall building development must have consideration for tall building design principles, including separation, overlook, height, floor plate area, tower placement, orientation and building proportions. The policy further states that the zoning by-law will provide for design regulations to mitigate environmental impacts, create high-quality design, ensure compatibility with surrounding low and mid-rise context and ensure the development of</i></p>



		<p><i>future adjacent or nearby buildings are not frustrated.</i></p> <p><i>The preliminary development concept demonstrates the property can be redeveloped with sensitivity to and compatibility with adjacent low-rise residential land uses. The preliminary development concept has incorporated a number of urban design guidelines and requirements with respect to tall building design; through further detailed design, we believe that these considerations can be further enhanced to meet the policy objectives of 11.C.1.34.</i></p>
e)	Cultural heritage resources, including Policy 15.D.2.8	<i>Not applicable</i>
f)	Technical considerations and other contextual or site specific factors	<i>All technical considerations and requirements for a future site plan application would be identified through formal Pre-Submission Consultation with City staff. These technical studies may include but are not limited to a Traffic Impact Study and Parking Justification Report, Stationary and Traffic Noise Impact, Pedestrian Wind Assessment, Urban Design Brief and Planning Justification Report.</i>

1001235 Ontario Ltd believes that the Growing Together initiative is a positive, comprehensive planning initiative that will continue to encourage investment in transit station areas; they are generally supportive of the strategic policy and regulatory framework as proposed.

1001235 Ontario Ltd supports the proposed Protected Major Transit Station Area and Strategic Growth Area B designation in the proposed Official Plan associated with the Growing Together initiative for the subject property. However, 1001235 Ontario Ltd. requests that Council consider applying the SGA-3: High Rise Growth Zone (Limited) to the subject property as part of the Growing Together initiative.

Thank you for taking the time to review our commentary and requests. On behalf of 1001235 Ontario Ltd, 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. George Hannoush, 1001235 Ontario Ltd.  
Natalie Goss, City of Kitchener  
Adam Clark, City of Kitchener

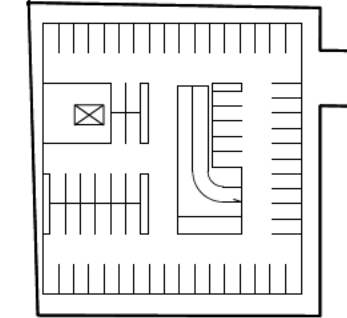




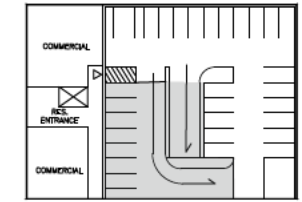
SITE AREA:	3,966m <sup>2</sup>	PARKING:	189 spaces
UNITS:	184 units	RESIDENTIAL:	171 spaces (0.92 spaces/unit)
DENSITY:	463 upha	COMMERCIAL:	18 spaces (1 space/22.5m <sup>2</sup> )
COMMERCIAL AREA:	400m <sup>2</sup>	VISITOR:	20 spaces (10% of residential provided)
GFA:	24,705m <sup>2</sup>		
FSR:	6.23		
HEIGHT:	25 storeys		

based on draft SGA-4 zoning regulations (January 2024)

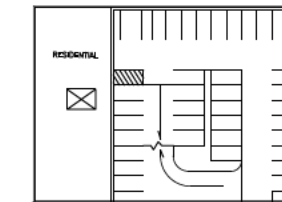
UNDERGROUND PARKING:  
65 spaces



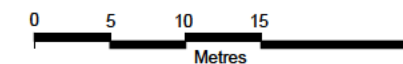
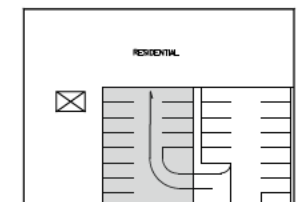
L1 PODIUM:  
22 spaces



L2 - L3 PODIUM:  
74 spaces



L4 PODIUM:  
12 spaces



NOTE: This concept should be considered as a preliminary demonstration model that illustrates an 'order of magnitude' development scenario for the site. The number of units, floor area and parking supply are approximate and subject to more detailed design as well as municipal planning approvals.

Scale 1:500 | March 13, 2023 | Project No. 24050 | Drawn By: MN



# DEVELOPMENT CONCEPT

115 Benton Street, Kitchener



Paul Heidebrecht  
67 Agnes Street  
Kitchener, ON N2G 2E9

March 13, 2024

Dear Mayor Vrbanovic and City of Kitchener Councillors,

Along with many of my neighbours, I have been following the development of the City of Kitchener's new planning framework for Major Transit Station Areas (i.e., the "Growing Together" plan). I have attended several public and special meetings and submitted comments at all the opportunities I learned of, but I am writing to underscore one significant concern I have with the final recommendations now under consideration by Council.

To be clear, I understand and support the need for intensification in our city, particularly along the ION corridor. I also understand that city staff and elected officials have heard many residents urge that, in addition to housing density, this new planning framework should prioritize additional considerations such as housing affordability and the overall quality of the neighbourhoods where both new and long-time residents will be living in the coming decades. I would like to briefly expand on this last priority in this letter, since there is at least one area in the Growing Together plan where it seems to have been disregarded.

One way (of several) that city staff have acknowledged they can help maintain the overall quality of neighbourhoods is to require suitable transitions leading up to the highest density zone. To my knowledge, the only place in this plan where this is not the case is in the Walter, Agnes, and Dominion Street area, where properties to be zoned SGA 1 (currently low-rise residential houses) are immediately adjacent to properties to be zoned SGA 4. I am writing to request that this exceptional case be addressed by including a transitional SGA 2 and/or SGA 3 zone.

Thank you for considering this change.

Sincerely,



Paul Heidebrecht

██████████  
████████████████████



**From:** [REDACTED]  
**To:** [Debbie Chapman](#)  
**Cc:** [Growing Together \(SM\)](#)  
**Subject:** Re: Opposing SGA-4 zoning of OSC property adjacent to Agnes St  
**Date:** Thursday, March 14, 2024 8:42:56 AM

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

Thank you, Debbie. I really appreciate your prompt reply, and am so glad to hear that you share the concerns our neighbourhood is voicing.

Mike

On Mar 13, 2024, at 9:16 PM, Debbie Chapman <[debbie.chapman@kitchener.ca](mailto:debbie.chapman@kitchener.ca)> wrote:

Thanks for your detailed message, Mike. I agree SGA4 is too high beside an established SGA1 neighbourhood.

**Debbie Chapman, PhD**

**Subscribe to monthly newsletter here: <https://bit.ly/3NMIDTe>**

Councillor, Ward 9 | City of Kitchener  
O: 519-741-2200 ext. 2798 C: 226-752-7104  
[Debbie.Chapman@kitchener.ca](mailto:Debbie.Chapman@kitchener.ca)

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**Customers can now connect with the City of Kitchener anytime by calling the 24/7 Corporate Contact Centre at 519-741-2345**

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**From:** Mike Schaeckermann [REDACTED]  
**Date:** Sunday, March 10, 2024 at 8:18 PM  
**To:** Growing Together (SM) <GrowingTogether@kitchener.ca>, Debbie Chapman <Debbie.Chapman@kitchener.ca>  
**Subject:** Opposing SGA-4 zoning of OSC property adjacent to Agnes St

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

To the City of Kitchener Councilors and Mayor of:

I am writing to express my strong opposition to the proposed rezoning of the OSC property behind my residence at 43 Agnes Street as SGA-4 which would lead to high-rise development right behind my property and that of my neighbours and would have a detrimental effect on our beautiful neighbourhood.

Like many of my neighbours, I was drawn to Agnes Street for its unique character. The tree-lined streets, walkable access to amenities, and strong sense of community are invaluable assets that contribute to the overall livability of the area.

The prospect of an SGA-4 rezoning and, as an inevitable consequence, a high-rise development on the OSC property threatens to disrupt this delicate balance. Here are my specific concerns:

- **Loss of Green Space:** The OSC property is one of the last remaining large, open spaces in the neighbourhood. It serves not only as a buffer between the train tracks and residential areas, but also as a valuable green space for residents to enjoy. Allowing replacement of this green space with a high-rise (which would be the inevitable consequence of an SGA-4 rezoning) would significantly reduce access to nature and contribute to the urban heat island effect.
- **Traffic and Congestion:** The "Station Park" development has already brought significant traffic and construction disruptions. Adding more high-rises will only exacerbate these issues, creating an unpleasant and potentially unsafe environment.
- **Impact on Neighbourhood Quality:** High-rise development can cast large shadows, blocking sunlight and creating a sense of enclosure for existing residents. It can also lead to a feeling of isolation and a disconnect from the surrounding community.

The figure attached (provided by the city planning department) perfectly visualizes the horrendous impact of just a single SGA-4 development on the OSC property adjacent to low rise residential properties on Agnes Street.



<image\_1>

I appreciate the need for housing densification, but I believe it can be achieved in a way that respects the existing character of the neighbourhood. I echo the suggestions of my neighbours:

- **Explore alternative densification strategies:** Look into options like in-law suites, townhouses, and low-rise apartment buildings that can blend seamlessly with existing housing.
- **Prioritize community needs:** Develop the OSC property into a park and recreation area, providing much needed green space and fostering a sense of community for both existing and future residents.

I urge you to reject the current plan and work with the community to develop a solution that promotes responsible growth while preserving the unique character of the Agnes Street neighbourhood.

Thank you for your time and consideration.

Sincerely,

Mike Schaekermann



Kitchener, Ontario

**From:** [Kae Elgie](#)  
**To:** [Natalie Goss](#); [Growing Together \(SM\)](#)  
**Subject:** Serious Concerns about Heritage Conservation District zoning naming  
**Date:** Tuesday, March 12, 2024 11:19:39 AM

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

Hello Natalie,

I'm very interested in Kitchener's proposed zoning bylaw amendment, having been very involved in Waterloo's similar exercise a few years ago. As a citizen frequently engaged in land development discussions, I know it will be helpful for citizens if both cities use similar practices. As you know, some properties are in both cities!

Waterloo's revised Zoning Bylaw created a special Conservation Land Zone for its heritage conservation district, and then signalled areas where growth was expected as Area A, B, C. etc

Could Kitchener consider following the same model? Instead of overlaying other zones on the land contained in Heritage Conservation District (HCD) boundaries and noting somewhere in the fine print that an HCD Plan defines what development can occur on that land.

To me, it's easier for citizens to see, at first glance, that the property they are considering buying is in a Heritage Conservation District. As you know, the [Ontario Heritage Act](#) clearly states that a municipality cannot carry out any public work, nor pass a bylaw that is contrary to the objectives set out in the HCD Plan.

Consistency with heritage conservation district plan

**41.2(1)** Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not,

- (a) carry out any public work in the district that is contrary to the objectives set out in the plan; or
- (b) pass a by-law for any purpose that is contrary to the objectives set out in the plan.

In my opinion, the zoning bylaw and especially the zoning map should convey the legal primacy of the HCD Plan.

This could be done by creating Conservation Land Zones, possibly separate ones for each HCD, and then earmarking areas where the HCD Plan already anticipated development as Area VPA, CCA, etc.



It could be argued that, to not adequately signal to citizens that "the objectives set out in the [HCD] plan" are the "rules" for that property, runs afoul of provincial legislation.

Engage Kitchener suggests you are the person heading up this project, Natalie. I would like to discuss this further with you and/or whoever determines the zoning categories, as soon as possible, as this matter goes to Council next week.

Kae Elgie



**Written Submissions from January 29th  
Planning & Strategic Initiatives Committee**



**From:** Hal Jaeger  
**Sent:** Wednesday, January 24, 2024 7:32 AM  
**To:** Delegation (SM)  
**Cc:** Growing Together (SM); Adam Clark; John Zunic  
**Subject:** Request for a meeting with planning staff and a deferral of discussion of Growing Together from the Jan. 29, 2024 PSIC agenda  
**Attachments:** Requested amendments to 19Jan2024 GT proposal HJaeger.pdf

Greetings, Council.

I see much to be appreciated in the proposed Growing Together OPA and ZBA. But I also continue to see some serious risks that Planning Staff assert cannot be addressed within the scope of the Growing Together project, including:

- reduced parkland within a 15-minute radius per resident— particularly in areas that are already extremely under-served,
- loss of green spaces and the many benefits they provide,
- increased heat island effects,
- loss of low-cost indoor community spaces, and
- inequitable access to sunlight in both public and private realms.

I beseech Council to address these problems in the near future. Potential solutions may include parkland acquisition, implementation of increased green space requirements, establishment of green development standards, acquisition of more publicly-owned community spaces and further measures to address equitable access to sunlight.

That said, having reviewed the Growing Together proposal as released on January 19, 2024, I request a meeting with Planning Staff to discuss aspects of the proposal that can be amended to the satisfaction of Planning Staff and the community. I was unable to secure a discussion with Planning Staff following my submission on the November 3, 2023 “final draft”. Please note that I have reduced my set of requested amendments, which are informed by years of community meetings, by removing those items which I understand are out of scope or about which I do not see potential for agreement.

I furthermore request a deferral of the Growing Together discussion at PSIC so that concerns such as my own and others can be addressed, and ideally, largely resolved before the proposal is brought before Council at a PSIC meeting. I ask that you please recall that Ward 9 & 10 residents, the people who live in the Growing Together study area, were without Councillor representation throughout the review of the final draft in November 2023 and that representation of Ward 10 only resumed on Monday, January 22, 2024.

Thank you for your consideration,

Hal

Hal Jaeger

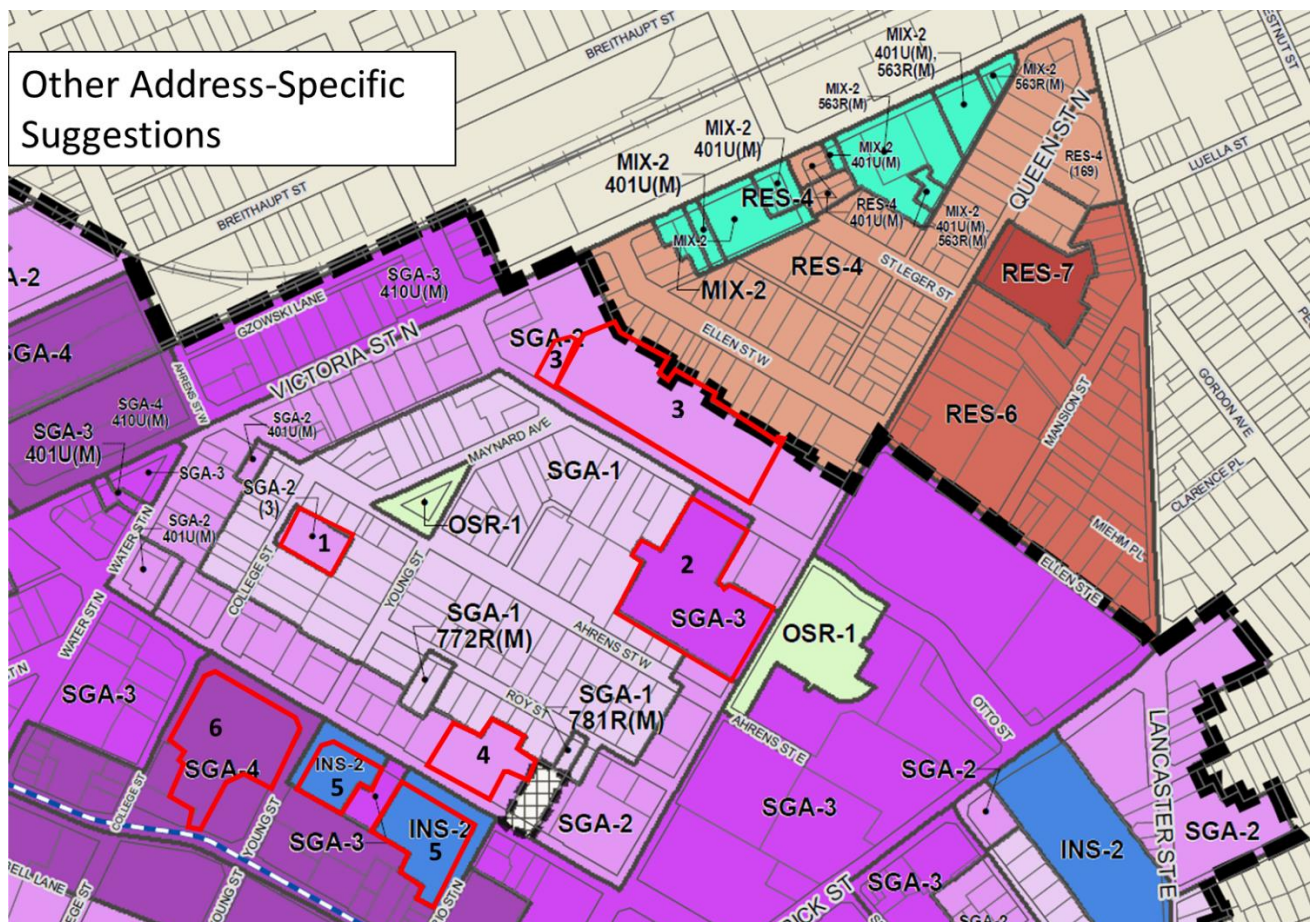
Requested Amendments to the Jan. 19, 2024 Growing Together Proposal  
Hal Jaeger

- 1) The insertion of the following policy into the Official Plan, after proposed Section 15.D.2.8: “Zoning permissions do not necessarily reflect and may be limited by heritage preservation requirements.”
- 2) The revision of proposed Official Plan Section 15.D.2.25, as follows: “As a part of the required parkland dedication, for any would-be dedication in excess of 5,000sm, land dedication will be encouraged over alternative forms such as cash-in-lieu for the creation of adequately-sized public parks that can support a broad array of uses. For any would-be dedication less than 2,500sm, cash-in lieu may be encouraged over land dedication to permit assembly of larger parks.”
- 3) Despite Section 4.14 of the 2019-051 Zoning Bylaw, in the Growing Together Study area/Olde Berlin Town neighbourhood, any permitted projections within 3m above grade or dig-outs in required setbacks may not reduce the grade-level setback area to less than 1.0m, to permit unencumbered access and maintenance, without access to neighbours’ properties.
- 4) The revision of the following passages in Section 6.1 of the proposed Zoning Bylaw amendment, to include the bolded text.
  - a) “SGA-2: Mid Rise Growth Zone – the purpose of this zone is to create opportunities for moderate growth in mid-rise forms up to **the lesser of a) 8 storeys or b) 27.5m** in height. The SGA-2 zone will permit a mix of residential and non-residential uses. This zone applies to lands designated Strategic Growth Area A or Strategic Growth Area B in the City of Kitchener Official Plan.
- 5) In Table 6-1 (Permitted Uses within the Strategic Growth Area Zones), that a Brewpub, Financial Establishment, Health Clinic, Restaurant or Veterinary Service not be permitted in SGA-1 zones, in the Olde Berlin Town neighbourhood.
- 6) That patios, decks, and outdoor recreation associated with a restaurant not be located within 20 metres of a low-rise residential zone or SGA-1 zone, in the Olde Berlin Town neighbourhood.
- 7) That backlit, electronic or moving signs not be permitted in the SGA-1 zone and the interior of the Olde Berlin Town neighbourhood.
- 8) That signs in an SGA-1 zone, in the Olde Berlin Town neighbourhood, be limited in size to no more than 0.75m<sup>2</sup>, and to a location on or within 0.5m of a building, with a maximum height no more than 1.5m above grade.
- 9) In Table 6-4 (SGA-2) in the proposed Zoning Bylaw amendment,
  - a) The revision of the value for “Maximum building height” to “the lesser of 8 storeys or 27.5m”.
  - b) The replacement of “For Storeys 7 and above” with “For the lesser of a) 7 storeys and above or b) heights in excess of 21m”.



- 10) The replacement of Note (2) to Table 6-4, “The [minimum landscape area] requirement for a lot abutting a Priority Street segment identified on Appendix G shall be 0%” with “SGA-2 lots along priority streets are encouraged to acquire the front yard set back area at 75% of the pro-rated land value of the lot, so as to permit the creation of a continuous built streetwall with active uses on the ground floor. The proceeds to be used for the acquisition of local parkland.”
- 11) The application of the SGA-3 built-form regulations to lands zoned INS-2, within the City Hall Major Transit Station Area.
- 12) Other Address-Specific Amendments (outlined in red on map below)

#	Address	Requested Change(s)
1	119 College St	SGA-1 uses.
2	11 Margaret Ave/ 100 Queen St N	SGA-2 uses. Match height limit to existing build.
3	30-40, 54 Margaret Ave (even)	SGA-1 uses and a 16.5 m height limit. The lands are at the outer boundary of the SGA and abut a low-rise residential area.
4	32 Weber St W	Permit severance of the property along the line parallel to Roy St, 30 metres from the Roy St street line, if owner requests. No vehicular access to Roy St, whether consolidated with 41 and/or 51 Roy St or not.
5	35&37 Weber St W	INS-2 uses with SGA-3 built-form regulations.
6	80 Young St	SGA-3, for the first 50m south of Weber St W, or a site-specific provision to limit height to SGA-3 limit in the first 50m south of Weber St W to 50m, to limit shadow impact on the north side of Weber St W.





January 24, 2024

City of Kitchener  
200 King Street West  
PO Box 1118  
Kitchener, ON N2G 4G7

Attention: Members of Council

Reference: **23 – 31 Cedar St North and 18 – 26 Madison Ave North**  
**Growing Together**  
**SGA-2 Zone Map Correction**

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Polocorp Inc is submitting the following letter, on behalf of the Owners, to request that the Committee pass a motion during the January 29<sup>th</sup> Committee meeting, to modify Staff's recommendation to include the above-described lands ("the Lands"), in whole, as Strategic Growth Area Two (SGA-2) Zone. City staff are in support of the proposed modification as the lands would have been included within the recommended By-law had a miscommunication during the consultation process not occurred.

By way of background, the proposed lands form a rectangular, mid-block assembly that extends from Cedar Street North to Madison Ave North. The lands are approximately 0.55 hectares in area, are located immediately adjacent the Kitchener Market and are approximately 150 metres from the Kitchener Market ION Station.

Polocorp has been involved through the duration of the consultation process advocating for the whole of the assembled lands to be zoned SGA-2 and avoid split zoning which significantly impacts the efficiency, and viability, of the lands for redevelopment. Staff acknowledged that the uniform zoning would be appropriate, subject to providing:

1. Proof of consolidated ownership;
2. A viable development concept; and,
3. Planning policy to address Official Plan policies 15.D.2.5.

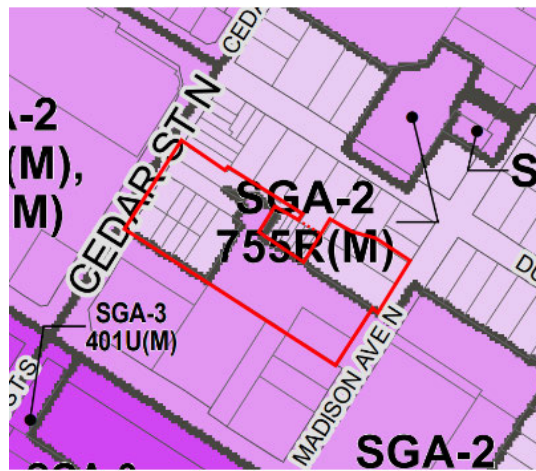
Polocorp provided all materials described above in November and December 2023, however, staff have since acknowledge that a letter describing the conformity with OP Policy 15.D.2.5 was submitted



on December 13, 2023, but no record of it was made. As such, the recommended By-law did not include the requested changes.

Following the release of Staff's recommendation report and proposed By-law on January 19<sup>th</sup>, 2023, the miscommunication was identified. Staff have recommended that Polocorp submit this letter to request that the Committee put forth a motion to modify the proposed Amendments to include the whole of the lands (inclusive of the individually titled parking spaces) as Strategic Growth Area B (SGA-B) within the Official Plan and Strategic Growth Area Two (SGA-2) Zone within the Zoning By-law.

Given the above, with this letter Polocorp requests that the Committee put forth a motion to include the Lands, as identified below, as Strategic Growth Area B within the final Official Plan Amendment and Strategic Growth Area Two (SGA-2) in the final Zoning By-law.



Staff support for the proposed motion as the only means to rectify the miscommunication between both parties.

For your information I have appended a summary of the communications between City Staff and Polocorp, to date. While I trust that the enclosed information is sufficient for the Committee to put forth a motion, I have registered as a delegate for the January 29<sup>th</sup> meeting to provide the opportunity to answer any questions that the Committee may have. In the meantime, please feel free to contact me if you wish to discuss. Thank you for considering our request.

Sincerely,  
Polocorp Inc.

Matthew Warzecha MCIP RPP  
Director of Development and Planning

CC: Bill Reitzel, Reitzel Bros General Contractors Inc

### Appendix: Summary of Correspondence

July 2023	Draft approach to growth and change issued by City staff. Identifies the Lands as split-zoned between SGA-1 and SGA-2.
August 9, 2023	Polocorp submits letter to City staff requesting that the whole of the lands be included within the SGA-2 Zone
November 29, 2023	Polocorp Inc submits letter to City staff requesting that the whole of the lands be included within the SGA-2 Zone with a Development Concept and proof of Ownership of the lands
December 12, 2023	City staff request a scoped Planning Justification to demonstrate conformity with OP Section 15.D.2.5
December 13, 2023	Polocorp submits scoped justification letter demonstrating conformity with OP Section 15.D.2.5. <b>Note:</b> <i>It has since been confirmed that this letter was submitted, however, City staff made no record of its receipt.</i>
January 11, 2024	City staff request scoped Planning Justification to demonstrate conformity with OP Section 15.D.2.5, noting that a response must be provided within one day. Polocorp did not receive this email as Matthew Warzecha was out of office until the following week.
January 19, 2024	Recommended Zoning By-law Amendment issued publicly. Polocorp notes the Lands remained split-zoned in the Zoning By-law. Contacts City staff by email, attaching previous correspondence including December 13, 2023 letter.
January 23, 2024	City staff contact Polocorp by phone and explain that no record of the December 13, 2023 letter was kept on file, but acknowledged that it was sent by Polocorp. Staff note that they support the inclusion of the Lands in the SGA-2 Zone, however, no modifications to the Staff Report or recommendations can be made after public release. <b>Staff recommend that Polocorp request that the Committee modify the recommendation through a motion at the January 29, 2023 meeting to include the whole of the Lands within the SGA-2 Zone.</b>





Growing Together delegation to PSIC, January 26, 2024

The ACO is a provincial charity that advocates for the conservation of heritage buildings and places. We have been in existence for 90 years and have the expertise of a wide variety of members, including architects, historians and preservation experts. In the Waterloo region, we have been called on to provide knowledge of the local heritage buildings and landscapes. Several municipalities have asked us to identify significant built heritage for protection. We created a comprehensive, searchable database of the heritage properties in the region: [WaterlooBuilt](#). The City of Kitchener has asked us to provide the information on heritage buildings, which we are pleased to do.

The Growing Together proposals are complex and provide a roadmap for the city's obligation to intensify around transit stations or MTSAs. Of course, it is important to provide the areas of growth with the transits needs of people living in the area. However, within an 800-metre sphere of these MTSAs are two Heritage Conservation Districts (HCDs), key features of Kitchener's past that provincial policy has determined "shall be preserved". The need for increased density is further complicated by the existence of Victoria Park, which cannot be used for increasing density near transit stations.

Growing Together summarized its impact as having Four qualities:

- Balance
- Transition
- Vibrancy
- Affordability

It also states that the HCDs will be protected:

All of the existing heritage tools the city uses remain in effect, including Heritage Conservation Districts for both Victoria Park and Civic Centre. The policies in these plans remain and take precedence over the new land use and zoning anywhere there is a conflict, though we have also worked to minimize any potential for conflict (Community Guide to Land Use and Zoning, p. 66).

We think that the proposed zoning will create a very unstable environment for development of the downtown and harm the HCDs. We have seen that when proposals come forward that involve heritage buildings, that some rationale is put forward to demolish and build anew, in effect eating away at the very fabric of what makes Kitchener a vibrant place to live and work. In our brief to Heritage Kitchener, we describe in detail some of the actions taken over the years that have compromised the integrity of the Victoria Park HCD (Figure 1).

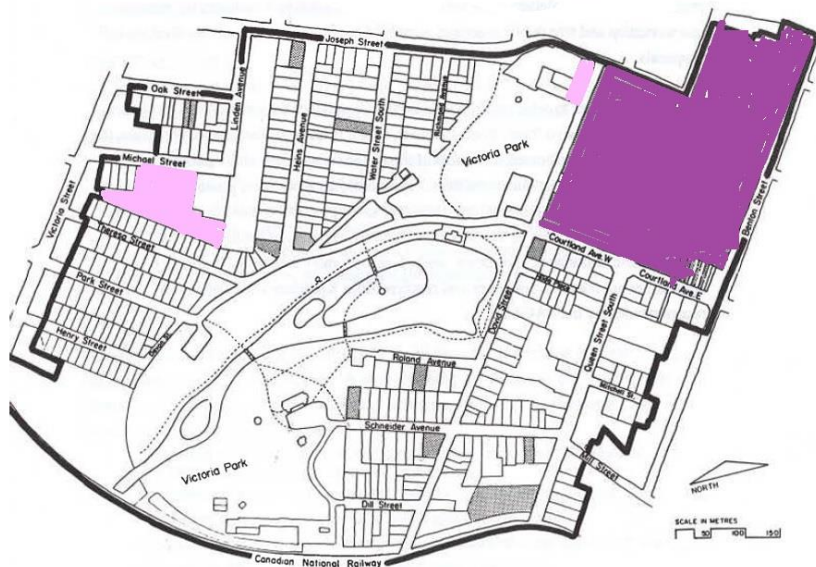


Figure 1: Victoria Park HCD showing area SGA2 (pink) and SGA3 (purple)



There are two proposals in zoning that we think should be changed. On the Western side of the Park, a significant part of the area is identified as SGA2, where buildings of 8 storeys or 27 metres would be permitted. Currently, the zoning in this area is 10.5 metres, or 3 storeys. The HCD plan would be compromised by such higher density and it would not be compatible with the low-rise buildings around it. The area of the western part of the HCD where 8 storey/27 metre tall buildings would be permitted is about 7%. Currently, there are no buildings higher than three storeys in this part of the HCD. is 3 storeys or 10.5 metres (see Figure 2).

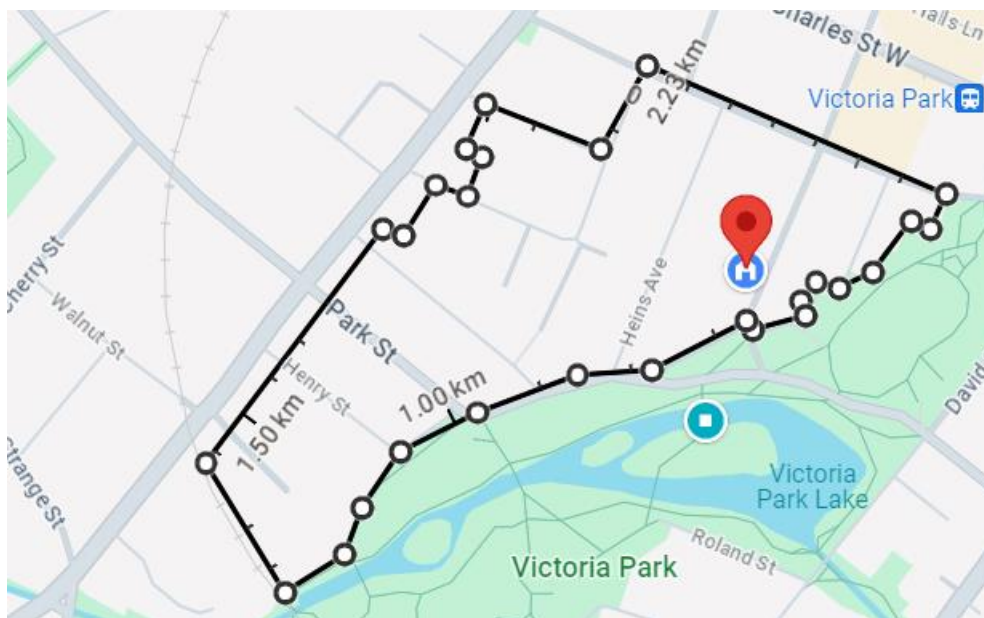


Figure 2: Western side of Victoria Park HCD

Total Area: 176,779.79 m<sup>2</sup>

SGA2 Area (Michael, Victoria and Linden): 12,860.92 m<sup>2</sup>, or 7.3%

On the eastern part of the HCD along Queen and Benton, Growing Together proposes a designation of SGA3 (Figure 3). SGA3 zoning would allow buildings of up to 25 storeys

or 84 metres. Not only is the designation much taller than existing buildings in the HCD, the percent of SGA3 zoning in the eastern part of the HCD is much higher at 40%.

Designating SGA2 and SGA3 zones inside the HCDs will result in serious damage to the HCDs and to the fabric of our city, cause uncertainty and conflict in planning application, and reduce the economic benefits that heritage provides to our community and in the region.

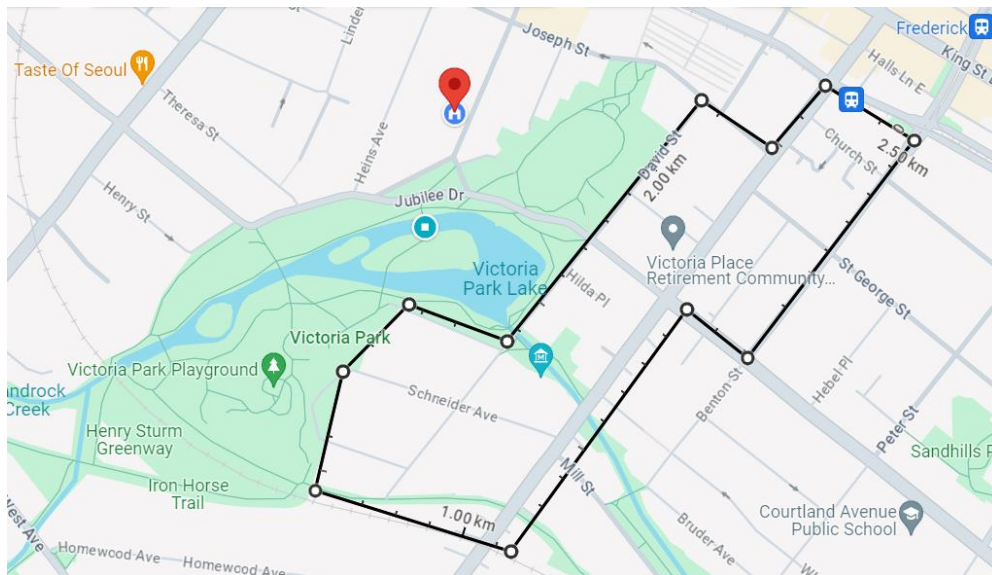


Figure 3: Eastern Part of the HCD

Total Area: 214,523.15 m<sup>2</sup>

SGA3 (Benton to David, Courtland to Charles) 86,905.25 m<sup>2</sup>

Percent classified as SGA3 is 40.4%

At the December Heritage Kitchener meeting, we predicted that developers would be encouraged to develop tall buildings inside the HCD. They have done so in the past. We encourage you to read the Growing Together document, Attachment J, pp.





211ff. There, you will find detailed plans by a developer for a building in the SGA3 zone. Not 25 storeys, as Growing Together would allow. The developer is not content with that limit. Instead, they propose a 52-storey building. If Kitchener allows HCDs to have such tall buildings, then what is the purpose of a Heritage Conservation District?

In our written brief to Heritage Kitchener, we describe in particular the policies of the Victoria Park HCD which will be violated by increased height limits. For example, at the corner of Joseph and David are a parking lot and three older residential low-rise houses, all of which are duplexed and provide affordable housing. As built, they are SGA1. If rezoned SGA2, they could be torn down and replaced with mid-rise buildings up to 8 storeys in height. That could be even taller if the developer applied for a zoning-bylaw or official plan amendment. This corner lot is also contiguous with Victoria Park; having a tall building is not compatible with parkland.

The HCD plan has specific guidelines as to how to integrate new building in the HCD, with low rise, heritage appropriate style and massing. The plan lists 14 criteria for ensuring the continued character of the HCD. We believe that Growing Together must remove the SGA2 and SGA3 designations inside the HCDs.

Growing Together suggests that the “policies in these plans remain and take precedence over the new land use and zoning anywhere there is a conflict.” Designating certain lands inside the HCDs as 8 and 25 storeys contradicts this assertion and will only promote future conflict between developers and staff and the general public.

In short, if we are to preserve heritage conservation districts, we cannot treat them as “places to build” but as “places to keep”. That would be consistent with municipal, regional and provincial policy.



**THE BUTLER GROUP CONSULTANTS INC.**  
Land Planning Services

January 26, 2024

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

Attention: Members of the Committee

Reference: 455-509 Mill Street  
Growing Together, Proposed Zoning

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The Butler Group Consultants Inc are planning consultants for Polocorp Inc in regards to the lands located at 455 – 509 Mill Street in Kitchener (the “Subject Lands”). The Subject Lands were subject to Official Plan and Zoning By-law Amendments (the “Amendments”) that were approved by the City in May 2023. The Amendments will facilitate the redevelopment of the lands for a ~1,500 units mixed-use community comprised of a mix of residential unit typologies, commercial and community space, as well as indoor and outdoor amenities spaces. The community will be closely integrated into the Mill ION Station to create a true transit-oriented community.

Polocorp have previously submitted letters to City Staff in response to the draft zoning proposed through the Growing Together Study. The Growing Together Study proposes to substantially increase the permitted height and density on lands immediately adjacent the Mill ION Station with the introduction of the Strategic Growth Area Four (SGA-4) Zone. The SGA-4 Zone has no maximum height, no maximum FSR, and no minimum parking requirement, among other provisions. To supplement the increased entitlements, lands within the station area are proposed to be subject to Inclusionary Zoning By-law that requires that a minimum affordable housing dedication be provided within any new development exceeding 50 units. To date, City staff have been unwilling to negotiate a revised zoning by-law for the site that reflects the new inclusionary zoning requirements imposed on the Subject Lands.

In reviewing the proposed Zoning By-law, the Subject Lands will not, in effect, be zoned SGA-4 but rather, will maintain the previously approved site-specific Zoning By-law provisions approved in May 2023 under the 2019-051 By-law. While the proposed zoning will facilitate the development of the Subject Lands, as proposed, the new zoning will not be granted the same flexibilities afforded the adjacent lands; namely, unlimited height, unlimited density (FSR), and no minimum parking requirement. Should those provisions be granted to the Subject Lands through a ‘blended’ zoning



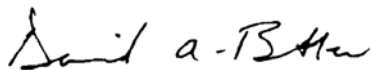
by-law, the Subject Lands could yield additional housing within the community than previously contemplated.

It should also be noted that, despite not being subject to the SGA-4 Zone, the Subject lands are proposed to be subject to the Inclusionary Zoning By-law which requires that a higher number of affordable units (up to 5%) be provided than contemplated through the approvals granted to date. Polocorp's approval was based on a proposed density that is capped at a maximum density of 8.5 FSR. Based on this zoning regulation, Polocorp volunteered to provide 50 affordable housing units over the lifetime of the project that represents approximately a 3% inclusionary zoning requirement. The proposed higher inclusionary zoning standard, in effect, imposes an additional constraint on the approved development without additional zoning entitlements such as increased density or a reduction in parking standards. Polocorp has submitted a separate letter to the Committee in response to the proposed Inclusionary Zoning By-law.

Given the above, **we request that the Committee direct staff to work with Polocorp to prepare a site-specific Zoning By-law that reflects a blend of the current, and proposed, zoning regulations prior to Council passing the final by-law.** The proposed zone will yield more efficient, and flexible, entitlements on the land to provide opportunity for additional dwelling units, including affordable housing.

Thank you for considering the above request. We welcome the opportunity to work with staff ahead of passing the final Zoning By-law.

Respectfully submitted,

A handwritten signature in black ink that reads "David A. Butler". The signature is written in a cursive, slightly slanted style.

David A. Butler MCIP, RPP

CC: Joseph Puopolo, Polocorp Inc  
Matthew Warzecha, Polocorp Inc



SHAPING GREAT COMMUNITIES

January 26, 2024

File No. 22301

Office of Mayor and City Council  
Planning Division, 2<sup>th</sup> 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





November 30, 2023

File No. 23101

City of Kitchener  
Planning Division, 6<sup>th</sup> Floor  
200 King Street West  
Kitchener, Ontario  
N2G 4Y9

Attention: Natalie Goss, MCIP, RPP  
Manager, Policy and Research

Dear Ms. Goss:

**Re: Growing Together  
Response to November 2023 Draft Materials  
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 draft OPA and ZBA documents released on November 3, 2023 for the “Growing Together” initiative as related to the above-noted properties.

1000002286 Ontario Ltd. and Legion Heights Victoria Inc. acquired the above-noted properties with the intent of providing for a medium-density residential development project, which includes an 8-storey apartment building with a total of 125 dwelling units along with underground parking.

The proposed redevelopment scheme was subject to Pre-Submission Consultation with the City on April 12, 2023 through which it was determined that an application for Zoning By-law Amendment would be required to address a number of site specific variances to the existing zoning, includes 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 for the “Growing Together” initiative, 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 and a minimum FSR of 0.6.

The properties are proposed to be zoned SGA-2: Mid Rise Growth Zone in the Zoning By-law Amendment for the “Growing Together” initiative, 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 and no maximum FSR and no minimum parking requirement. In addition, the SGA-2 Zone requires a maximum building height of 12.0 metres for development within 12 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. However, we have some concerns with the proposed provision to limit building height to a maximum of 12.0 metres for development within 12.0 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. While we agree with the minimum setback requirement of 7.5 metres from a low-rise residential lot as proposed, we believe that the potential impacts associated with building scale and size can be mitigated through appropriate building design considerations rather than a standard requirement to provide for building steps backs. We respectfully request to engage in further discussion regarding this specific issue prior to the finalization of the implementing OPA and ZBA.

On behalf of 1000002286 Ontario Ltd. and Legion Heights Victoria Inc. we respectfully request to be notified of all meetings, reports and progress 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

nc.





SHAPING GREAT COMMUNITIES

January 26, 2024

File No. 22263

Office of Mayor and City Council  
Planning Division, 2<sup>th</sup> Floor  
200 King Street West  
Kitchener, Ontario  
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  
924 to 944 King Street West**

On behalf of 1000100206 Ontario Inc. (924-938 & 944 King Street West) and 1000187534 Ontario Inc. (940 King Street West), 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, which has been appended to this letter for ease of reference.

The properties are located on the north side of King Street, approximately 100 metres west of Grand River Hospital and associated iON Station. The property is currently occupied by a few small-scale commercial retail and office buildings.

1000100206 Ontario Inc. and 1000187534 Ontario Inc. acquired the above-noted properties with the intent of providing for a consolidated, comprehensive mixed-use, high density redevelopment project. Preliminary discussions occurred with City staff in February 2023 regarding the potential redevelopment of the consolidated site, at which time the City indicated support in principle for future mixed-use redevelopment.

A formal Pre-Submission Meeting was held by the City on November 23, 2023 based on a preliminary concept that included a mixed-use, higher density development with ground floor commercial retail units and residential above. The preliminary development concept was purposefully designed to incorporate appropriate building setbacks and step backs from the existing low rise residential uses located on the north side of Dodd's Lane while taking advantage of the rear lane way access. The preliminary development concept included a 30-storey tower with approximately 319 residential dwelling units as well as underground and podium parking.

The property is to be located within a Protected Major Transit Station Area in the Official Plan Amendment associated with Staff Report DSD-2024-005 as the site is located approximately 100 metres northwest of the Grand River Hospital iON Station.

The properties are proposed to be designated as Strategic Growth Area B in the Official Plan Amendment as part of Staff Report DSD-2024-005, which would accommodate a range of medium and high density residential housing types along with non-residential uses, such as commercial uses, personal services, offices, conference facilities, health-related offices, institutional uses and social service establishments with a maximum building height of 25 storeys, a minimum Floor Space Ratio (FSR) of 1.0 and no maximum FSR.

Finally, 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 and no maximum FSR.

As noted in our November 30, 2023 correspondence, 1000100206 Ontario Inc. and 1000187534 Ontario Inc. supports the proposed Protected Major Transit Station Area designation. We believe the subject properties represent an excellent opportunity for intensification proximate to the Grand River Hospital iON Station and can be redeveloped as a high-density, mixed-use project designed to be compatible with and sensitive to the existing low rise residential uses on the north side of Dodds Lane.

Further to our November 30, 2023, 1000100206 Ontario Inc. and 1000187534 Ontario Inc. now supports the proposed Strategic Growth Area B designation.

However, we continue to believe that the properties would be more appropriately zoned to permit mid to high-rise residential development that is compatible with and sensitive to surrounding land uses. We respectfully request that the properties be considered to be zoned SGA-3: High Rise (Limited) Growth Zone or SGA-4: High Rise Growth Zone by Planning & Strategic Initiatives Committee.

The subject properties are adjacent to existing low rise residential uses on the north side of Dodd's Lane, which will require attention to future building design in terms of massing, scale and privacy. However, we believe the preliminary design concepts reviewed by the City as part of Pre-Submission Consultation and further revised and appended to our November 30, 2023 demonstrate that the overall site can be designed to be compatible with and sensitive to the low-rise residential uses.

Policy 15.D.2.5 of the proposed Official Plan Amendment for the Growing Together initiative allows for the consideration of site-specific applications for Zoning By-law Amendment through the consideration of a number of factors. The following provides a summary of the requirements of



proposed Policy 15.D.2.5 as well as commentary and justification for the properties to be zoned SGA-4: High Rise Growth Zone as requested.

<p>Notwithstanding Policy 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or special zoning regulation(s), seek to amend the Zoning By-law to change land use permissions, and/or seek to amend this Plan to change from one land use designation to another, will consider the following factors:</p>		
a)	<p>Compatibility with the planned function of the subject lands and adjacent lands</p>	<p><i>The properties are located within a Protected Major Transit Station Area, which are areas intended to accommodate a significant portion of future growth and development.</i></p> <p><i>The properties are located approximately 100 metres northwest of the Grand River Hospital iON Station; future mixed-use, higher density development will assist the City in achieving the required density target of 160 residents and jobs per hectare identified for this area.</i></p> <p><i>A large portion of the area that surrounds the Grand River Transit iON Station is occupied by long-standing local business and a Regional trauma centre and hospital that are unlikely to be redeveloped or intensified in the short to medium-term, significantly impacting the ability to accommodate intensification in the Grand River Hospital iON Station Area. With very limited options for redevelopment along this portion of King Street, the subject properties provide an opportunity for transit-supportive intensification that can be designed to be compatible with and sensitive to surrounding land uses.</i></p> <p><i>We believe through building refinements and enhancements, the proposed development could be designed to be compatible with the surrounding uses and reasonably-scaled to provide for appropriate residential intensification proximate to the Grand River Hospital iON Station while adhering to the design objectives of the Strategic Growth Area C designation.</i></p>
b)	<p>Suitability of the lot for the proposed use and/or built-form</p>	<p><i>The properties are a consolidation of three (3) legal parcels, which combined create an overall site area of approximately 3,100 square metres. The consolidation of the three</i></p>

		<p><i>(3) lots with access to both King Street and Dodds Lane allows for the redevelopment of a larger parcel with the ability to accommodate important design considerations along this area of King Street, including site access, building setbacks and steps, height and massing and compatibility. It is our opinion that it is the consolidation of the three (3) lots that makes the overall site suitable for the proposed redevelopment.</i></p>
c)	<p>Lot area and consolidation as further outlined in Policy 3.C.2.11</p>	<p><i>The proposed development concept includes the three (3) properties at 924 to 938 King Street, 940 King Street and 944 King Street. While the properties have not been formally consolidated and technically are owned by two separate legal entities (1000100206 Ontario Inc. and 1000187534 Ontario Inc), the entities are owned by the holding company Fallah Canadian Investment, and there under the same umbrella.</i></p> <p><i>Upon the consideration and approval of planning applications that would allow for high-density residential development, the properties will subsequently be merged on title.</i></p>
d)	<p>Compliance with the City's Urban Design Manual and Policy 11.C.1.34</p>	<p><u><i>Urban Design Manual</i></u>  <i>The preliminary development concept submitted to the City in support of the Request for Pre-Submission Consultation took into consideration applicable policies of the City's Urban Design Manual, including those pertaining to tall buildings (former Tall Building Design Guidelines).</i></p> <p><i>The preliminary development concept includes a rear yard tower setback of 8.4 metres from the property rear property line. Coupled with the width of Dodds Lane, the development concept provides for approximately 14 metres of separation between the future tower and the rear lot line of the adjacent low rise residential uses (approximately 24 metres setback from the tower to the existing dwelling units).</i></p>



		<p><i>In addition, the proposed development includes 21.3 metres tower setbacks for both side yard property boundaries.</i></p> <p><u><i>Proposed Policy 11.C.1.34</i></u>  <i>Policy 11.C.1.34 indicates that new tall building development must have consideration for tall building design principles, including separation, overlook, height, floor plate area, tower placement, orientation and building proportions. The policy further states that the zoning by-law will provide for design regulations to mitigate environmental impacts, create high-quality design, ensure compatibility with surrounding low and mid-rise contexts and ensure the development of future adjacent or nearby buildings are not frustrated.</i></p> <p><i>It is our opinion that the development concept demonstrates the subject properties can be redeveloped with a very high degree of sensitivity to and compatibility with surrounding land uses, particularly the existing low rise residential uses on the north side of Dodds Lane. As noted above, the preliminary development concept incorporated a number of urban design guidelines and requirements with respect to tall building design; through further detailed design, we believe that these considerations can be further enhanced to meet the policy objectives of 11.C.1.34.</i></p> <p><i>Furthermore, we believe that the development concept creates an opportunity to provide for a high-quality design along King Street with commercial/retail uses at grade, appropriate podium heights and sufficient tower step backs, enhancing the streetscape and skyline along this portion of King Street.</i></p>
e)	Cultural heritage resources, including Policy 15.D.2.8	<p><i>Not applicable</i></p> <p><i>It is our understanding that there are no Designated or Listed heritage resources proximate to the subject properties.</i></p>

f)	Technical considerations and other contextual or site specific factors	<i>It is our expectation that all technical considerations and requirements for a future planning application will be summarized as part of the formal Record of Pre-Submission Consultation. We expect that these technical studies will include but are not limited to a Traffic Impact Study and Parking Justification Report, Stationary and Traffic Noise Impact, Pedestrian Wind Assessment, Urban Design Brief and Planning Justification Report.</i>
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1000100206 Ontario Inc. and 1000187534 Ontario 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 working and collaborating with staff as we move forward with redevelopment plans for the subject site.

On behalf of 1000100206 Ontario Inc. and 1000187534 Ontario Inc., thank you for your review of this commentary and further consideration of our request to zone the properties as SGA-3: High Rise (Limited) Growth Zone or SGA-4: High Rise Growth Zone. We respectfully request to be continued 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.

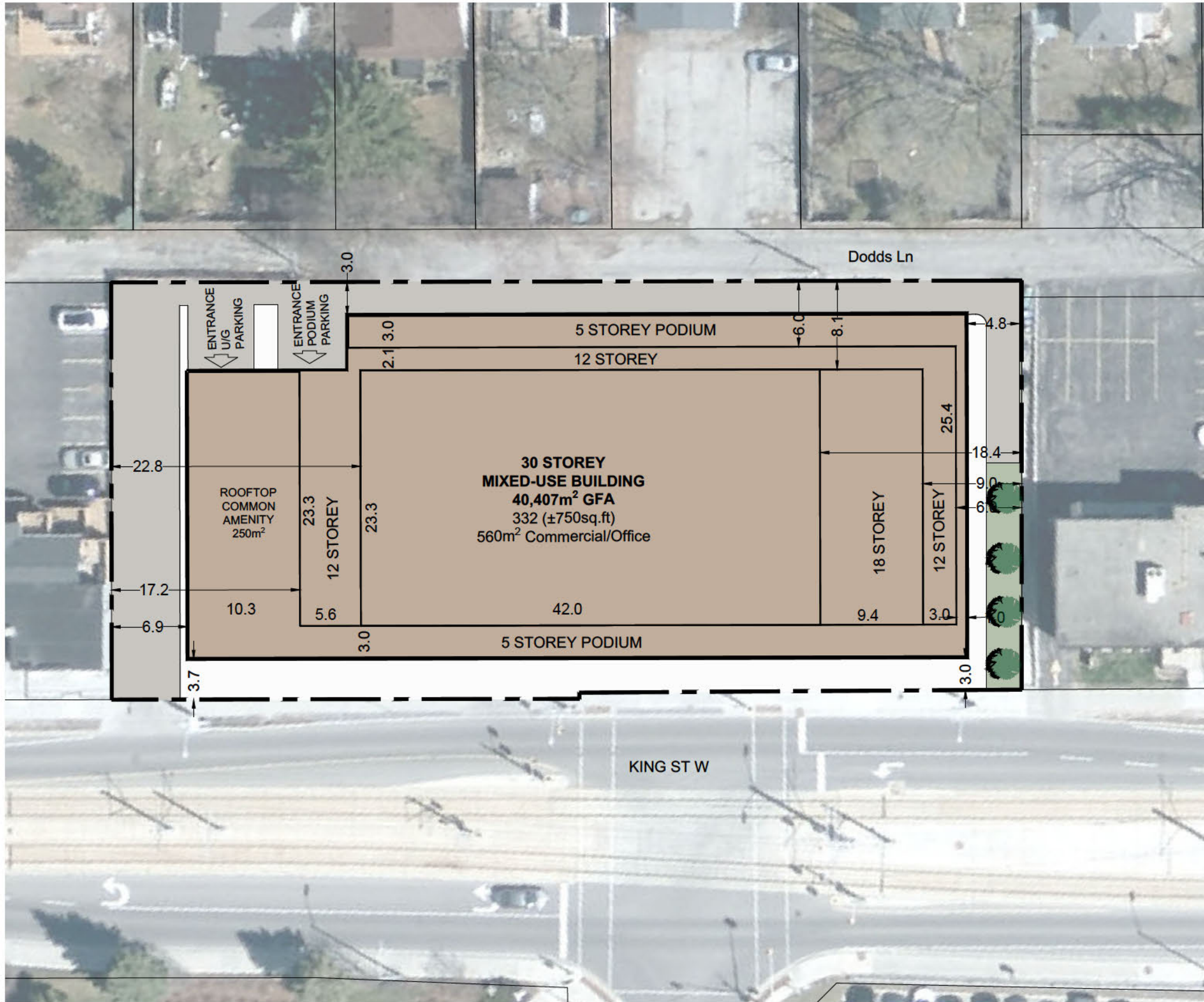
Sincerely,  
**GSP Group Inc.**

*Kristen Barisdale*

Kristen Barisdale, MCIP, RPP  
Vice President, Planning

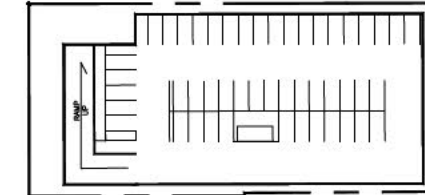
cc. Fariborz Fallah,  
Ian Istvan,  
Pam Tolton



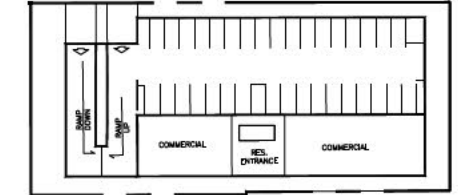


SITE AREA:	2,288m <sup>2</sup>	PARKING:	218 spaces
UNITS:	332 units	RESIDENTIAL:	129 spaces (0.58 space/unit)
DENSITY:	1,451 upha	COMMERCIAL:	25 spaces (1 space/22.5m <sup>2</sup> )
COMMERCIAL AREA:	560m <sup>2</sup>		
GFA:	40,407m <sup>2</sup>		
FSR:	17.66		
HEIGHT:	30 storeys		
MIN. TOWER SEPARATION:	12.0 m*		
*based on draft SGA-4 zoning regulations			

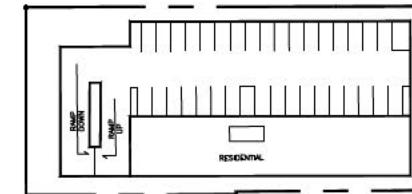
**UNDERGROUND PARKING:**  
48 spaces



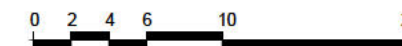
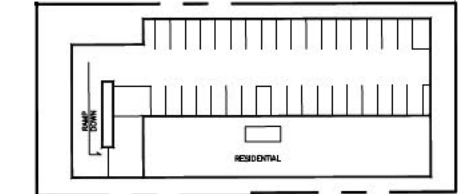
**L1 PODIUM:**  
34 spaces



**L2 - L4 PODIUM:**  
102 spaces



**L5 PODIUM:**  
34 spaces



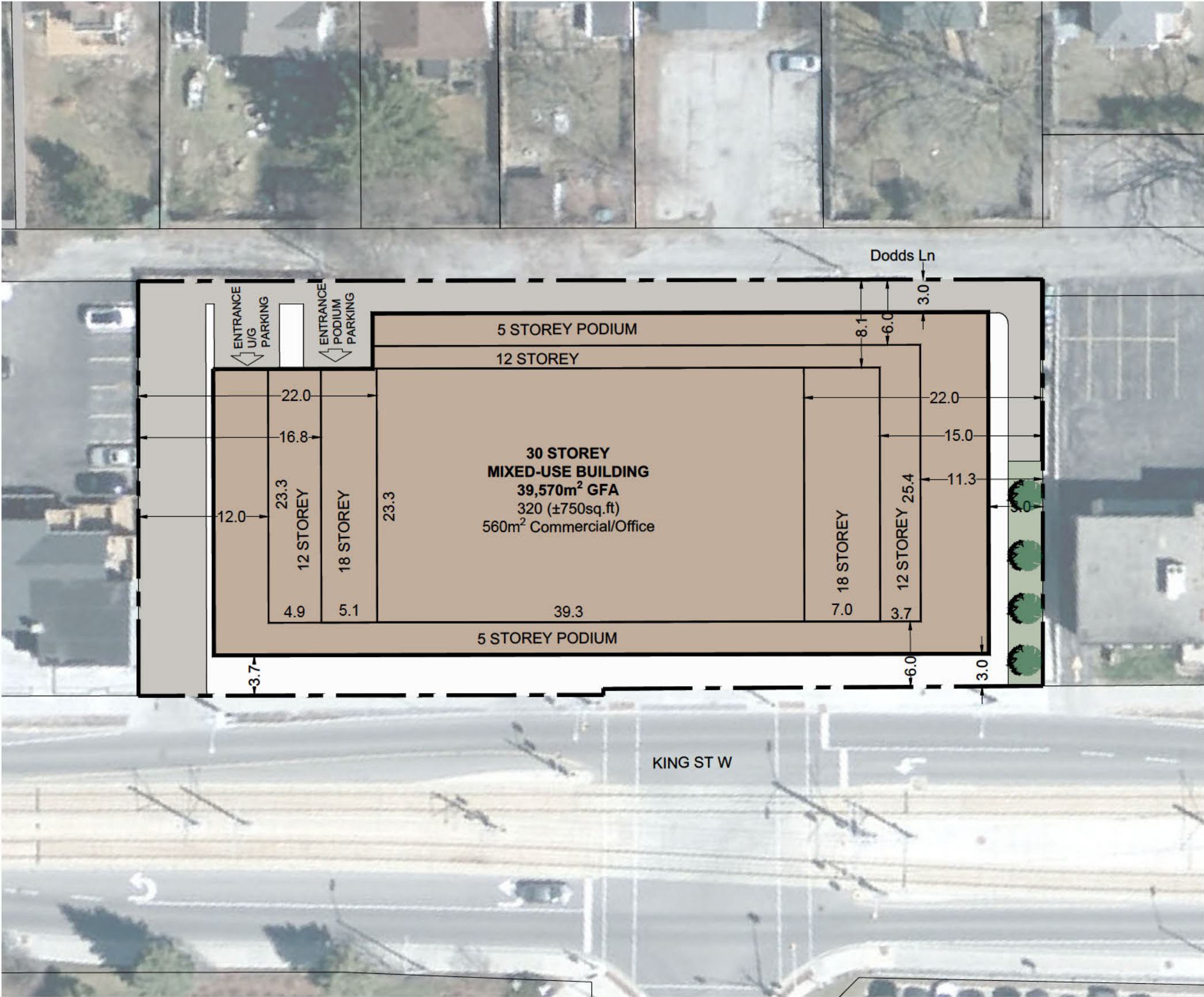
NOTE: This concept should be considered as a preliminary demonstration model that illustrates an 'order of magnitude' development scenario for the site. The number of units, floor area and parking supply are approximate and subject to more detailed design as well as municipal planning approvals.



# DEVELOPMENT CONCEPT 1

924-938, 940, & 944 King Street West, Kitchener

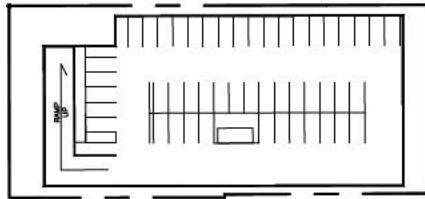




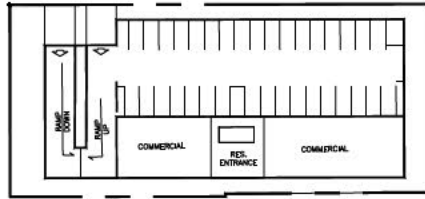
SITE AREA:	2,288m <sup>2</sup>	PARKING:	218 spaces
UNITS:	320 units	RESIDENTIAL:	193 spaces (0.6 space/unit)
DENSITY:	1,398 upha	COMMERCIAL:	25 spaces (1 space/22.5m <sup>2</sup> )
COMMERCIAL AREA:	560m <sup>2</sup>		
GFA:	39,570m <sup>2</sup>		
FSR:	17.29		
HEIGHT:	30 storeys		
MIN. TOWER SEPARATION:	22.0m*		

\*based on Kitchener Urban Design Tall Building Separation

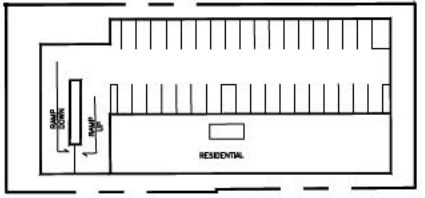
UNDERGROUND PARKING:  
48 spaces



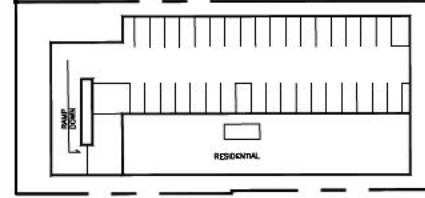
L1 PODIUM:  
34 spaces



L2 - L4 PODIUM:  
102 spaces



L5 PODIUM:  
34 spaces



NOTE: This concept should be considered as a preliminary demonstration model that illustrates an 'order of magnitude' development scenario for the site. The number of units, floor area and parking supply are approximate and subject to more detailed design as well as municipal planning approvals.



# DEVELOPMENT CONCEPT 2

924-938, 940, & 944 King Street West, Kitchener



Mayor Berry Vrbanovic and Members of Council  
Kitchener City Hall  
200 King Street West, 2<sup>nd</sup> Floor  
Kitchener, ON N2G 4G7

Date: January 25, 2024

Our Ref: 111303

Subject: 1928393 Ontario Inc.

Request for Proposed Official Plan Amendment and Zoning By-Law Amendment (Growing Together)  
181-197 Frederick Street & 134-147 Lancaster Street East, Kitchener

Dear Mayor Vrbanovic and Members of Council,

On behalf of our client, 1928393 Ontario Inc., owner of the subject lands identified as 181-197 Frederick Street and 134-147 Lancaster Street East, Kitchener, please accept this letter requesting an amendment to the City's proposed "Growing Together" Official Plan Amendment and Zoning By-Law Regulations (hereafter the "Growing Together" amendments).

As discussed in our letter submitted to City staff on January 10, 2024 (included on page 423-425 of Appendix J to report DSD-2024-005) and on behalf of our client, we are very concerned that our client's long-standing, mixed-use project with 134 residential units in the Frederick Station PMTSA will be subject to unnecessary additional delays and costs due entirely to the highly restrictive transition provisions currently proposed as part of the Growing Together amendments.

Based on the below review, **we respectfully request that City of Kitchener Council amend the proposed Zoning By-Law Amendment (PMTSA lands) in Appendix D by adding the following clause to the end of the list in Section 18.4 (a):**

**xx) 181-197 Frederick Street and 143-147 Lancaster Street East (SP19/086/F/GS)**

### **Project Summary and Timeline**

Our client is proposing to construct 134 units of much needed housing in a mixed-use building within the Frederick Station PMTSA at 181-197 Frederick Street and 134-147 Lancaster Street East. This long-standing project has been subject to the following planning processes and milestones to date:

- Site Plan Application SP19/086/F/GS was made on May 24, 2019 and was subsequently reviewed and deemed complete by the City, with a Site Plan Review Committee meeting held on September 4, 2019;
- Minor Variance Application A2019-123 was supported by City staff and approved by the Committee of Adjustment on November 19, 2019;
- Approval-in-Principle of Site Plan Application SP19/086/F/GS was received from the City on March 12, 2020;
- Exemption from Demolition Control Application DC22/031/L/TS was approved on May 31, 2022;
- The final Site Plan Agreement was received from the City on January 19, 2024 and is in the process of being registered within the next 2 – 3 weeks.

A building permit application has also been made on this project and is on hold pending the registration of the Site Plan Agreement and sufficient pre-sales of residential units to advance to the construction phase, which is typical in these types of projects.

### **Analysis and Implications of “Growing Together” Amendments**

Based on our review of the “Growing Together” amendments, while the proposed and imminent redevelopment of our client’s lands conform to the existing Zoning By-Law 85-1 and approved Minor Variance A2019-123, the redevelopment would not conform to the proposed new restrictions on building height, building setbacks at the 7<sup>th</sup> storey and above, and minimum landscaped area. Based on the “Growing Together” Official Plan Amendment, these would require further relief by way of another Minor Variance Application.

When the City of Kitchener originally adopted Zoning By-Law 2019-051, it included transition provisions as follows, which subsequently have sunset (*emphasis added*):

#### **18.2 COMPLETE APPLICATION TRANSITION MATTERS**

- 1) For the purposes of this Section:
  - a) For the purposes of this Section:
    - i) “complete application” means an application that contains sufficient particulars and information to allow it to be processed and approved. An application that is incomplete becomes a complete application on the date that the required particulars and information are provided to the City.
    - ii) “complied with the provisions of By-Law Number 85-1” means:
      - a. the land, building, or structure fully complies with the provisions of By-Law Number 85-1 as it existed immediately before the effective date of this By-Law; or,
      - b. the land, building, or structure fully complies with a minor variance from the provisions of By-Law Number 85-1 which was approved on or after January 1, 2017.
    - iii) “effective date of this By-Law” means the date on which the lands to which the provisions of section 18 apply, were included on Appendix ‘A’, either through the initial passing of this By-Law, or by amendment.
  - b) Despite Sections 1.7 and 1.8, nothing in this By-Law applies to prevent the issuance of any building permit where:
    - i) *a complete application for such building permit was made on or before the effective date of this By-Law and said complete application complied with the provisions of By-Law Number 85-1; or,*
    - ii) a complete application for such building permit was made after the effective date of this By-Law and is in respect of a lot to which Subsections c), d) or e) apply and the said complete application complied with the provisions of By-Law Number 85-1;
  - c) Despite Sections 1.7 and 1.8, nothing in the By-Law applies to prevent the issuance of any:
    - i) *site plan control approval where a complete application for such site plan control approval was made on or before the effective date of this By-Law and the said complete application complied with the provisions of By-Law 85-1.*
    - ii) approval of a minor modification, as determined by the Director of Planning or designate, to an approved site plan which was approved on or after January 1, 2017 where a complete application for such modification was made after the effective date of this By-Law and the said complete application complied with the provisions of By-Law 85-1.



- d) Despite Sections 1.7 and 1.8, nothing in the By-Law applies to prevent the issuance of the final approval of a plan of subdivision where draft approval for such plan of subdivision was finally granted.
- e) Despite Sections 1.7 and 1.8, nothing in the By-Law applies to prevent the issuance of the final approval of a plan of condominium where:
  - i) draft approval for such plan of condominium was finally granted; or,
  - ii) A complete application for plan of condominium was made after the effective date of this By-Law and is in respect of a lot to which Subsection b) applies and the said complete application complied with the provisions of By-Law Number 85-1;

### **18.3 TRANSITION SUNSET CLAUSE**

*Sections 18.1 to 18.3 are automatically repealed on the third anniversary of the effective date of this By-Law, and the provisions of Section 34(9) of the Planning Act shall thereafter apply in respect of any buildings, structures, or uses established or erected pursuant to any such complete application.*

The proposed new transition provisions in Section 18.4 for the “Growing Together” Zoning By-Law Amendment provide similar flexibility, but only for lands specifically identified by staff. The effect of the proposed transition regulations would be to prevent a building permit being issued for our client’s long-planned, fully designed, City staff-supported mixed-use building containing 134 residential units on or after the effective date of the “Growing Together” Zoning By-Law Amendment.

**The current proposed transition provisions are too narrowly scoped as they exclude projects that made complete applications conforming to or meeting the general intent of the City of Kitchener’s Zoning By-Law and so did not require Council approval. That is, projects that were most in line with existing approved Zoning By-Law regulations, including our client’s, may require further public processes and encounter further costs and delays while those projects that required Zoning By-Law amendments can proceed. This approach fundamentally does not seem right or fair and is tantamount to a “downzoning” in the case of the subject property based on compliance to By-Law 85-1 permissions for the subject property along with previously approved Minor Variance Application A2019-123, supported by City planning staff and the Committee of Adjustment. We further believe that a downzoning of our client’s lands is not in accordance with the fundamental objectives of the “Growing Together” amendments.**

**Based on the above comments and as previously noted, we respectfully request that City of Kitchener Council amend the proposed Zoning By-Law Amendment (PMTSA) in Appendix D by adding the following clause to the end of the list in Section 18.4 (a):**

**xx) 181-197 Frederick Street and 143-147 Lancaster Street East (SP19/086/F/GS)**

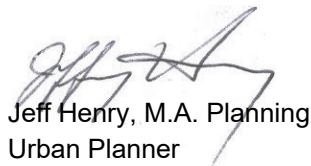
Mayor Vrbanovic and Members of Council  
City of Kitchener  
January 25, 2024

## Conclusion

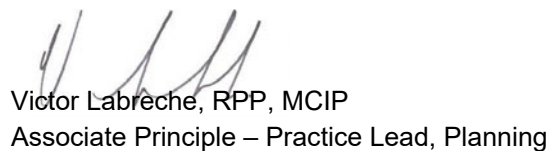
We appreciate the opportunity to provide input to the City and to Council process. We are available and eager to discuss this matter further while considering the Growing Together amendments.

Respectfully Submitted,

**ARCADIS PROFESSIONAL SERVICES (CANADA) INC.**



Jeff Henry, M.A. Planning  
Urban Planner



Victor Labreche, RPP, MCIP  
Associate Principle – Practice Lead, Planning

JH/VL/baw

cc: Erik Olsen, 1928393 Ontario Inc.  
Rosa Bustamante, Director of Planning and Housing Policy / City Planner  
Natalie Goss, Manager, Policy & Research  
Garett Stevenson, Manager of Development Review  
Adam Clark, Senior Urban Designer  
John Zunic, Senior Planner  
Mariah Blake, Planning and Strategic Initiatives Committee Coordinator





PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

January 24, 2024

Chair, Councillor Singh  
And Members of Planning & Strategic Initiatives Committee

**RE: Submission on Kitchener "Growing Together", 300-400 King Street West**  
**OUR FILE: Y202AZ**

On behalf of our client, Hallman Construction Limited, please accept this request for modification to the 'Growing Together' draft documents and support and justification for the request. The comments relate to one of the largest block opportunities for intensification within the Urban Growth Centre. The block of lands located on the north side of King Street West, between Water Street North and Francis Street South (the subject lands).

**Request for Modifications to the Official Plan and Zoning By-law Amendments:**  
**It is requested that Committee support the following modifications to the Official Plan and Zoning By-law Amendments, as follows:**

- 1/ **Designate the lands as Strategic Growth Area "C" (from Strategic Growth Area "B"); and,**
- 2/ **Zone the lands SGA-4 (from SGA-2)**

**Rationale and Justification for Request:**

The Strategic Growth Area "C" and SGA-4 Zone are appropriate for the subject lands, based on the following:

- **Public Consultation through Growing Together identified the lands for high rise buildings** - The map illustrating "where workshop participants placed buildings" shows that participants placed high rise buildings on the majority of the subject lands. Participants did not place low or mid-rise buildings on the subject lands.
- **Directly adjacent to the LRT and within walking distance to 3 LRT station stops and within walking distance of the future transit hub.** The SGA-4 Zone would promote more dense development for transit supportive development in association with the LRT and transit hub. The location will also support alternative transpiration modes in the Downtown.



- **Building renderings illustrate that the subject lands can be comprehensively designed and meet objectives of the policy** – the building design addresses the design policies in the PMTSA, including:

- Streetscape design supports safe and comfortable public use of the street;
- A high quality public realm is designed with interaction with the street through a use of mixed uses, public spaces and squares and opportunity to provide an active street frontage and, where possible, increase tree canopy within the boulevard;
- Create active space along the boulevard with direct connections from the private development to the public realm for the commercial uses and for potential public squares and open spaces;
- Provide for a pedestrian connection through the site that is aligned with pedestrian connectivity for lands to the south; and,
- Establish creative building facades and intersection treatments through buildings and landscaping as gateway features and wayfinding areas.



- **Building design would support the use of King Street as a primary retail and events destination** – the proposed ground floor commercial and retail uses in combination with the public realm considerations support the continued objective for the Downtown. **The proposed building design establishes a base/podium that ranges between 6-8 storeys to maintain massing that is supportive of the public realm in DTK.**



- **Buildings can be designed to comply with the SG-4 Zone** – the block can be designed to accommodate the criteria of the SG-4 Zone. A pre-application meeting was held with City staff and minor technical comments were raised with the building design. Generally, we understand that City staff support the building design and overall proposed approach to redevelopment.
- **Surrounding lands have higher density** permissions and higher density would be compatible - lands immediately to the north of this block on the opposite side Bell's Lane frontage on Duke Street have been assigned the SGA-4 zone lands. The subject lands are not adjacent to any low rise residential zones, and therefore have no land use compatibility concerns. **Higher density developments are occurring, planned or approved** within



proximity of the subject lands, including but not limited to: 30 Francis, 1 Victoria; 60 Charles Street; City Centre Phase 1 and 2; Station Park, 100 Victoria, 60 Duke St. W (DTK) and 97 Park Street. The larger scale of transit supportive development is compatible with the scale and complementary to these developments.

- **Lands do not fit the Strategic Growth Area B intention and are more aligned with the Strategic Growth Area C designation** – the following is a comparison of the intent of SGA A is intended as follows:

<b>SGA B Intent</b>	<b>Subject Lands and SGA C</b>
For transition from Low density	Within DTK and surrounded by lands designated Strategic Area C. Lands are centrally located within the UGC intensification Area No low rise residential adjacent to the lands. No low rise residential on the subject lands
	Lands are directly adjacent to Rapid Transit Stations
Where lots are too small to support high-rise buildings	The subject lands are the largest consolidated block within DTK for intensification. No land assembly is required for redevelopment.
Consideration for 'infill' development	Opportunity for a full comprehensive transit supportive development

In conclusion, the request would result in creating:

- Transit supportive density with high quality design that supports the vision and objectives of DTK as a vibrant place with the a mix of uses to support peoples needs any day of the week;
- Population and jobs to support a connect community in DTK through mix of commercial, office and residential uses;
- Pedestrian friendly streetscape that supports an active King Street; and,
- High quality design to continue to build on the successful City investment in DTK into the future.

**We request that City staff be directed to make the requested modifications prior to Council consideration of the final amendment documents.**

Yours truly,

**MHBC**



David W. Aston, MSc, MCIP, RPP  
Vice-President

c. Natalie Goss, Paul Grespan, Jim Hallman













THE COFFEE SHOP





THREADS

SPORT

CROSSING AHEAD











January 29, 2024

File No. 21274

City of Kitchener  
200 King Street West  
Kitchener, Ontario  
N2G 4Y9

Attention: Chair Singh and Members of Planning and Strategic Initiatives Committee

Dear Chair Singh:

**Re: Growing Together – Protected Major Transit Station Area Land Use and Zoning Framework (Report No. DSD-2024-005)  
85 Weber Street West and 60 & 66 College Street, Kitchener**

---

GSP Group represents the owners of 85 Weber Street West and 60 & 66 College Street in downtown Kitchener (the “Site”).

We have reviewed the above-noted staff report and note that the Site is proposed to be zoned SGA-3 (Attachment D - Appendix A - Zoning Grid Schedule 84). We submitted a letter on November 30, 2023 (attached – letter also contained in Attachment G starting at page 200) regarding the Draft Growth Together document requesting consideration for a site-specific SGA-4 to support the redevelopment of the Site. In fact as noted in our November 30, 2023, we have taken steps toward advancing the redevelopment of this Site, through a formal pre-consultation in July 2022 and have had follow-up discussions with City staff.

Since the release of the current staff report we have reached out to City planning staff and they have confirmed they are not supportive of a site-specific SGA-4 for the Site at this time. However, with that said we also understand that staff remain open to considering an applicant-initiated planning application for the Site in the future.

While we will still believe the Site meets the criteria for consideration for the SGA-4 zone, we look forward to presenting all full redevelopment proposal in the near future.

Thank you for the consideration of our comments. Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,  
**GSP Group Inc.**

A handwritten signature in blue ink that reads "Hugh Handy". The signature is fluid and cursive, with a period at the end.

Hugh Handy, MCIP, RPP  
Vice President

[hhandy@gspgroup.ca](mailto:hhandy@gspgroup.ca)  
519-242-5351

cc Clients  
Natalie Goss, City of Kitchener  
Adam Clark, City of Kitchener





November 30, 2023

File No. 21274

City of Kitchener  
Planning Division, 6<sup>th</sup> Floor  
200 King Street West  
Kitchener, Ontario  
N2G 4Y9

Attention: Natalie Goss, MCIP, RPP  
Manager, Policy and Research

Dear Ms. Goss:

**Re: Growing Together  
Response to November 2023 Draft Materials  
85 Weber Street West and 60 & 66 College Street**

---

We are writing on behalf of the owners of 85 Weber Street West and 60 & 66 College Street in downtown Kitchener (the "Site"). In the November 3, 2023 draft planning instruments published through Growing Together, the Site is proposed to be designated Strategic Growth Area C and Zoned SGA-3. We are in support of the Strategic Growth Area C designation. We are requesting consideration through the Growing Together initiative that the Site be zoned Special Growth Area Four (SGA-4) with a Site-specific Special Provisions to address the required setbacks and physical separation.

On July 26, 2022, GSP Group, project architect ABA Architects, and the owners of the Site had a pre-submission consultation meeting regarding a 32-storey development on the Site. The City was generally supportive of the proposal, indicating the location is suitable for redevelopment to contribute to the achievement of the intensification target for the Urban Growth Centre.

Further to this pre-submission consultation meeting, discussions were held with the City to demonstrate how the Site would not impact the development potential of the abutting properties at the intersection of Weber and Water Streets, which is also proposed to be designated Strategic Growth Area C and zoned SGA-3.

It is our understanding that the following criteria are to be addressed as part of the request for consideration to be zoned SGA-4:

**1) Proof of lot ownership.**

The three lots comprising the Site are under the ownership of two separate groups, who have partnered to explore the redevelopment potential of the Site, as indicated in the pre-submission consultation.

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## **2) Zoning compliance with SGA-4.**

The enclosed zoning compliance chart confirms general compliance of the proposed development relative to the draft SGA-3 and SGA-4 Zones. It illustrates that the proposed development complies with all aspects of both zones except the height limit of the SGA-3 Zone and the setback and physical separation requirements of both the SGA-3 and SGA-4 zones.

## **3) Planning Justification relative to the criteria for changing zoning within the Major Transit Station Areas as set out in draft Official Plan policy 15.D.2.5.**

The subsections that follow provide a planning opinion relative the six criteria of draft policy 15.D.2.5.

### *15.D.2.5a) compatibility with the planned function of the subject lands and adjacent lands*

The Site and abutting lands to the south and west are proposed to be designated Strategic Growth Area C, and zoned SGA-3, while the lands to the east on College Street are proposed to be designated Strategic Growth Area C and zoned SGA-4. The planned function of the Strategic Growth Area designations is to provide opportunities to accommodate intensification, including housing, that is transit-supportive in close proximity to ION rapid transit. The Strategic Growth Area C designation is intended to accommodate significant intensification at high density. The proposed development conforms to the planned function of this designation, as it is a high density development.

The properties across to the north of the Site across Weber Street are part of the Civic Centre Neighbourhood Heritage Conservation District (HCD), and are proposed to be designated Strategic Growth Area A. The properties along Weber Street in the HCD are proposed to be zoned SGA-2, which indicates there may be some level of development anticipated in this area, with heights permitted up to 8 storeys.

As tall buildings are permitted in each direction from the Site, with mid-rise permitted to the east across Weber Street, a Regional road, the proposed development will transition appropriately to the planned uses of each.

### *15.D.2.5b) suitability of the lot for the proposed use and/or built-form.*

The Site is suitable for the proposed development because it is within the Urban Growth Centre, and close walking distance to both the current and future location of the Kitchener GO Station, and is near both the Central and Kitchener City Hall ION Stations. The Site is an appropriate size for redevelopment, meeting the requirements of the SGA-3 and SGA-4 zones, and further, is appropriately dimensioned to ensure efficient vehicular and pedestrian circulation within and around the Site.



*15.D.2.5c) lot area and consolidation as further outlined in Policy 3.C.2.11.*

The Site is an assembly of three smaller parcels and has an area of 2,493 sq m (after road widenings), exceeding the minimum lot area required for the SGA-4 Zone.

*15.D.2.5d) compliance with the City's Urban Design Manual and Policy 11.C.1.34.*

The proposed development was prepared by taking into consideration the applicable policies of the City's Urban Design Manual, including those pertaining to tall buildings (former Tall Building Design Guidelines). The point tower is oriented towards the intersection of Weber Street and College Street, providing spacing and distance to the existing lower rise built forms to the west. The at-grade residential units have entrances from the street, contributing to an active streetscape.

Further to the above, an Urban Design Report will be required as part of an OPA/ZBA application and is anticipated to remain a requirement of Site Plan Approval if an OPA/ZBA is ultimately not required.

*15.D.2.5e) cultural heritage resources, including Policy 15.D.2.8.*

A Cultural Heritage Evaluation Report (CHER) was prepared by MHBC in April 2023 to assess the heritage potential of the Site. The evaluation determined that while the property of 66 College Street contains a building that is representative of the Queen Anne architectural style, this property does not meet any other criteria and therefore does not warrant designation under the Ontario Heritage Act. The properties addressed as 60 College Street and 85 Weber Street West do not meet any of the legislated criteria.

*15.D.2.5f) technical considerations and other contextual or site specific factors.*

Based on the record of pre-submission consultation, a Planning Justification Report, Urban Design Report, Scoped Heritage Impact Assessment, Parking Justification Study, and Environmental and Stationary Noise Reports would be required as part of a complete application. As each of the SGA zones removes required parking, and as a CHER has been prepared, it is not anticipated that any technical considerations or site specific factors would prohibit achieving the additional height granted by the SGA-4 zone.

Thank you for consideration of our request. I trust that the forgoing submission is sufficient to consider our request for consideration of the SGA-4 Zone with a Site-specific Special Provision to permit a reduction of the setbacks, as outlined in the attached zone chart. Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,  
**GSP Group Inc.**

A handwritten signature in black ink that reads "Hugh Handy". The signature is written in a cursive, flowing style.

Hugh Handy, MCIP, RPP  
Vice President

[hhandy@gspgroup.ca](mailto:hhandy@gspgroup.ca)  
519-242-5351

Cc Clients



## Zoning Compliance Table

Provision (32 storey building)	SGA-4	Proposed
Minimum lot width	42 m	~ 65 m
Minimum lot area	2,000 sq m	2,493 sq m
Minimum yard setback	3 m	2.5 m interior yard 16 m rear yard
Minimum building base height	2 storeys	N/A
Maximum building base height	6 storeys	4-6 storeys
Minimum façade street openings	10%	TBD
Minimum street line façade openings	20%	TBD
Minimum front and exterior side yard setback	6 m	0 m
Maximum building length	48 m	44 m
Maximum floor plate area	900 sq m	760 sq m
Physical separation	12 m	8.5 m
Private amenity area	8 sq m / unit	TBD



SHAPING GREAT COMMUNITIES

January 29, 2024

File No. 23246

Office of Mayor and City Council  
Planning Division, 2<sup>th</sup> 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  
924 to 944 King Street West**

On behalf of Snider Corporation, 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 December 20, 2023 (see attached)

Snider Corporation acquired 49, 51 and 53 Pine Street with the intent of providing for a consolidated, comprehensive mixed-use, mid to high density redevelopment project. Snider Corporation is currently pursuing the acquisition of 55 Pine Street, to be consolidated with 49 to 53 Pine Street. The properties are located on the north side of King Street, approximately 200 metres north of Grand River Hospital and associated iON Station. The properties are currently occupied by existing low-rise residential uses.

The properties are proposed to be located within a Protected Major Transit Station Area in the Official Plan Amendment as part of Staff Report DSD-2024-005.

The properties are proposed to be designated as Strategic Growth Area A in the Official Plan Amendment as part of Staff Report DSD-2024-005, which are areas intended to accommodate intensification within predominantly low-rise residential neighbourhoods, lands further away from Rapid Transit Station stops, and/or lands where existing lots are generally too small to support high-rise buildings. The Strategic Growth Area A designation will accommodate a range of low and medium density residential uses, along with compatible non-residential uses, with maximum building height of 8 storeys and a minimum Floor Space Ratio (FSR) of 0.6.

Finally, 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 and no maximum FSR.

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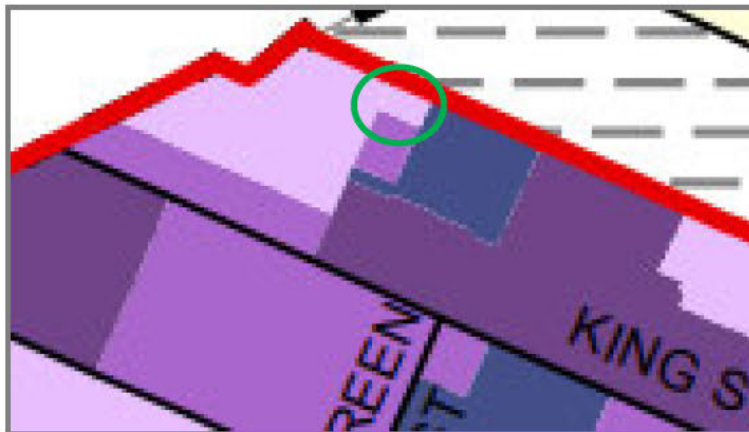


Snider Corporation supports the proposed Protected Major Transit Station Area designation. We believe the subject properties represent an excellent opportunity for intensification proximate to the Grand River Hospital iON Station and can be redeveloped as a high-density, mixed-use project designed to be compatible with and sensitive to the existing low rise residential uses on the north side of Dodds Lane.

However, Snider Corporation does not support the proposed Strategic Growth Area A designation in the Official Plan Amendment as part of Staff Report DSD-2024-005. **We request the properties be designated Strategic Growth Area B in the Official Plan as part of Staff Report DSD-2024-005.**

The subject properties combined represent a small pocket of existing low rise residential uses on the east side of Pine Street; the subject properties are situated between Mount Hope Cemetery to the north, additional municipal open space to the east and existing surface parking lot the south. The subject properties are separated from the existing low rise residential uses on Mary Street and Herbert Street by Pine Street. The subject properties are within 200 metres from the Grand River Hospital iON Station and as consolidated, create a moderately sized parcel for redevelopment.

As indicated in our December 20, 2023, the above-noted properties have recently been consolidated in ownership – they effectively, combined, comprise the small area located between the existing municipal surface parking lot (proposed to be designated as Strategic Growth Area B) and Mount Hope Cemetery. The Strategic Growth Area A designation has been applied to the existing low rise residential cluster along Mary Street and Herbert Street. The subject properties have the same proposed designation of Strategic Growth Area A but are located on the opposite of Pine Street and are separated from the low-rise residential neighbourhood by Pine Street itself. Please refer to figure below:



It is our opinion that applying the Strategic Growth Area B designation to the subject properties would result in a logical rounding out of this area, providing opportunities for future intensification proximate to the Grand River iON Station that are more separated from low-rise residential uses and

part of a larger area contemplated for more intensified redevelopment as part of the proposed Official Plan Amendment.

We believe that the redevelopment of the subject properties can be designed to be compatible with and sensitive to the existing open space use to the north and east, and existing low-rise residential uses to the east, as demonstrated by preliminary development concepts appended to our December 20, 2023 correspondence.

Policy 15.D.2.5 of the proposed Official Plan Amendment as part of Staff Report DSD-2024-005 allows for the consideration of site-specific applications for Zoning By-law Amendment through the consideration of a number of factors. The following provides a summary of the requirements of proposed Policy 15.D.2.5 as well as commentary and justification for the properties to be zoned SGA-3: High Rise Growth Zone (Limited) as requested.

<p>Notwithstanding Policy 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or special zoning regulation(s), seek to amend the Zoning By-law to change land use permissions, and/or seek to amend this Plan to change from one land use designation to another, will consider the following factors:</p>	
<p>a) Compatibility with the planned function of the subject lands and adjacent lands</p>	<p><i>The properties are located within a Protected Major Transit Station Area, which are areas intended to accommodate a significant portion of future growth and development.</i></p> <p><i>The properties are located approximately 200 metres north of the Grand River Hospital iON Station, which can be accessed directly via Pine Street; future mixed-use, mid to high-density development will assist the City in achieving the required density target of 160 residents and jobs per hectare identified for this area.</i></p> <p><i>A large portion of the area that surrounds the Grand River Transit iON Station is occupied by long-standing local business and a Regional hospital that are unlikely to be redeveloped or intensified in the short to medium-term, significantly impacting the ability to accommodate intensification in the Grand River Hospital iON Station Area. With very limited options for redevelopment along around the Grand River Hospital iON Station, the subject properties provide an opportunity for transit-supportive intensification that can be designed to be compatible with and</i></p>



		<p><i>sensitive to surrounding open space and low-rise residential land uses.</i></p> <p><i>We believe the proposed development of the subject properties can be designed to be compatible with the surrounding uses and reasonably scaled to provide for appropriate residential intensification proximate to the Grand River Hospital iON Station while adhering to the design objectives of the Strategic Growth Area B designation.</i></p>
b)	Suitability of the lot for the proposed use and/or built-form	<p><i>The properties are a consolidation of four (4) legal parcels, which combined create an overall site area of approximately 1,343 square metres. The consolidation of the four (4) lots with access to a local road (Pine Street) allows for the redevelopment of a larger parcel with the ability to accommodate important design considerations, including site access, building setbacks and steps, height and massing and compatibility. It is our opinion that it is the consolidation of the four (4) lots that makes the overall site suitable for the proposed redevelopment.</i></p>
c)	Lot area and consolidation as further outlined in Policy 3.C.2.11	<p><i>The proposed development concept includes the four (4) properties at 49, 51, 53 and 55 Pine Street. The properties at 49, 51 and 53 Pine Street have been acquired by Snider Corporation (currently under the same umbrella company); Snider Corporation is currently in the process of acquiring the property at 55 Pine Street</i></p> <p><i>Upon the consideration and approval of planning applications that would allow for mid to high-density residential development, the properties will be merged on title.</i></p>
d)	Compliance with the City's Urban Design Manual and Policy 11.C.1.34	<p><i>The preliminary development concept submitted in support of this request takes into consideration the proposed zoning regulations and development standards associated with the SGA-3 Zone as well as the applicable policies of the City's Urban Design Manual, including those pertaining to tall buildings.</i></p> <p><i>The preliminary development concept proposes a 25-storey tower with</i></p>

		<p><i>approximately 140 dwelling units and includes a rear yard tower setback and side yard tower setback of 6.0 metres where the subject properties abut open space currently owned by the City and Mount Hope Cemetery. The preliminary development concept has been designed to include appropriate tower setbacks, as specified in the draft Zoning By-law for the “Growing Together” initiative. The preliminary development concept includes two access points to an underground and podium parking with the provision of a total 58 parking spaces (approximately 0.41 spaces per unit).</i></p> <p><i>Policy 11.C.1.34 of the proposed Official Plan Amendment for the “Growing Together” initiative indicates that new tall building development must have consideration for tall building design principles, including separation, overlook, height, floor plate area, tower placement, orientation and building proportions. The policy further states that the zoning by-law will provide for design regulations to mitigate environmental impacts, create high-quality design, ensure compatibility with surrounding low and mid-rise context and ensure the development of future adjacent or nearby buildings are not frustrated.</i></p> <p><i>It is our opinion that the preliminary development concept demonstrates the subject properties can be redeveloped with sensitivity to and compatibility with surrounding open space and low-rise residential land uses. The preliminary development concept has incorporated a number of urban design guidelines and requirements with respect to tall building design; through further detailed design, we believe that these considerations can be further enhanced to meet the policy objectives of 11.C.1.34.</i></p>
e)	Cultural heritage resources, including Policy 15.D.2.8	Not applicable



		<i>It is our understanding that there are no Designated or Listed heritage resources proximate to the subject properties.</i>
f)	Technical considerations and other contextual or site specific factors	<i>It is our expectation that all technical considerations and requirements for a future planning application will be summarized as part of the formal Record of Pre-Submission Consultation. We expect that these technical studies will include but are not limited to a Traffic Impact Study and Parking Justification Report, Stationary and Traffic Noise Impact, Pedestrian Wind Assessment, Urban Design Brief and Planning Justification Report.</i>

Our initial correspondence on December 20, 2023 requested the City to consider applying the SGA-3: High Rise Growth Zone (Limited) to the subject properties. We continue to believe that the properties should be zoned to permit mid to high-rise residential development that is compatible with and sensitive to surrounding land uses. **We respectfully request the properties be zoned SGA-3: High Rise Growth Zone (Limited) in the Zoning By-law Amendment as part of Staff Report DSD-2024-005.**

Snider Corporation 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 properties.

Thank you for taking the time to review our commentary and requests. On behalf of Snider Corporation, 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. Gord Snider, Snider Corporation



December 20, 2023

File No. 23246

City of Kitchener  
Planning Division, 6<sup>th</sup> Floor  
200 King Street West  
Kitchener, Ontario  
N2G 4Y9

Attention: Natalie Goss, MCIP, RPP  
Manager, Policy and Research

Dear Ms. Goss:

**Re: Growing Together  
Response to November 2023 Draft Materials  
49, 51, 53 and 55 Pine Street**

On behalf of Snider Corporation, please accept the following commentary and response to the draft OPA and ZBA documents released on November 3, 2023 for the “Growing Together” initiative as related to the above-noted properties.

Snider Corporation has acquired 49, 51 and 53 Pine Street with the intent of providing for a consolidated, comprehensive mixed-use, mid to high density redevelopment project. Snider Corporation is currently pursuing the acquisition of 55 Pine Street, to be consolidated with 49 to 53 Pine Street. The properties are located on the north side of King Street, approximately 200 metres north of Grand River Hospital and associated iON Station. The property is currently occupied by existing low-rise residential uses.

It is my understanding you had previous discussions and correspondence with Snider Corporation regarding the subject properties as they relate to the “Growing Together” initiative.

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 located approximately 200 metres north of the Grand River Hospital iON Station, which will be planned to achieve a minimum density of 160 residents and jobs per hectare.

The properties are proposed to be designated as Strategic Growth Area A in the Official Plan Amendment for the “Growing Together” initiative, which are areas intended to accommodate intensification within predominantly low-rise residential neighbourhoods, lands further away from Rapid Transit Station stops, and/or lands where existing lots are generally too small to support high-

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rise buildings. The Strategic Growth Area A designation is intended to accommodate a range of low and medium density residential uses, along with compatible non-residential uses, with maximum building height of 8 storeys and a minimum Floor Space Ratio (FSR) of 0.6.

Finally, the properties are proposed to be zoned SGA-2: Mid Rise Growth Zone in the Zoning By-law Amendment for the “Growing Together” initiative, 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 and no maximum FSR.

Snider Corporation supports the proposed Protected Major Transit Station Area designation. We believe the subject properties represent an excellent opportunity for intensification proximate to the Grand River Hospital iON Station and can be redeveloped as a high-density, mixed-use project designed to be compatible with and sensitive to the existing low rise residential uses on the north side of Dodds Lane.

However, Snider Corporation does not support the proposed Strategic Growth Area A designation and the SGA-2: Mid Rise Growth Zone as applied to the properties. We request the properties be designated Strategic Growth Area B and zoned SGA-3: High Rise Growth Zone (Limited).

The subject properties combined represent a small pocket of existing low rise residential uses on the east side of Pine Street; the subject properties are situated between Mount Hope Cemetery to the north, additional municipal open space to the east and existing surface parking lot the south. The subject properties are separated from the existing low rise residential uses on Mary Street and Herbert Street by Pine Street. The subject properties are within 200 metres from the Grand River Hospital iON Station and as consolidated, create a moderately sized parcel for redevelopment.

It is our opinion that redevelopment of the subject properties can be designed to be compatible with and sensitive to the existing open space use to the north and east, and existing low-rise residential uses to the east, as demonstrated by the appended preliminary development concepts.

Policy 15.D.2.5 of the proposed Official Plan Amendment for the “Growing Together” initiative allows for the consideration of site-specific applications for Zoning By-law Amendment through the consideration of a number of factors. The following provides a summary of the requirements of proposed Policy 15.D.2.5 as well as commentary and justification for the properties to be zoned SGA-3: High Rise Growth Zone (Limited) as requested.

Notwithstanding Policy 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or special zoning regulation(s), seek to amend the Zoning By-law to change land use permissions, and/or seek to amend this Plan to change from one land use designation to another, will consider the following factors:		
a)	Compatibility with the planned function of the subject lands and adjacent lands	<i>The properties are located within a Protected Major Transit Station Area, which are areas</i>

		<p><i>intended to accommodate a significant portion of future growth and development.</i></p> <p><i>The properties are located approximately 200 metres north of the Grand River Hospital iON Station, which can be accessed directly via Pine Street; future mixed-use, mid to high-density development will assist the City in achieving the required density target of 160 residents and jobs per hectare identified for this area.</i></p> <p><i>A large portion of the area that surrounds the Grand River Transit iON Station is occupied by long-standing local business and a Regional hospital that are unlikely to be redeveloped or intensified in the short to medium-term, significantly impacting the ability to accommodate intensification in the Grand River Hospital iON Station Area. With very limited options for redevelopment along around the Grand River Hospital iON Station, the subject properties provide an opportunity for transit-supportive intensification that can be designed to be compatible with and sensitive to surrounding open space and low-rise residential land uses.</i></p> <p><i>We believe the proposed development of the subject properties can be designed to be compatible with the surrounding uses and reasonably scaled to provide for appropriate residential intensification proximate to the Grand River Hospital iON Station while adhering to the design objectives of the Strategic Growth Area B designation.</i></p>
b)	Suitability of the lot for the proposed use and/or built-form	<p><i>The properties are a consolidation of four (4) legal parcels, which combined create an overall site area of approximately 1,343 square metres. The consolidation of the four (4) lots with access to a local road (Pine Street) allows for the redevelopment of a larger parcel with the ability to accommodate important design considerations, including site access, building setbacks and steps, height and massing and compatibility. It is our opinion that it is the consolidation of the four</i></p>



		<i>(4) lots that makes the overall site suitable for the proposed redevelopment.</i>
c)	Lot area and consolidation as further outlined in Policy 3.C.2.11	<p><i>The proposed development concept includes the four (4) properties at 49, 51, 53 and 55 Pine Street. The properties at 49, 51 and 53 Pine Street have been acquired by Snider Corporation (currently under the same umbrella company); Snider Corporation is currently in the process of acquiring the property at 55 Pine Street</i></p> <p><i>Upon the consideration and approval of planning applications that would allow for mid to high-density residential development, the properties will be merged on title.</i></p>
d)	Compliance with the City's Urban Design Manual and Policy 11.C.1.34	<p><i>The preliminary development concept submitted in support of this request takes into consideration the proposed zoning regulations and development standards associated with the SGA-3 Zone as well as the applicable policies of the City's Urban Design Manual, including those pertaining to tall buildings.</i></p> <p><i>The preliminary development concept proposes a 25-storey tower with approximately 140 dwelling units and includes a rear yard tower setback and side yard tower setback of 6.0 metres where the subject properties abut open space currently owned by the City and Mount Hope Cemetery. The preliminary development concept has been designed to include appropriate tower setbacks, as specified in the draft Zoning By-law for the "Growing Together" initiative. The preliminary development concept includes two access points to an underground and podium parking with the provision of a total 58 parking spaces (approximately 0.41 spaces per unit).</i></p> <p><i>Policy 11.C.1.34 of the proposed Official Plan Amendment for the "Growing Together" initiative indicates that new tall building development must have consideration for tall building design principles, including separation, overlook, height, floor plate area, tower placement, orientation and building proportions. The policy further states that the</i></p>

		<p><i>zoning by-law will provide for design regulations to mitigate environmental impacts, create high-quality design, ensure compatibility with surrounding low and mid-rise context and ensure the development of future adjacent or nearby buildings are not frustrated.</i></p> <p><i>It is our opinion that the preliminary development concept demonstrates the subject properties can be redeveloped with sensitivity to and compatibility with surrounding open space and low-rise residential land uses. The preliminary development concept has incorporated a number of urban design guidelines and requirements with respect to tall building design; through further detailed design, we believe that these considerations can be further enhanced to meet the policy objectives of 11.C.1.34.</i></p>
e)	Cultural heritage resources, including Policy 15.D.2.8	<p><i>Not applicable</i></p> <p><i>It is our understanding that there are no Designated or Listed heritage resources proximate to the subject properties.</i></p>
f)	Technical considerations and other contextual or site specific factors	<p><i>It is our expectation that all technical considerations and requirements for a future planning application will be summarized as part of the formal Record of Pre-Submission Consultation. We expect that these technical studies will include but are not limited to a Traffic Impact Study and Parking Justification Report, Stationary and Traffic Noise Impact, Pedestrian Wind Assessment, Urban Design Brief and Planning Justification Report.</i></p>

Based on the commentary noted above, we believe that the properties should be designated and zoned to permit mid to high-rise residential development that is compatible with and sensitive to surrounding land uses. We respectfully request the properties be designated as Strategic Growth Area B as part of the proposed Official Plan Amendment and zoned SGA-3: High Rise Growth Zone (Limited) as part of the proposed Zoning By-law Amendment for the “Growing Together” initiative. We would like to meet with City staff to review this request in further detail, in advance of finalizing the proposed Official Plan and Zoning By-law Amendments for the “Growing Together” initiative.



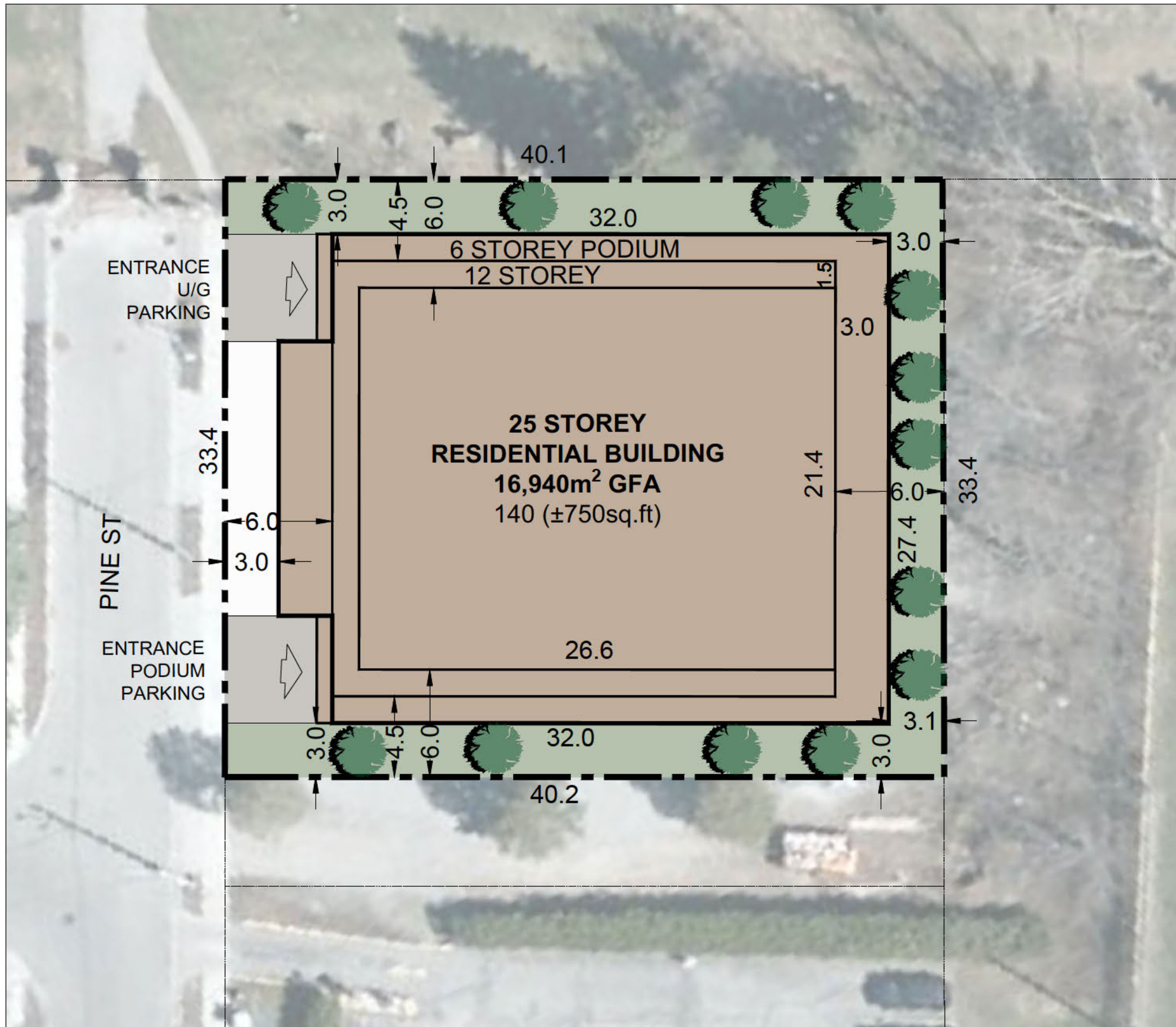
On behalf of Snider Corporation, we respectfully request to be notified of all meetings, reports and progress related to the “Growing Together” initiative in the future. Please don’t hesitate to contact me if you have any questions or would like to discuss further.

Sincerely,  
**GSP Group Inc.**

*Kristen Barisdall*

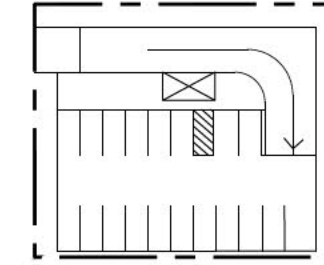
Kristen Barisdale, MCIP, RPP  
Vice President, Planning

cc. Gord Snider, Snider Corporation

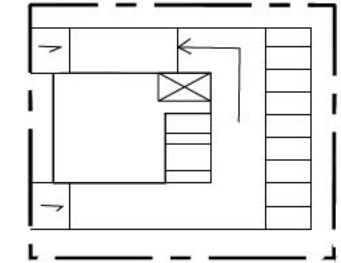


SITE AREA: 1,343m<sup>2</sup>      PARKING: 58 spaces  
 UNITS: 140 units      (0.41 spaces/unit)  
 DENSITY: 1,042 upha  
 GFA: 16,940m<sup>2</sup>  
 FSR: 12.61  
 HEIGHT: 25 storeys  
 MIN. TOWER SEPARATION: N/A

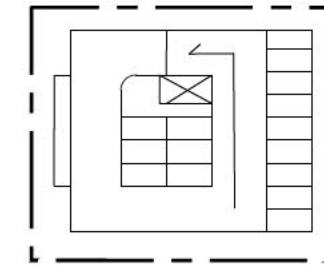
UNDERGROUND PARKING:  
 18 spaces



L1 PODIUM:  
 10 spaces



L2 - L4 PODIUM:  
 30 spaces



NOTE: This concept should be considered as a preliminary demonstration model that illustrates an 'order of magnitude' development scenario for the site. The number of units, floor area and parking supply are approximate and subject to more detailed design as well as municipal planning approvals.

Scale 1:250 | December 20, 2023 | Project No. 23256 | Drawn By: MN



# DEVELOPMENT CONCEPT

49 - 55 Pine Street, Kitchener





# 300-400 King Street W

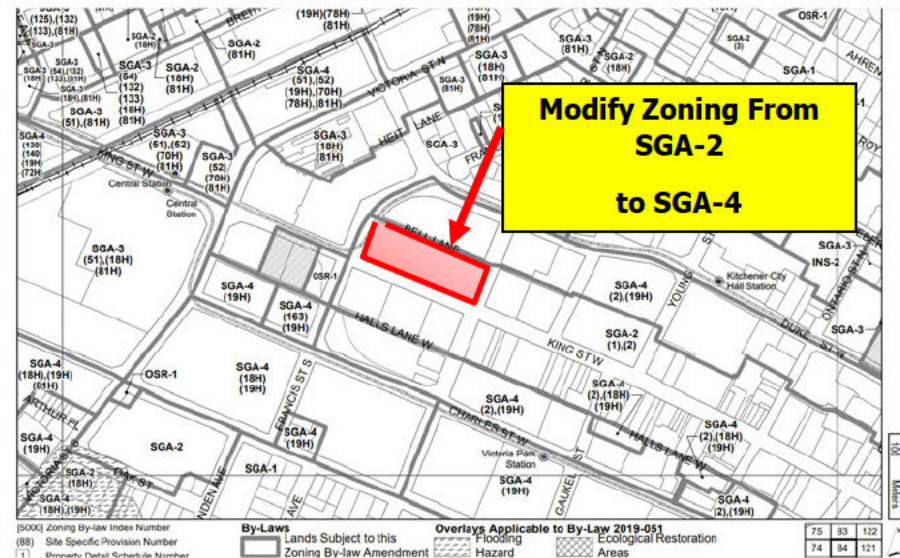
January 29, 2024

# REQUESTS FOR MODIFICATION

That Committee support the following modifications to the Official Plan and Zoning By-law Amendments:

**1/ Designate the lands as Strategic Growth Area "C" (from Strategic Growth Area "B"); and,**

**2/ Zone the lands SGA-4 (from SGA-2)**





# JUSTIFICATION FOR MODIFICATION



- Public Consultation through Growing Together identified the lands for high rise
- Directly adjacent to the LRT and within walking distance to 3 LRT station stops and within walking distance of the future transit hub.
- Transit supportive density with high quality design;
- Lands do not fit the Strategic Growth Area B intention and are more aligned with the Strategic Growth Area C designation

# JUSTIFICATION FOR MODIFICATION



- Building design would support the use of King Street as a primary retail and events destination
- The proposed building design establishes a base/podium that ranges between 6-8 storeys to maintain massing that is supportive of the public realm in DTK.
- Buildings can be designed to comply with the SG-4 Zone



**THANK YOU FOR  
YOUR  
CONSIDERATON**



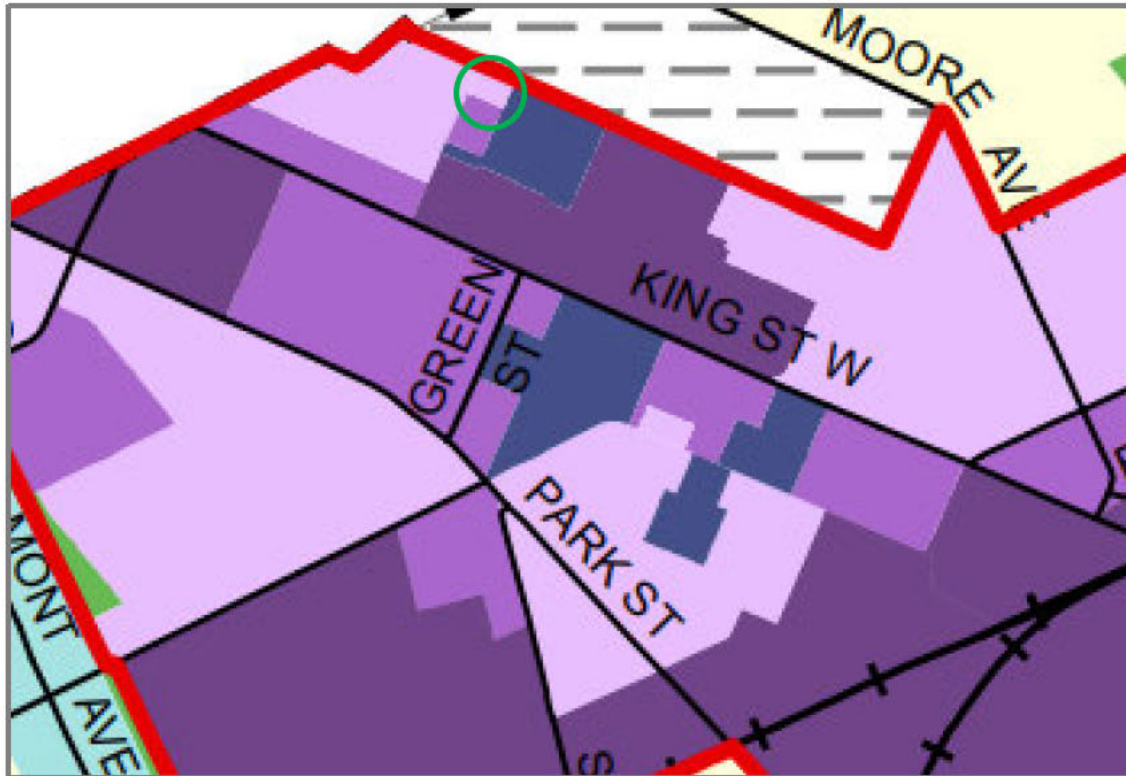
# **Growing Together Proposed OPA and ZBA**

## **49 to 55 Pine Street**

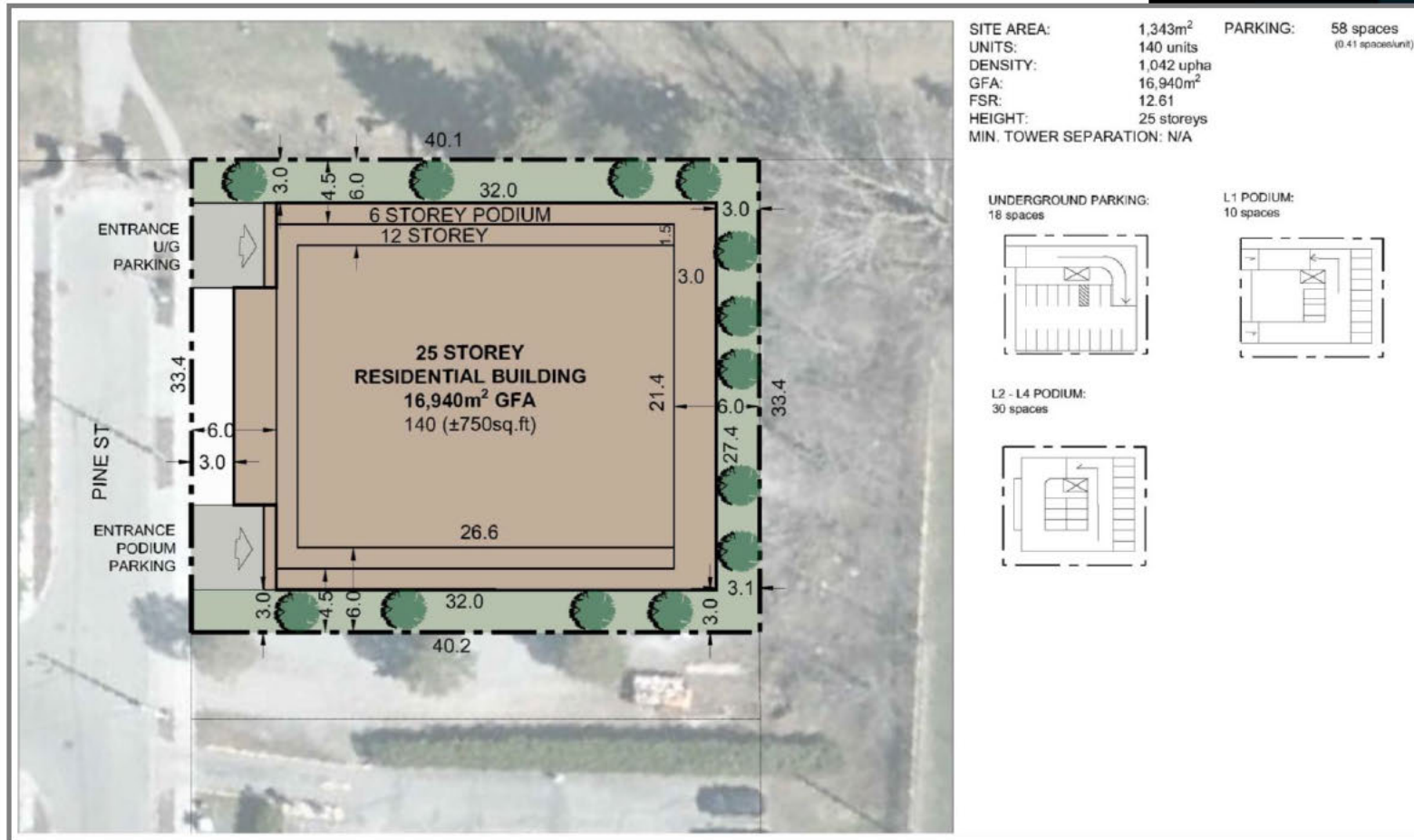
January 29, 2024



# 49 to 55 Pine Street



# 49 to 55 Pine Street



Growing Together – OPA and ZBA  
January 29, 2024





# Growing Together: A Balanced Approach

PRESENTED BY: MOULYA PRADEEP

DATE: 29<sup>TH</sup> JAN 2024

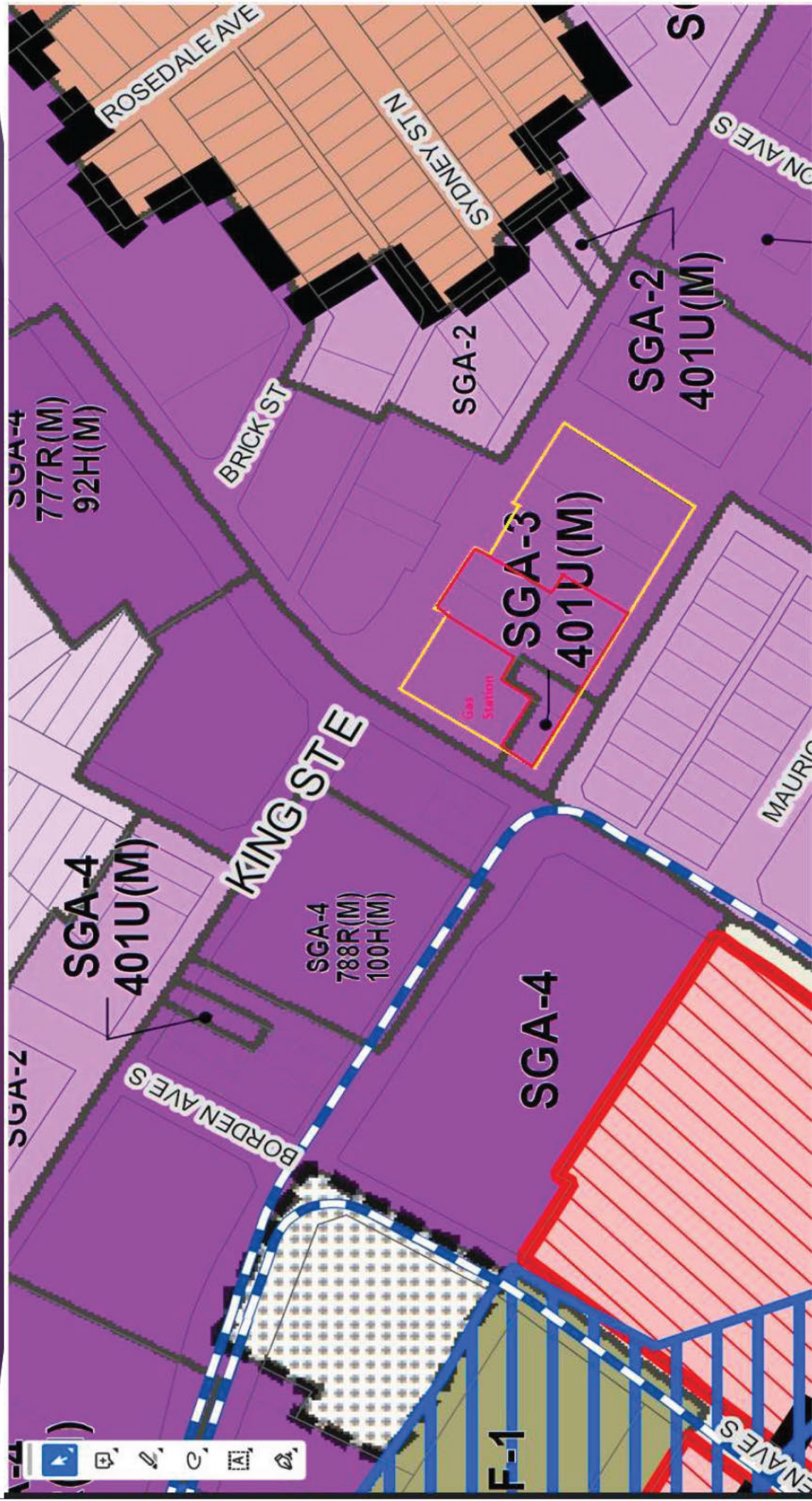
# Introduction

- ▶ Developers are expressing apprehensions amid the current discourse over the proposed adjustment of tall tower separation regulations, contemplating an increase from **12.5m to 15m**.
- ▶ Downgrading from **Mix-4 zoning to SGA-3** (25 Storeys)
- ▶ This presentation aims to outline the potential negative impacts that such modifications could have on the city's progress.



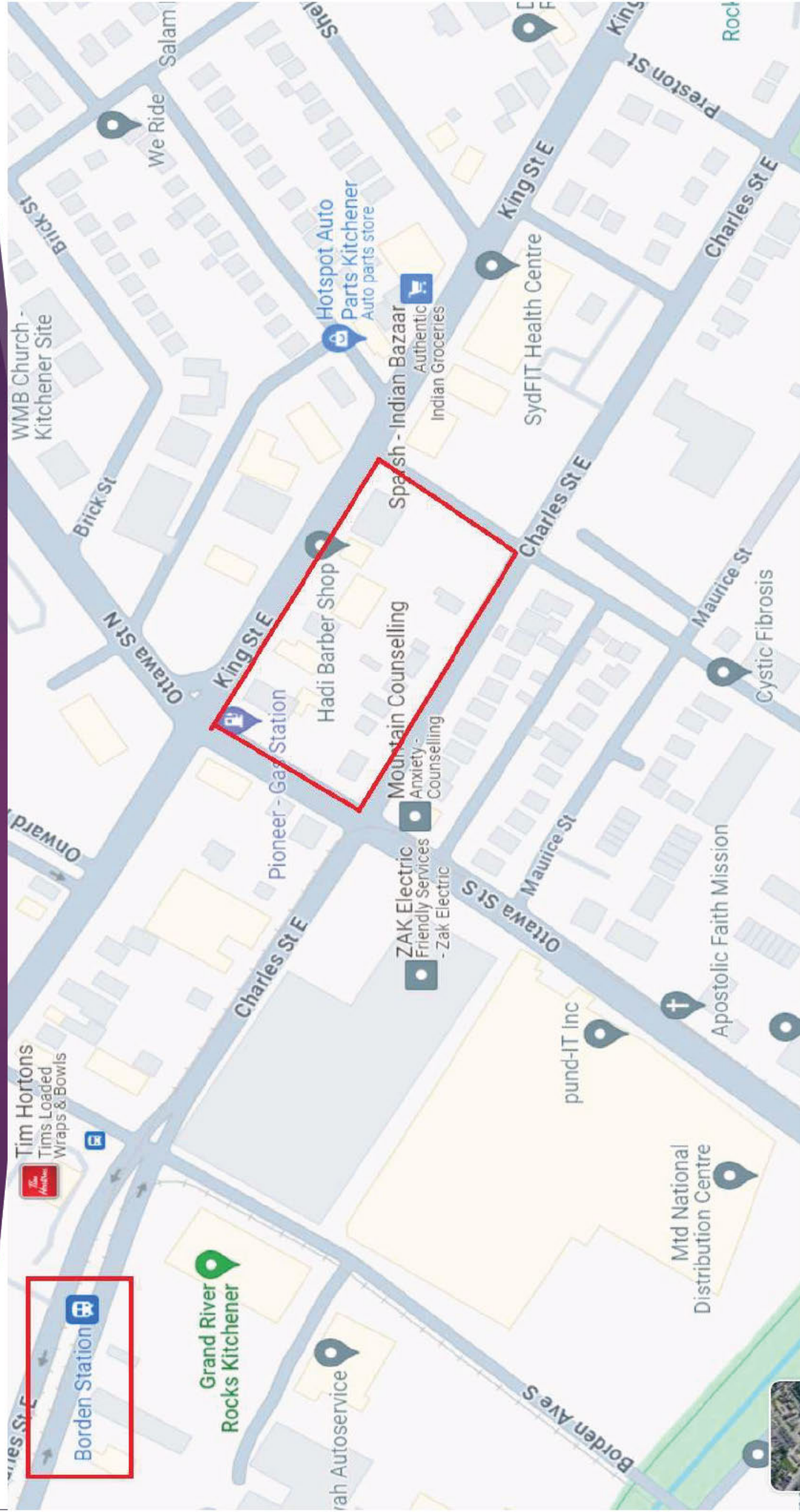
# Ottawa & Charles

- Perfect Spot for development, Previously under CroZBy proposed Mix-4 high density.
- Gas Station, prime location





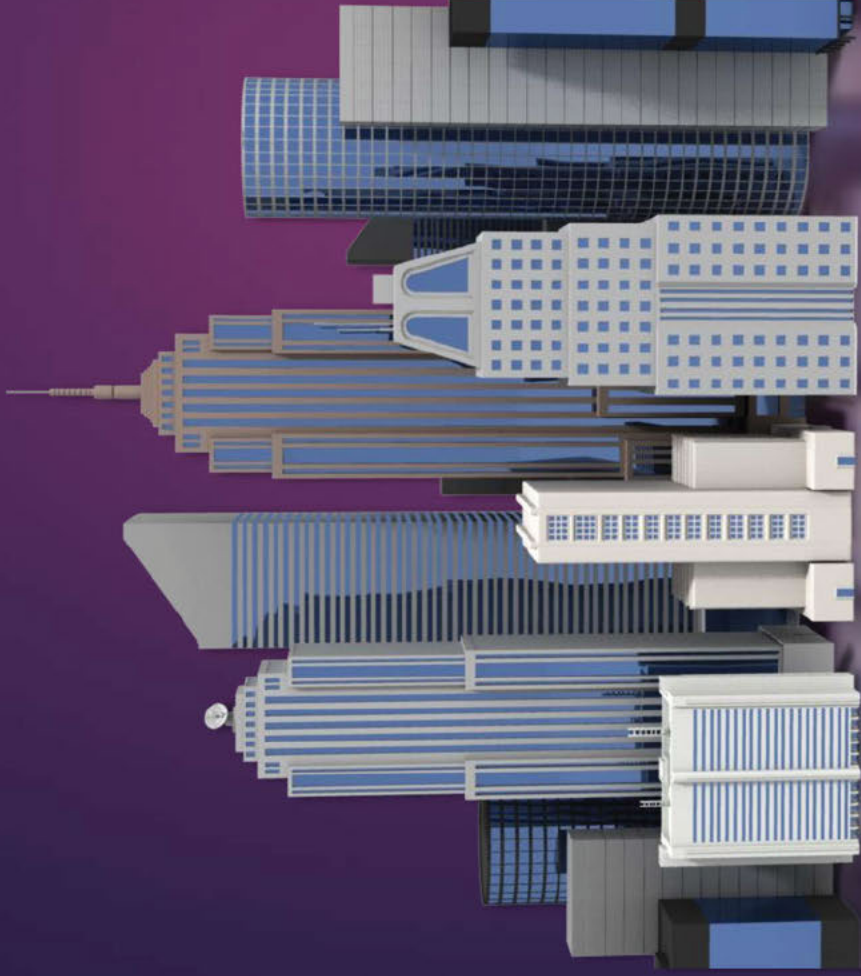
# Google Maps





# Conclusion

- It's crucial to maintain the current 12.5m tower separation guideline and council needs to consider the financial impacts of amenity space requirements.
- Request to relook on the downgraded areas which are along LRT stations which are high dense areas.
- A careful reconsideration of the proposed changes is essential to prevent potential negative effects on the urban landscape and development prospects.



## Mariah Blake

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**From:** Laura New [REDACTED]  
**Sent:** Monday, January 29, 2024 2:10 PM  
**To:** Delegation (SM)  
**Cc:** Debbie Chapman; Stephanie Stretch  
**Subject:** Comment re Jan 29th PSIC meeting on Growing Together DSD-2024-005

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

Greetings Councillors,

I appreciate the work and the changes staff have made to the Growing Together proposal of Jan. 19, 2024. However, I remain concerned about three issues I would like to bring to your attention as follows:

### 1. Priority Streets

I am concerned that adopting the proposals for Priority Streets may generate outcomes in conflict with the following two Official Plan Policies and the City's [Urban Forest Strategy](#):

11.C.1.22. The City will require the provision of shade, either natural or constructed, to provide protection from sun exposure, mitigate the urban heat island, and reduce energy demands

13.C.1.4. The City will design pedestrian-friendly streets by: v) providing shade as an essential component of streetscape design;

The stated goal of Priority Streets in the Glossary is to “contribute to an enhanced streetscape and pedestrian realm”. I fear that the 0m minimum front yard setback provision and the 0% landscaping provision will result in the exact opposite, especially considering that on many of the ‘Priority Streets’ there is no space in the public realm for the addition of shade and street trees.

***My Request: Do not permit an exemption for 0% landscaped area and 0 m front yard setbacks along Priority Streets.***

### 2. Loss of the Secondary Plans.

I object to the repeal of secondary plans without due mandate and appropriate consultation. We, neighbourhood residents have spent significant time over the past many years and invested into working with the City through the Secondary Plan process and then as part of the neighbourhood planning review (NPR). The Secondary Plans, both existing and those proposed under NPR, include neighbourhood-specific requirements that will be lost with these changes.

I suggest that the rezoning of these ‘additional’ Secondary Plan lands that fall beyond the boundaries of the Major Transit Station Areas is not necessary to meet the requirements of Bill 23. I suggest that



the recently announced Official Plan review is a more appropriate opportunity to update the Secondary Plans.

***My request: Either A) Defer the rezoning of non-PMTSA lands and commit to completion of the Secondary Plan process through a separate exercise or B) Re-zone these non-PMTSA lands as per the final NPR proposal.***

### 3. Transition Provisions for Proposed Developments

The sunset clause (proposed zoning bylaw Section 18.5) lists a time period of 10 years for the expiry of approved developments. I suggest a time period of 3 years as was approved when the new CroZBy zoning bylaw was introduced in 2019. In addition, the list of properties in Section 18.4 should be expanded to include 149-151 Ontario Street N & 21 Weber St W (C of A # A2019-050 / HPA-2023-IV-030) and any other approvals made by Council since Nov. 3, 2023.

***My request: Ask staff to revise the Sunset Clause to a 3 year period.***

Thank you for your consideration,

Laura New



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

January 29, 2024

Chair, Councillor Singh  
And Members of Planning & Strategic Initiatives Committee

**RE: Submission on Kitchener "Growing Together" Zoning By-law Amendment  
659-667 King Street and 48, 52-54 Walter Street  
OUR FILE: 1405**

On behalf of our client, HIP Developments, please accept this request for modification to the 'Growing Together' draft documents and support and justification for the request. The comments relate to 659-669 King Street and 48, 52-54 Walter Street (the subject lands).

**Request for Modifications to the Official Plan and Zoning By-law Amendments:  
It is requested that Committee support the following modification to the Zoning By-law Amendments:**

**1/ Zone the lands SGA-4 (from SGA-3)**

**Rationale and Justification for Request:**

The SGA-4 Zone is appropriate for the subject lands, based on the following:

- **Lands are designated Strategic Growth Area 'C'** – this designation permits the highest density residential uses. The location is suitable for the highest density, given the proximity to the downtown and the hospital.
- **Lands are within the 'Central Station Area'** – one of the locations with the highest density permissions is the 'Central Station Area' and the lands are within this area.
- **Surrounding lands within the 'Central Station Area' are zoned SGA-4** – surrounding lands are identified for the SGA-4 zone. The public consultation process identified the lands as a location for high-rise building.



- **Buildings can be designed to comply with the SG-4 Zone** – the lands can be designed to accommodate the criteria of the SG-4 Zone. A pre-application meeting was held with City staff some time ago that supported a high level of height and density on the subject lands.
- **Lands are within an 'emerging area' of new development** – the 'midtown' area has seen recent investment in redevelopment and a location with great opportunity for higher density that is outside of the downtown.

**We would also offer the following comments on the proposed Inclusionary Zoning:**

- The subject lands should be identified as an 'emerging area', not 'prime area'
- The timing of the set aside rate should be based on the timing of zoning, rather than building permit.

**Please refer to the letter from HIP Developments with additional details and comments in relation to the Inclusionary Zoning.**

**We request that City staff be directed to make the requested modification to the Zoning By-law, prior to Council consideration of the final amendment documents.**

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read 'DWA', followed by a horizontal line extending to the right.

David W. Aston, MSc, MCIP, RPP  
Vice-President

c. Joel Doherty



January 26, 2024

Chair, Councillor Singh  
And Members of Planning & Strategic Initiatives Committee

**RE: Submission on Kitchener “Growing Together” and “Inclusionary Zoning”  
Zoning By-law Amendments  
659-667 King Street and 48, 52-54 Walter Street**

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HIPDEVELOPMENTS.COM

On behalf of HIP Abstract GP Inc. (HIP Developments Inc.), owner of 659-667 King Street and 48, 52-54 Walter Street (the subject lands), please accept this request for review and modification to the ‘Growing Together’ and ‘Inclusionary Zoning’ draft documents. This letter is in conjunction with the MHBC Planning letter regarding the subject lands.

We have reviewed comments and questions provided by the Build Urban and Waterloo Region Homebuilders Association. We support many of the questions and comments raised by both in terms of feasibility concerns and implementation. With respect to the subject lands in particular:

- We acknowledge that affordability is a significant issue in our region and province. We believe that all parties have a part to play, and we support solutions whereby all levels of government, the general public including taxpayers, and both urban and suburban developments participate. This should not be placed entirely on new homeowners and renters.
- While we support staff for recommending development charge, parkland dedication, community benefit charge exemptions and no required parking for affordable units, there would still be a financial shortfall. IZ will impact our project with a drop in value of ~\$180,000 per unit vs. ~\$50,000-60,000 savings in development charges and other exemptions.
- Any shortfall in revenue would have to be made up from increases on the remaining units. It is expected that this could push the price of the other units to a point past market acceptance which could result in limited to no sales, thereby making the project unfeasible, resulting in no new supply added to the market.
- This project is intended to be a condominium building. The staff report speaks to a third party that would buy, rent, and manage the units – is that feasible for those entities? Do they have the capacity to obtain financing to purchase units? This creates considerable uncertainty, and we would not want to be in a position where we are to retain ownership of affordable units, having to rent and manage.
- We support the concept of transferring affordable units to other sites and public private partnerships such as the Build Now initiative. We would welcome the opportunity to discuss.



HIP DEVELOPMENTS

74 Grand Ave. S., Suite 201,  
Cambridge Ontario,  
N1S 0B7



We request that our subject lands be reviewed for the matters raised by MHBC and in this letter. Given the importance of the affordability issue and the many concerns that remain from the development industry, we recommend deferral of the process for more consultation and consideration of the issues raised and the opportunity to meet specifically to discuss the subject lands.

Yours truly,



Scott Higgins  
President  
HIP Developments Inc.



Joel Doherty  
Vice President, Real Estate & Development  
HIP Developments Inc.

York Street Apartments | 75 and 81 York Street and 130 Mt. Hope Street





# Commentary in support of Growing Together

Date: Jan 29, 2024

Author: Mike Doherty

Good evening members of the Planning and Strategic Initiatives Committee, and thank you for allowing me the opportunity to speak today. My name is Mike Doherty, and I am a passionate advocate for responsible urban development. I'm a member of Waterloo Region YIMBY, so it should be no surprise that I'll be expressing support for the Growing Together plan.

First, I want to applaud the engagement on this. Staff did a great job with outreach and engagement, and the awards are well-deserved.

However I do have some constructive feedback on the report itself, which I think reveals a mindset that is fundamentally wrong for what should be a high growth region such as ours. Then, I'll speak to some policy changes that should've been made, and finally comment more generally on what Council should do next.

The report and the policy generally seem to be borne of a desire to limit and control growth, but this is fundamentally the wrong mindset for a region like ours which should be a high-growth region -- especially in the middle of a housing supply crisis that was substantially caused by municipal restrictions on housing production. Limiting and micromanaging growth is not in our long-term best interests, and while Growing Together proposes to loosen the grip a little, I worry that it is too little, too late.

As just one example, the report states there are no financial implications -- but there are, they're just positive implications. Denser development can be serviced more cheaply, making our tax dollars go further. This is a good thing, and one of the key benefits we can unlock with intensification. The report also contains hand-wringing about "livability" and so on, but livability for who? Adding a large tower may mean a family gets to move out of precarious housing, or a homeless person can move off the streets, or a young couple can move out of a parent's basement. These all improve "livability" -- but the report only seems to consider the people who are already comfortably housed, and how they feel about shade or whatever.

Next, while this policy proposal is good, it obviously applies only to PMTSAs -- but the whole city deserves and needs this kind of intensification treatment. Hamilton put 90% of their growth into intensification/infill last year. Our regional draft OP is uninspired by comparison, aiming for only a shift to 61% intensification by 2051. We can do it, we just have to decide to be ambitious, commit to doing it, and follow through. It worries me that such a small change to policies in PMTSAs took so much time and effort and outreach and so on. How will we ever get the other, larger, policy changes that we're going to need, done?

I don't think Growing Together proposes to reduce or eliminate development charges or other similar fees, but they should be. Again, this is just a wrong-headed policy. Your job in the middle of a housing crisis that this council has in part created, is to enable growth, particularly mid-density intensification. DCs just pile taxes on the people who are suffering most from the housing supply shortage this council has overseen -- young people, newcomers to the country, renters, etc These people shouldn't have to subsidize the wealthy existing homeowners who have only grown more wealthy as this crisis has snowballed.

Staff have asserted that there are no angular planes in the proposal. But the setbacks in high-density zones will have a substantially similar effect. Kitchener may be making "wedding cake" towers instead of ziggurats like in Toronto, but either way, it makes development less viable, by increasing the design cost, decreasing the volume of the building, increasing water intrusion, degrading the thermal envelope, and it also just looks really stupid. I don't expect my aesthetic preferences to be made into law, but I do expect



other's aesthetic preferences to not be made into law. I implore the committee to thoroughly review and, if necessary, revise any provisions that may inadvertently hinder the economic viability of high-density projects. They reflect a hesitancy to embrace progressive urban development, and we risk perpetuating the stagnation that has contributed to our current housing shortage.

Next, in the context of major transit station areas, the inclusion of low-density SGA-1 seems counterintuitive. There shouldn't be low-density zoning in the PMTSAs in the first place, and adding extra height restrictions on SGA-2 when it abuts SGA-1 is even worse, undermining the potential benefits of mid- to high-density development near transit. I strongly urge the committee to reconsider the presence of low-density zoning in these critical zones and eliminate any spill-over restrictions that may impede the efficient use of adjacent SGA-2/3 lots.

The mixed-use zoning is good, and all Kitchener's residential zones should be liberalized in this way. But the details reflect more unnecessary micromanaging: commercial uses still require parking, and brewpubs and restaurants are only permitted on corner lots -- both are unnecessary restrictions that prevent some of the best improvements a neighbourhood could see. Just let people do things!

It is crucial to recognize that past policy decisions from both planning staff and Council have played a significant role in creating our housing challenges. It is commendable that the committee is working towards rectifying this through the Growing Together plan. However, I urge you to carefully scrutinize and remove any elements that could inadvertently perpetuate the mistakes of the past. Let us not repeat the errors that have led to the current housing shortage, but rather, let us embrace a vision that fosters a dynamic and inclusive city that builds according to demand, unleashing our full economic potential.

My request for the committee is to remove such "poison pills" from the Growing Together plan before referring it to council. By doing so, we can ensure that our city moves forward with a robust and forward-thinking urban development strategy that benefits all residents.

Next, this committee should pursue systemic fixes to the planning system itself. How is it that Conestoga College was able to bring so many international students without the region's housing system planning to accommodate that? There are surely many factors explaining how it is that this council allowed the gap between demand and supply to get so huge for so long -- and systemic fixes to the system should be next on your docket, to ensure that a catastrophic failure of the planning system is impossible in the future. While Growing Together is a step in the right direction, it is by no means a complete solution.





# **GROWING TOGETHER: A BALANCED APPROACH**

Presented by: Raman Singh

Date: 29<sup>th</sup> Jan 2024



# INTRODUCTION

- The current agenda is on increasing tall tower separation regulation from **12.5m** to **15m** has raised developers concerns.
- Downgrading from **Mix-4 zoning** to **SGA-2** and **SGA-3**.
- This presentation will outline the potential negative impacts of such changes on the city's development.



## SGA 3 Guidelines

### SGA3 Zoning Highlights

Listed here are a few of the important regulations that apply to the SGA3 zone;

- Building heights are limited to 25 storeys.
- There are minimum lot widths and areas, as well as building length regulations that apply to different heights of buildings;
  - Buildings up to 12 storeys require a minimum lot width of 30.0m and a minimum lot area of 1,500m<sup>2</sup>. They have a maximum building length of 60.0m, a maximum floor plate area of 2,000m<sup>2</sup>, and a physical separation requirement of 6.0m.
  - Buildings up to 18 storeys require a minimum lot width of 36.0m and a minimum lot area of 1,800m<sup>2</sup>. They have a maximum building length of 54.0m, a maximum floor plate area of 1,200m<sup>2</sup>, and a physical separation requirement of 9.0m.
  - Buildings up to 25 storeys require a minimum lot width of 42.0m and a minimum lot area of 2,000m<sup>2</sup>. They have a maximum building length of 48.0m, a maximum floor plate area of 900m<sup>2</sup>, and a physical separation requirement of 12.0m.
- Parking is not required, but it is permitted.
- There is a minimum yard setback of 3.0m. **Does it mean front yard setback??**
- Building height cannot exceed 12.0m within 12.0m of an SGA1 or low-rise residential zone. The minimum setback for a building adjacent to an SGA1 or low-rise zone is 7.5m
- Buildings are required to provide 8.0m<sup>2</sup> of amenity space per unit.

### Equivalent Mix-3 Zoning Highlights

- Building heights: 25 Storeys
- No minimum lot width requirement.
- Minimum Lot-Width 15m.  
(new proposed changes, require upwards from 30m-42m)

Questions: Does (“physical separation”) now mean considering balconies.

New requirement to Provide 8.0m<sup>2</sup> (86 sq/ft) of amenity space per unit.

E.g. (25 Storey building with 350 units, would require 2800m<sup>2</sup> (30,100 sq ft) of built amenity area.

Average building cost of \$450sq/ft would add approximately \$13,500,000.00 to total building cost.



## SGA 4 Guidelines

### SGA4 Zoning Highlights

Listed here are a few of the important regulations that apply to the SGA4 zone;

- There are minimum lot widths and areas, as well as building length regulations that apply to different heights of buildings;
  - Buildings up to 12 storeys require a minimum lot width of 30.0m and a minimum lot area of 1,500m<sup>2</sup>. They have a maximum building length of 60.0m, a maximum floor plate area of 2,000m<sup>2</sup>, and a physical separation requirement of 6.0m.
  - Buildings up to 18 storeys require a minimum lot width of 36.0m and a minimum lot area of 1,800m<sup>2</sup>. They have a maximum building length of 54.0m, a maximum floor plate area of 1,200m<sup>2</sup>, and a physical separation requirement of 9.0m.
  - Buildings up to 36 storeys require a minimum lot width of 42.0m and a minimum lot area of 2,000m<sup>2</sup>. They have a maximum building length of 48.0m, a maximum floor plate area of 900m<sup>2</sup>, and a physical separation requirement of 12.0m.
  - Buildings over 36 storeys require a minimum lot width of 48.0m and a minimum lot area of 2,400m<sup>2</sup>. They have a maximum building length of 36.0m, a maximum floor plate area of 850m<sup>2</sup>, and a physical separation requirement of 15.0m.
- Parking is not required, but it is permitted.
- There is a minimum yard setback of 3.0m.
- Building height cannot exceed 12.0m within 12.0m of an SGA1 or low-rise residential zone. The minimum setback for a building adjacent to an SGA1 or low-rise zone is 7.5m
- Buildings are required to provide 8.0m<sup>2</sup> of amenity space per unit.

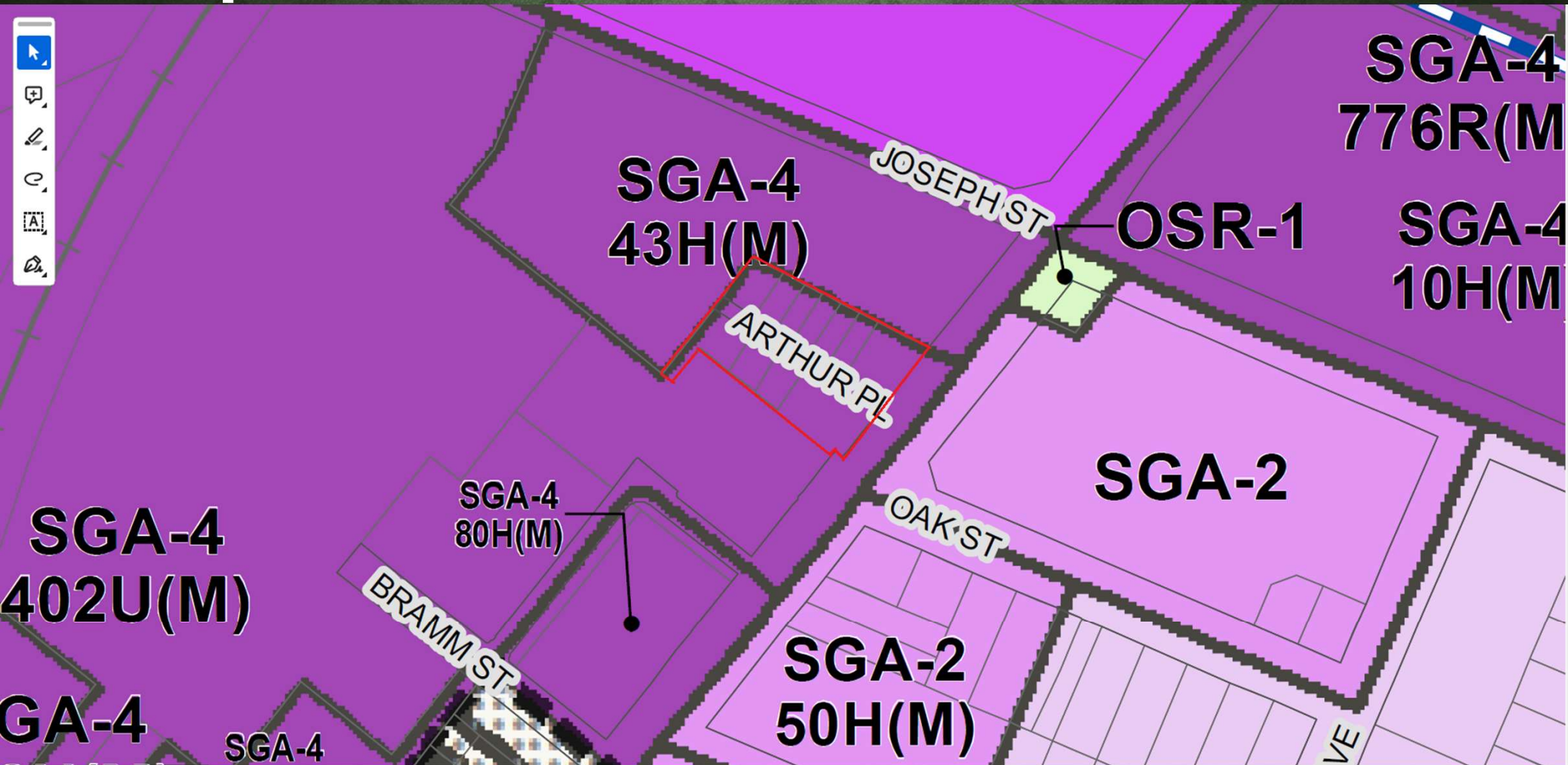
### Equivalent Mix-4 Zoning Highlights

- Minimum Lot-Width 15m.  
(new proposed changes, require upwards from 30m to 48m).
- No minimum lot area requirement.  
(new proposed changes, require upwards from 1500m<sup>2</sup> - 2400m<sup>2</sup>).
- 12.5m tower separation guideline, with shown flexibility in previously approved application.  
New Proposed SGA4 would place into By-Law, set 15m “physical” separation, for towers exceeding 36 storeys.
- To stimulate development, setbacks should instead range subsequently from up to:
  - 12 Storey-6m, 18 Storey-8m, 36 Storey-10m and over 36 Storey-12.5M
- The tower separation guideline was 12.5m setback.
- New requirement to Provide 8.0m<sup>2</sup> (86 sq/ft) of amenity space per unit.
- E.g.(52 Storey building with 600 units, would require 4800m<sup>2</sup> (51,600 sq ft) of built amenity area.
- Average building cost of \$450sq/ft, adds approximately \$23,200,000.00 million to total building cost.



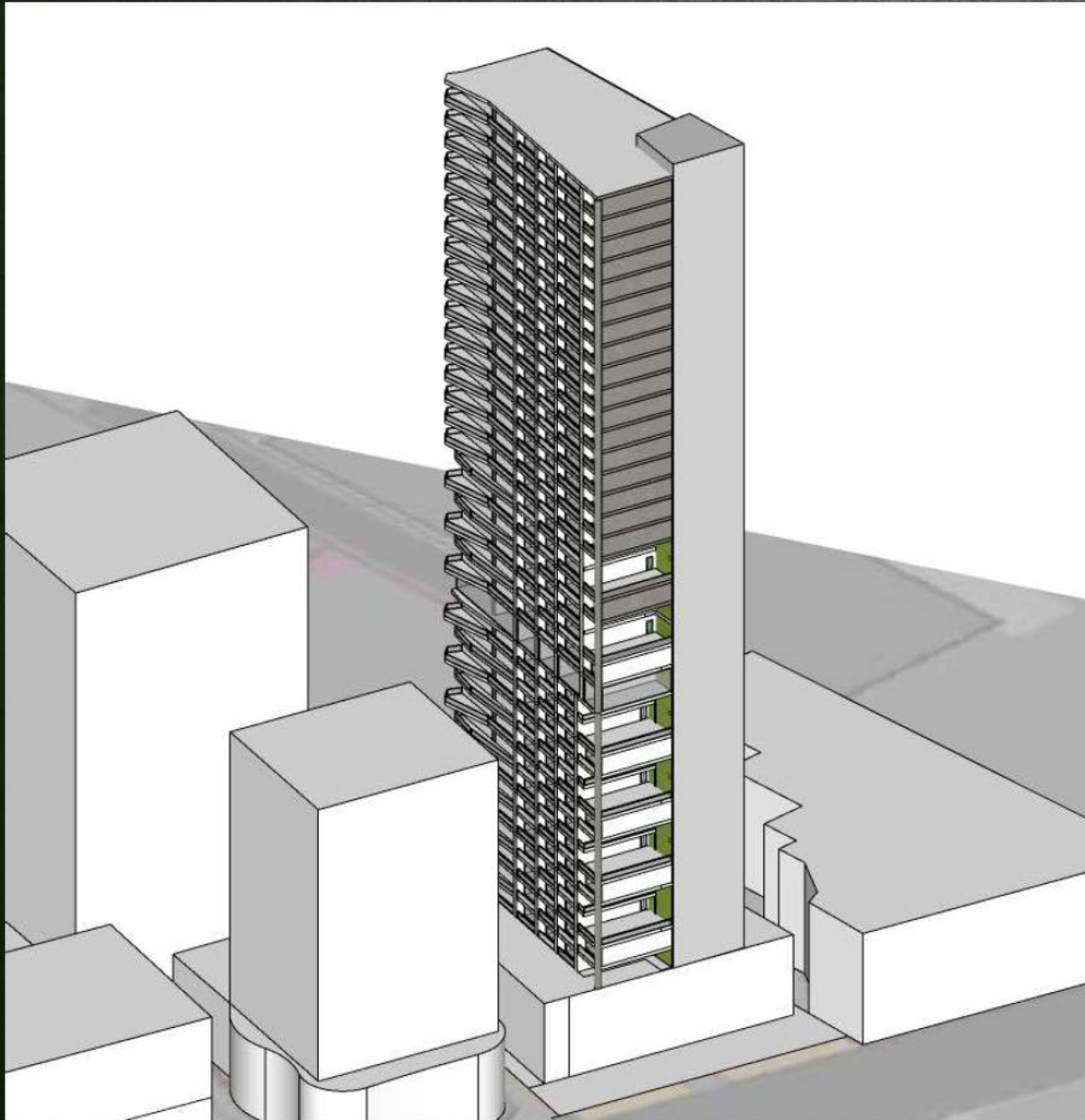
Arthur Place – approximately 0.7m  
acre

- 100m from transit hub
- Tower separation of 15m on both the sides, hinders the higher density development.

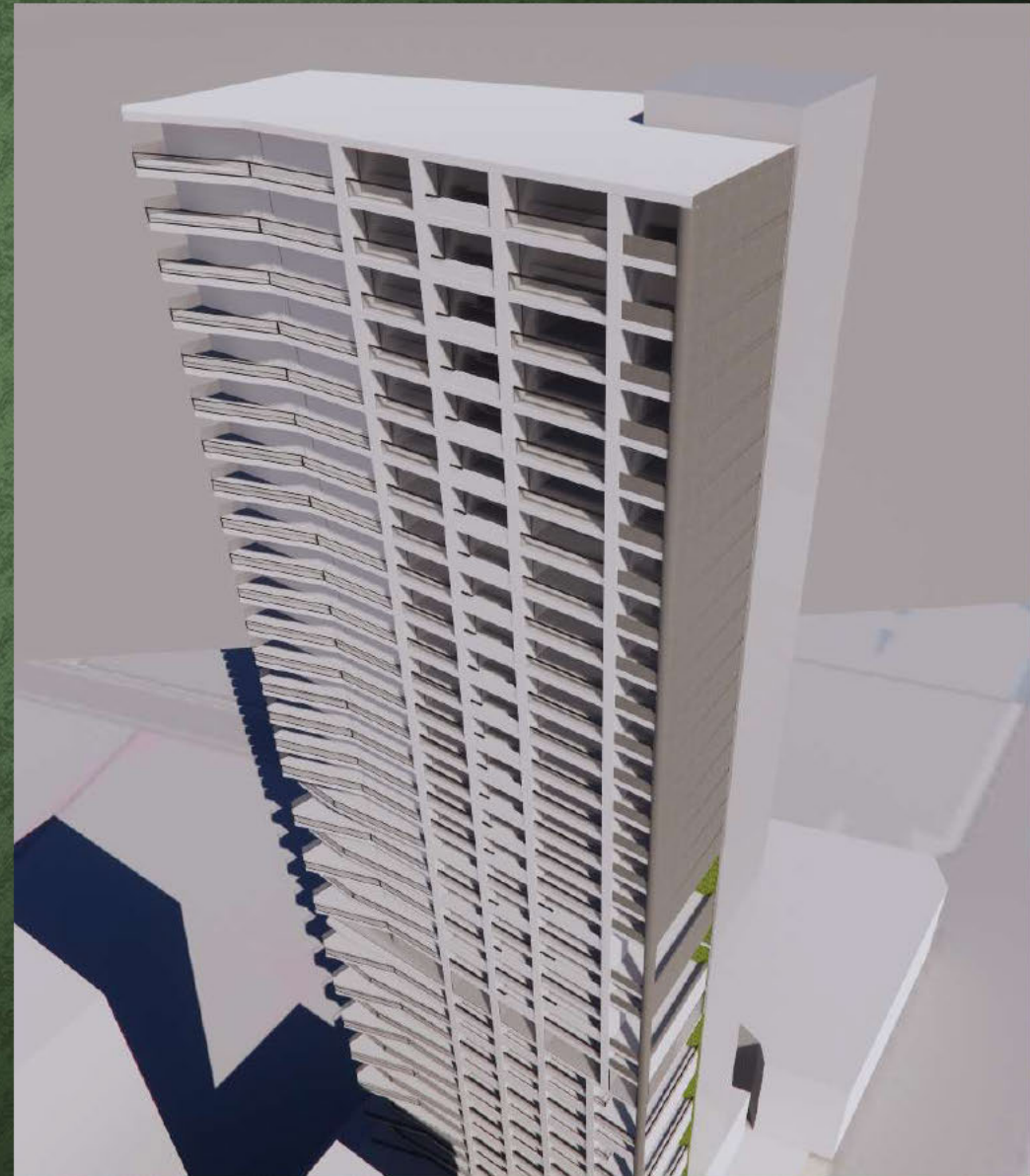




Designed with Decent Towers setback





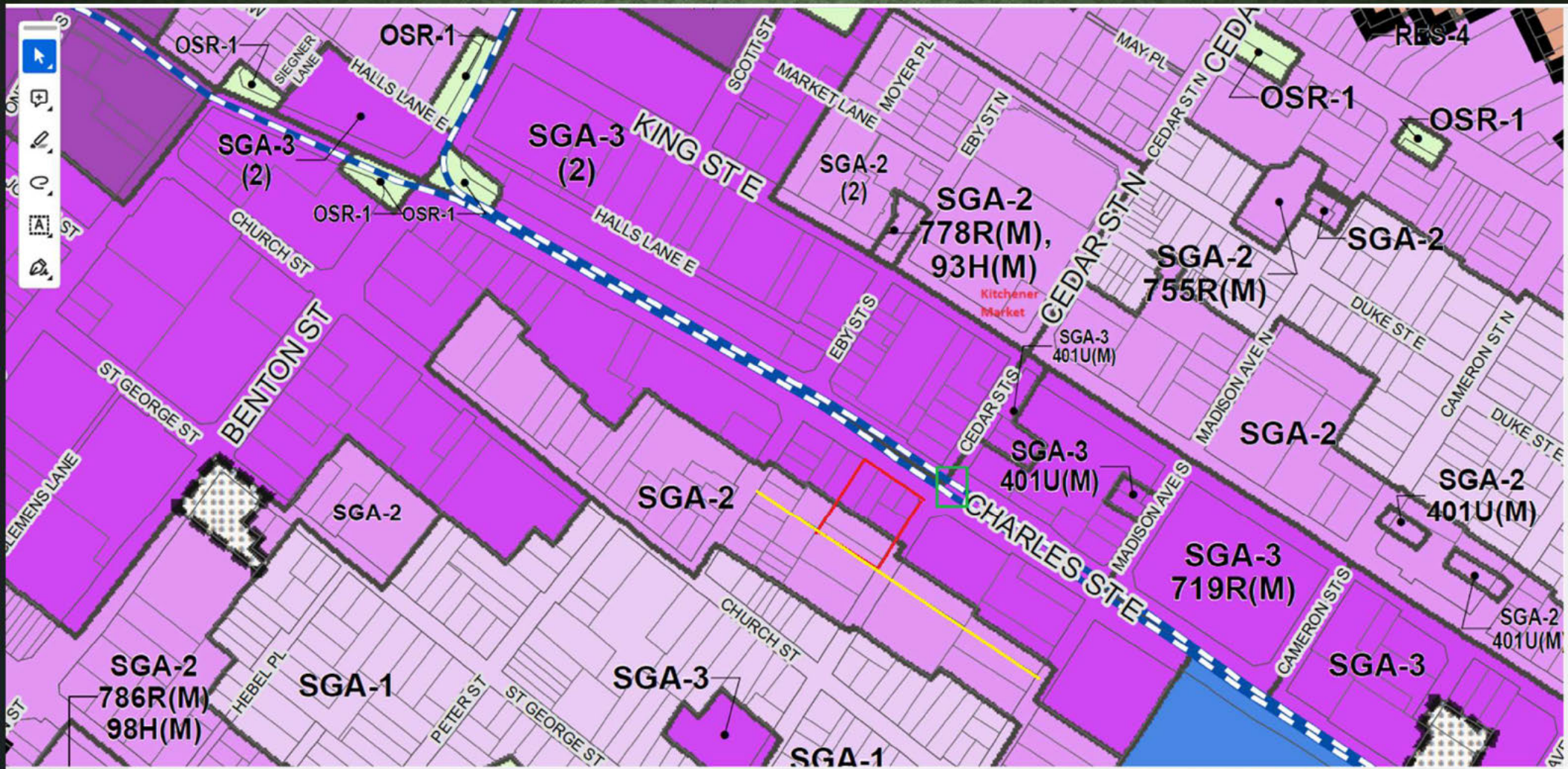




# Cedar & Charles

93-101 cedar  
42-48 cedar

- 110 feet(33m) depth, impossible with tower separation regulations.
- Kitchener Market, Dense area, LRT station
- Previously under CroZBy proposed Mix-4 high density





# Previously under Mix-4 Zoning

maps.kitchener.ca/OnPointExternal/RMap/Default.aspx#

Showing 1 of 1

Attribute	Value
Objectid	876
Zone Type	MIX
Zone Class	MIX-4
Bylaw No	2019-SEC
Map Label	
Zone Class Document	<a href="https://app2.kitchener.ca/appdocs/ZoneByLaw2019_Proposed_Amendments/PublishedCurrentText/Neighbourhood Planning Reviews/SECTION 8 - Mixed Use (MIX) Zones/Section_8_NPR Proposed.pdf">https://app2.kitchener.ca/appdocs/ZoneByLaw2019_Proposed_Amendments/PublishedCurrentText/Neighbourhood Planning Reviews/SECTION 8 - Mixed Use (MIX) Zones/Section_8_NPR Proposed.pdf</a>
Provision 1	
Provision 2	
Provision 3	
Provision 4	
Provision 5	
Provision 6	
Section 3 - Definitions	<a href="#">Open Section 3 - Definitions</a>
Section 4 - General Regulations	<a href="#">Open Section 4 - General Regulations</a>
Section 5 - Parking, Loading, and Stacking	<a href="#">Open Section 5 - Parking, Loading, and Stacking</a>
Application No	<a href="https://www.kitchener.ca/">https://www.kitchener.ca/</a>

Scale 1: 564    General Information    X: 541,770.27,Y: 4,810,477.55

Powered by: **ROLTA** OnPoint™

Open Kitchener's Open Data Portal    Show desktop



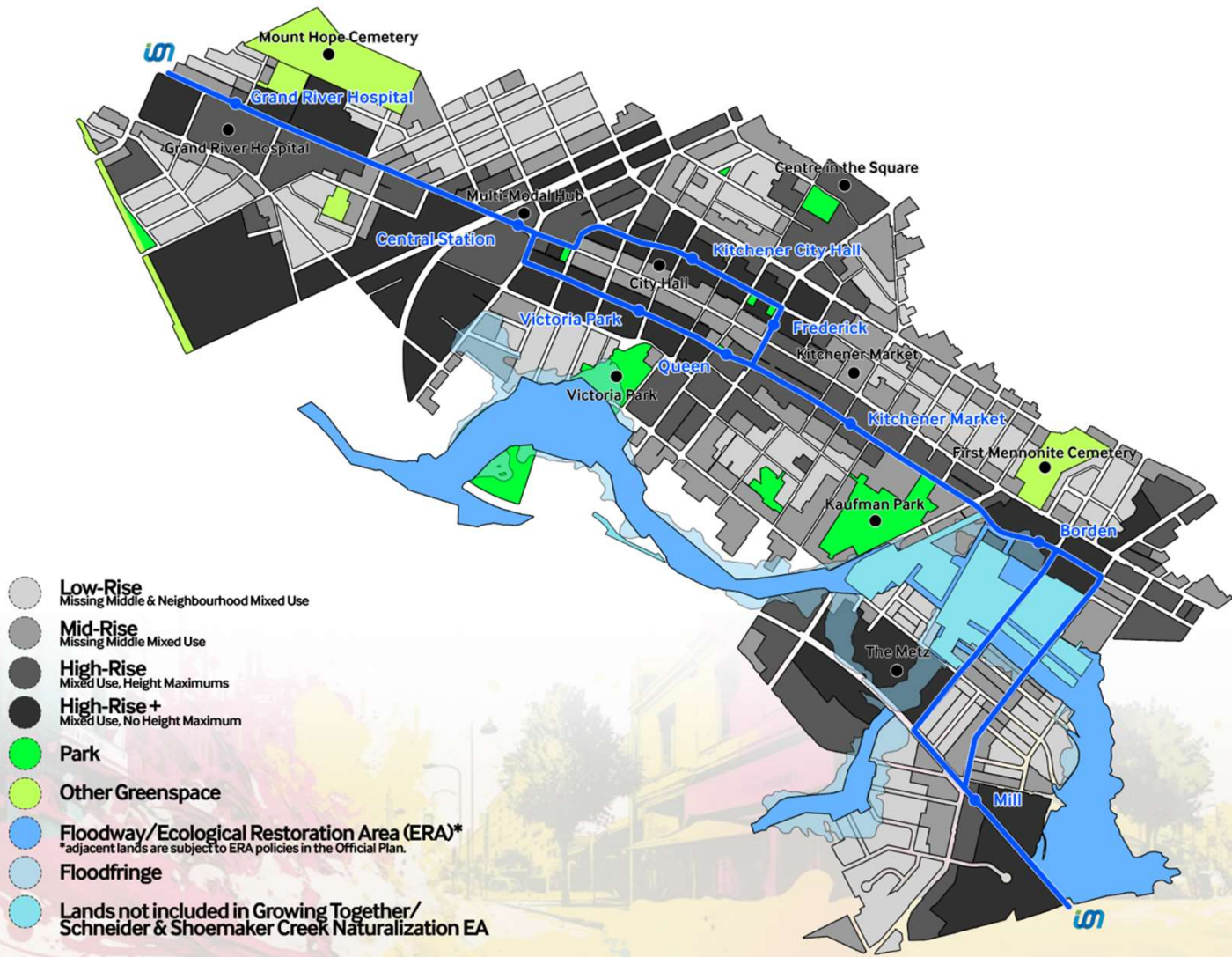
# Prime location, Charles St





# Growing Together Zoning

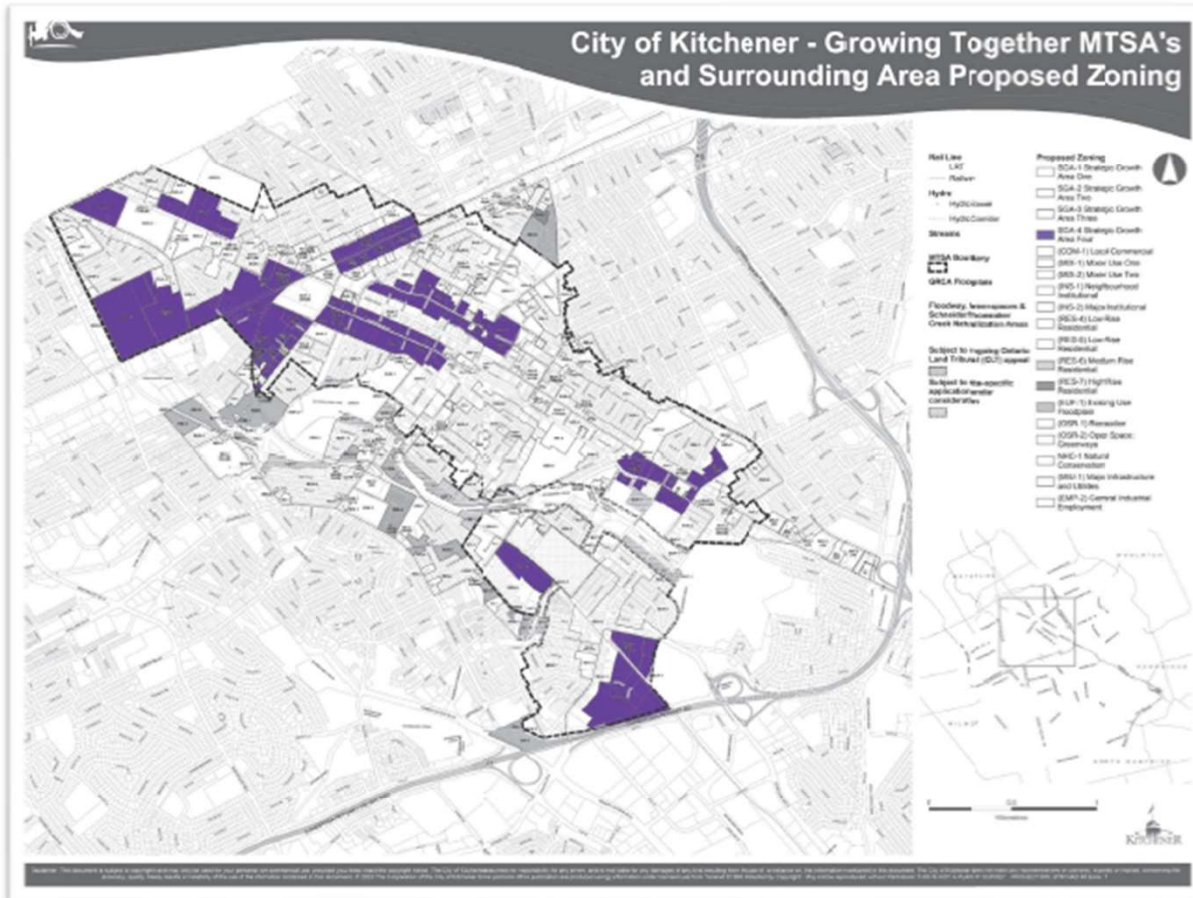
- This map shows the full draft zoning approach with all four zones.





# SGA4 Zoning Map

This map shows the Strategic Growth Areas 4 (SGA4) zone, where buildings are not limited by height. They will allow missing middle, mid-rise and high-rise infill housing along with a range of non-residential uses.

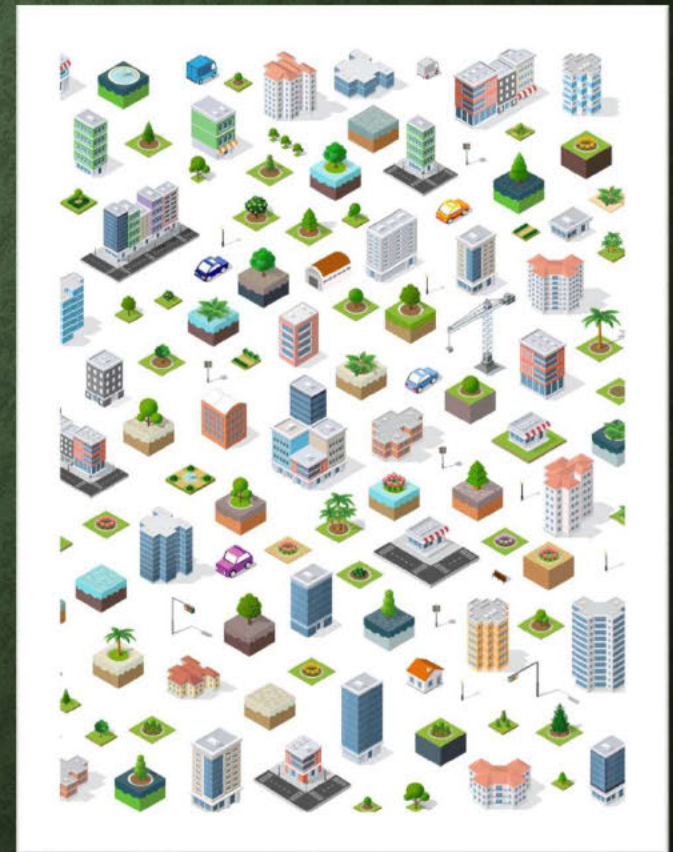


The above map shows the combined results of all public workshops, where participants placed high-rise buildings.



# CONCLUSION

- It's crucial to maintain the current 12.5m tower separation guideline and council needs to consider the financial impacts of amenity space requirements.
- A careful re-evaluation of the proposed changes is necessary to avoid potential negative impacts on the urban landscape and development prospects.





**Dianna Sanderson**

---

**From:** Dawn Parker [REDACTED]  
**Sent:** Monday, January 29, 2024 6:06 PM  
**To:** Clerks (SM)  
**Subject:** Comments for Council on Agenda item 6.1 "growing together"

You don't often get email from [REDACTED]

## **Planning & Strategic Initiatives Committee Agenda**

**Monday, January 29, 2**

The proposed MTSA / PMTSA "Growing Together" OPA and secondary by-laws are flawed. I suggest you ask staff to revise them. My comments are general, but use the Mt. Hope MTSA slice as an example.

- Our neighbourhoods are under-zoned for their current form. They are zoned for lower density than exists now. That makes it very difficult for current owners to do small in-fill projects, as they need an official plan and zoning by-law amendment. Conversely, it makes it very easy for speculators to buy out properties for "assembly", because the land value are capped at single-family residential for most investors.
- The ideal of "transitional" zones is just a gift to speculators. It's a signal to them that the land will be up-zoned. When combined with the low-rise zoning, it again invites them to purchase single family homes for speculation.
- It's well established in planning and real estate theory that when these conditions are present, landlords buy up properties and let them decay, until conditions are right to convert to high-rise (Smith's rent-gap hypothesis).
- The City has not communicated to residents that under the new zoning, no land use decision in the PMTSA will be appealable by residents. Postcards that have been sent out have been almost devoid of information and contain images of places that no longer existing in Kitchener, and will never in the future under their new plans. Postcards have omitted public engagement opportunities and have incorrectly stated that zoning is not changing at this time. Again, the lack of understanding of the zoning and its impacts for land value favours speculative investors. They know the land value for development, but the current residents do not.
- These zoning changes will not facilitate missing middle housing, because they will inflate land values beyond what a missing middle developer can pay. The City is well aware of this issue.
- The City left our neighbourhood (Mt. Hope) out of cultural heritage landscape designation, and never responded to inquires or protests about this decision. Uniquely leaving it out of this designation again favours speculative investors and invites them to acquire and assemble lands. Similar neighbours (i.e. Braun, a newer neighbourhood with less dense housing) have received the designation.
- The City's process about deciding where to intensify was flawed. They asked people at open houses where they wanted high-rise development. The people naturally said "not in my neighbourhood."
- The City CANNOT enforce the zoning it is setting in these transitional zones, and they know it. The low-rise zoning they are imposing is meaningless, because these areas are designed for intensive development by their MTSA designation. Any developer who would file an appeal to OLT would win. The only way to protect those neighbourhoods is to zoning them for intensified low-rise, i.e. a 10 unit building on any residential parcel. I have recommended to city planner and Council that that be done on many occasions.

Dawn Parker

[REDACTED]  
Kitchener

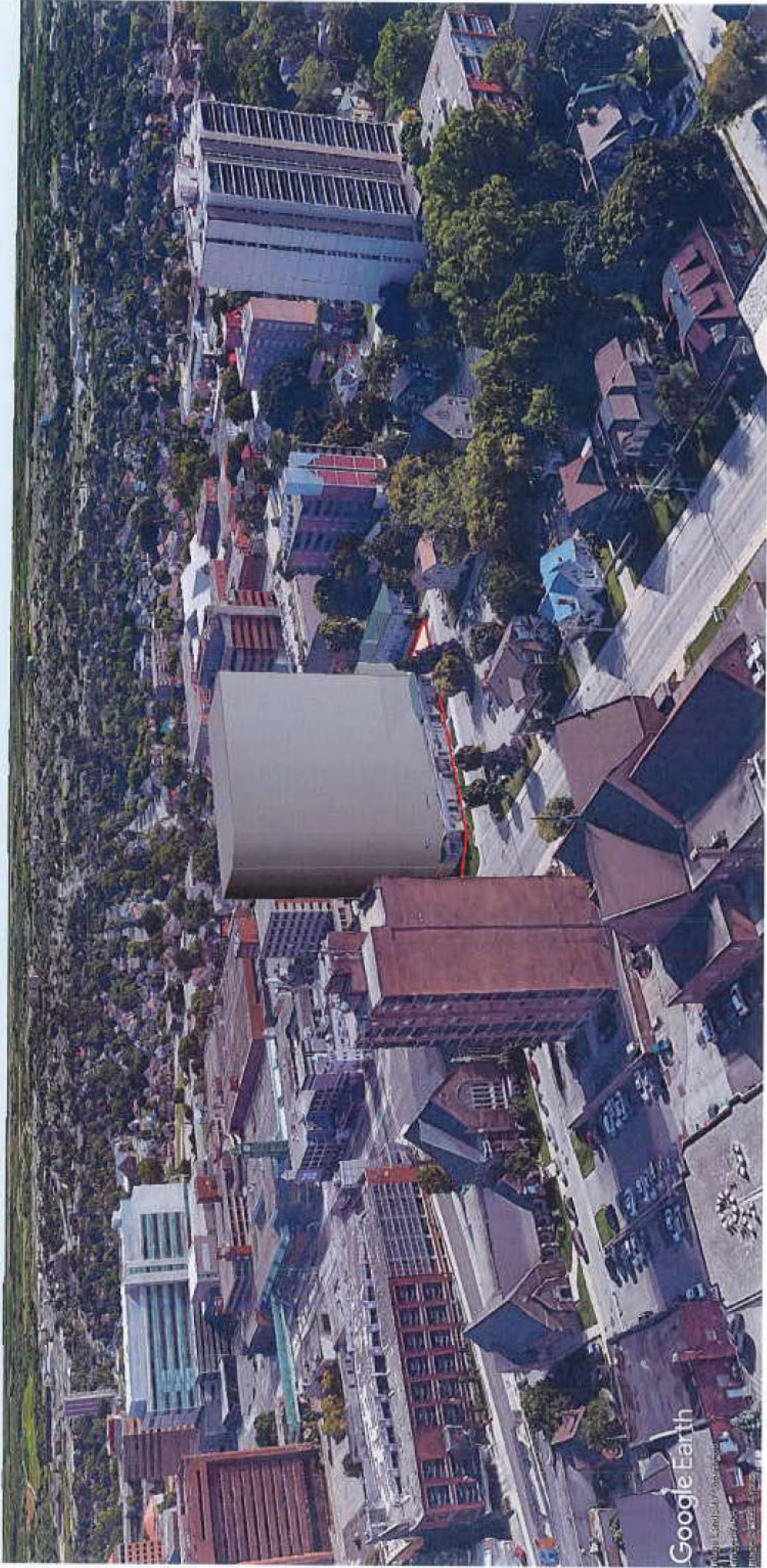


[REDACTED]

**Prospective Students: Graduate funding opportunities and application instructions for my lab are posted through wici.ca, at <https://uwaterloo.ca/complexity-innovation/news/new-wici-graduate-funding-opportunities-2023>**

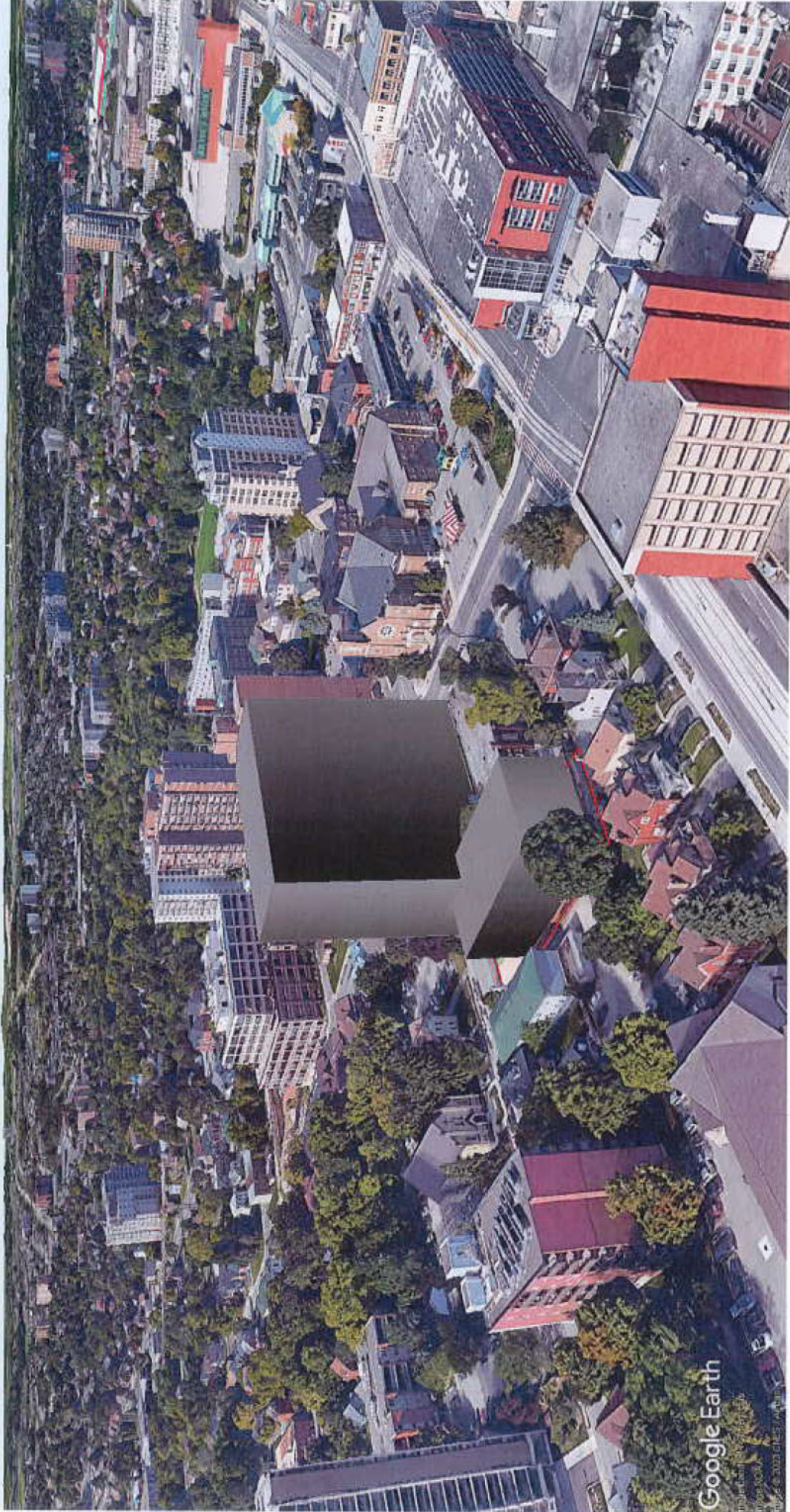
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LOOKING SOUTHEAST



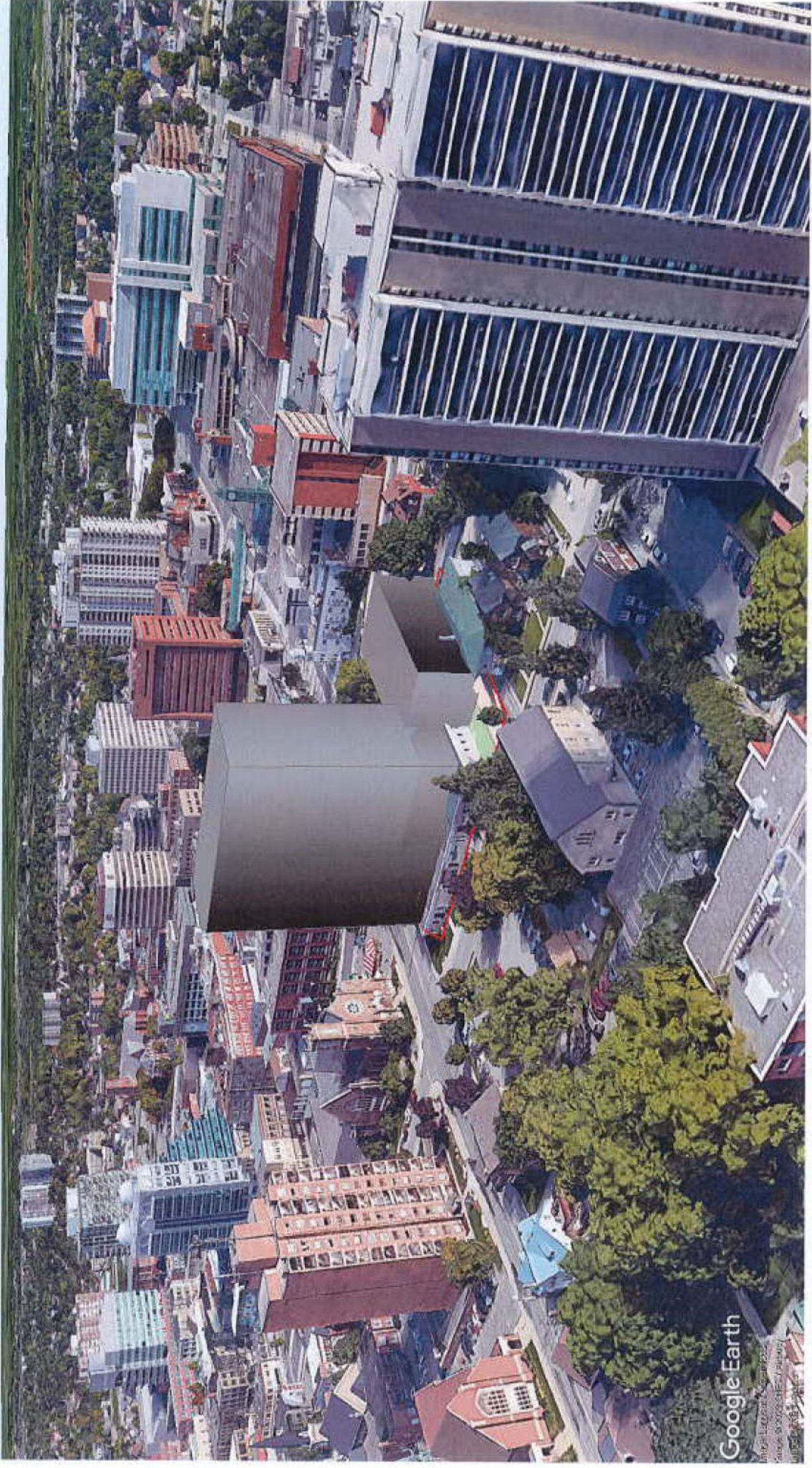


LOOKING NORTHWEST





LOOKING NORTHEAST

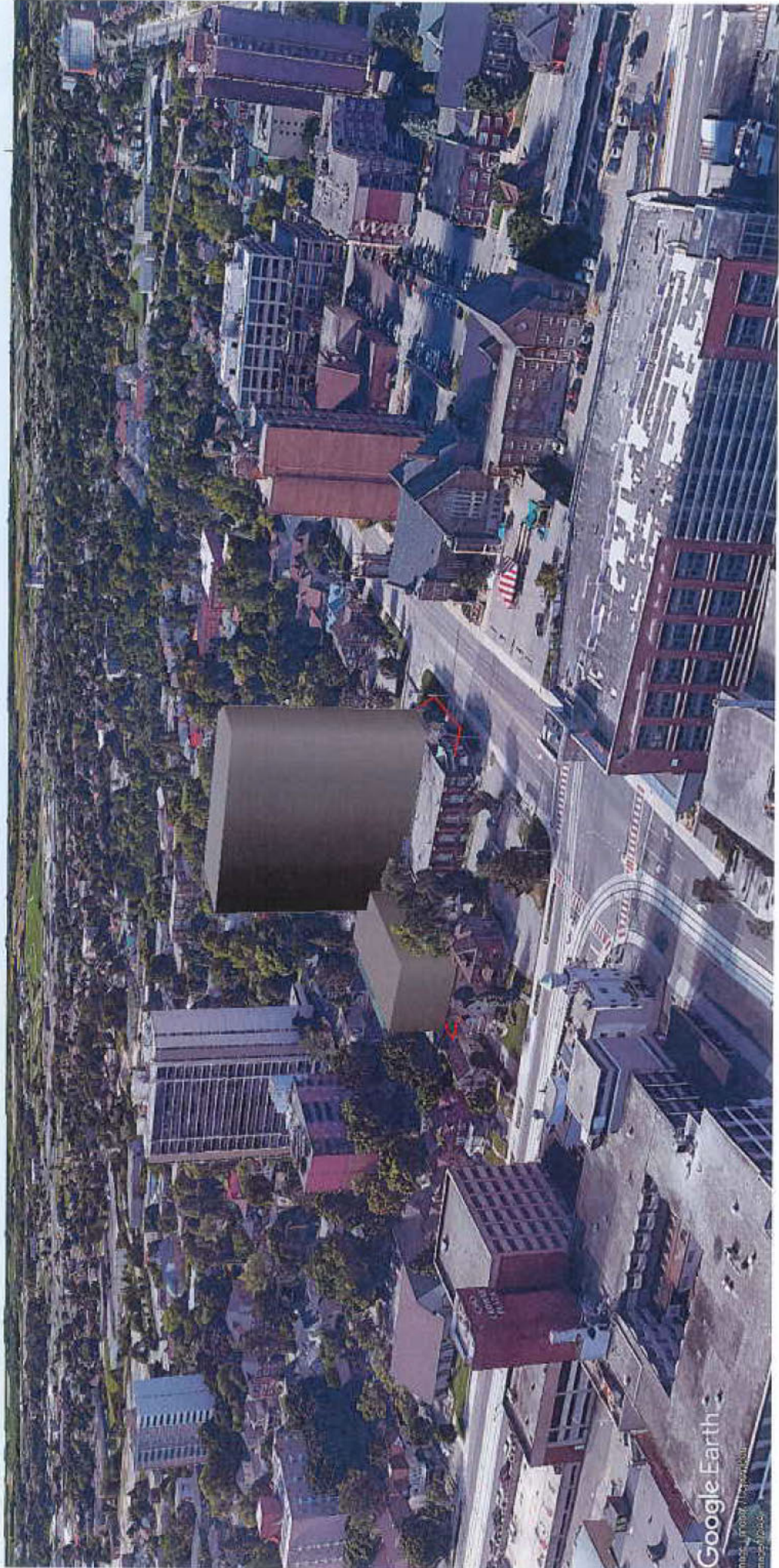


Google Earth

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LOOKING SOUTHWEST









# Concept Plan - 16 Storeys Floor 3

51 Benton St  
City of Kitchener

LEGEND  
Subject Lands

FOR DISCUSSION PURPOSES ONLY

Drawn: [Name]  
Date: [Date]

DATE: Sept. 2023

SCALE: 1:300

DRN: CAC

FILE: 220365A



# Concept Plan - 16 Storeys Floor 1

51 Benton St  
City of Kitchener

**LEGEND**  
Subject Lands

Item	Value	Notes
Lot Area	10,410 sq. ft.	± 15%
Lot Width	13.2m	± 15%
Min. Front Yard	3.0m	3.0m
Side/Corner Yard	3.0m	3.0m
Rear Yard	1.5m	1.5m
Max. Height	14.5m	14.5m
Landscaped Area	10%	10%
100' Street Parking	100'	100'
Number of Units	275	275

\* Approx. 10,410 sq. ft. (967 sq. m) (± 15% tolerance)  
 Gross Floor Area: 42,000 sq. ft.  
 Net Area: 35,000 sq. ft.

FOR DISCUSSION PURPOSES ONLY

DATE: Sept. 2023  
 SCALE: 1/320  
 DRN: CAC  
 FILE: 20045A



**PLANNING**  
**URBAN DESIGN**  
**LANDSCAPE**  
**MHBC ARCHITECTURE**





# Concept Plan - 16 Storeys Underground Parking

51 Benton St  
City of Kitchener

LEGEND  
Subject Lands

FOR DISCUSSION PURPOSES ONLY

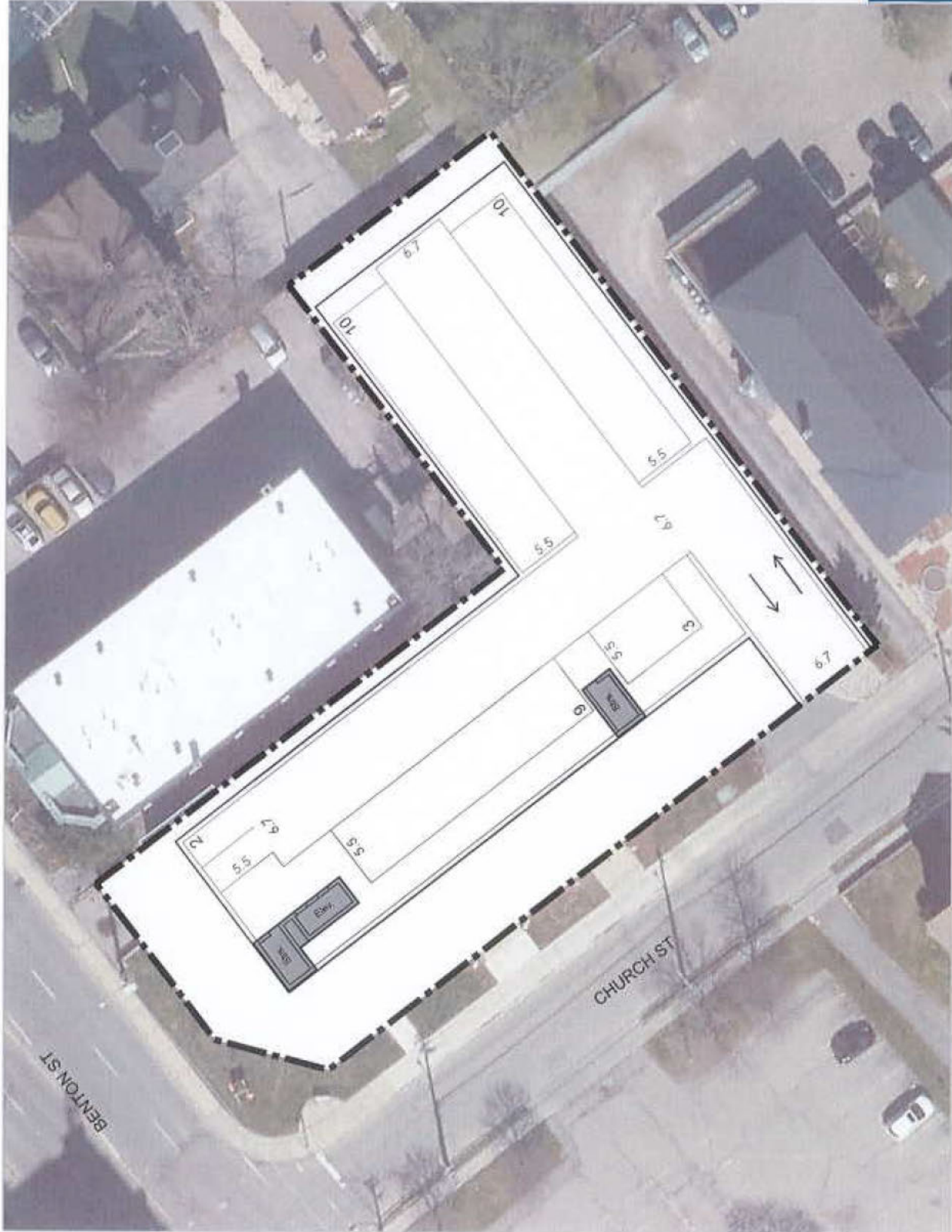
Source: City of Kitchener

DATE: 11/14/2023

SCALE: 1:300

DRN: CAC

FILE: 20230516



**M** PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE  
1000 UNIVERSITY AVENUE, SUITE 100, KITCHENER, ONTARIO N2G 1L1  
TEL: 519-875-1111



# Concept Plan - 16 Storeys Floors 5-16

51 Benton St  
City of Kitchener

**LEGEND**  
Subject Lands

FOR DISCUSSION PURPOSES ONLY

Project:  
Aerial Report of Number (2022)

DATE: Sept. 2023

SCALE: 1:300

DRN: CAC

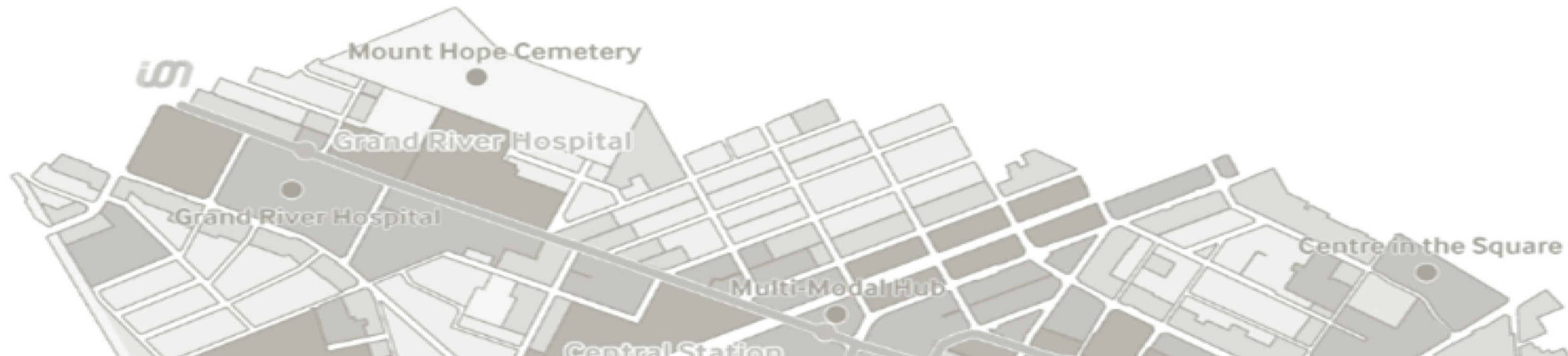
FILE: 223455



# GROWING TOGETHER

## Amenity Space Requirements

City of Kitchener Council Meeting  
January 29, 2023





# ● Outline

- Client Profile + Example Amenities
- Kitchener's Current Approach to Regulating Amenity Space
- Overview of proposed Amenity Space Requirements for SGA Zones
- Comparative Analysis / Inter-Jurisdictional Approaches
- Recommendations



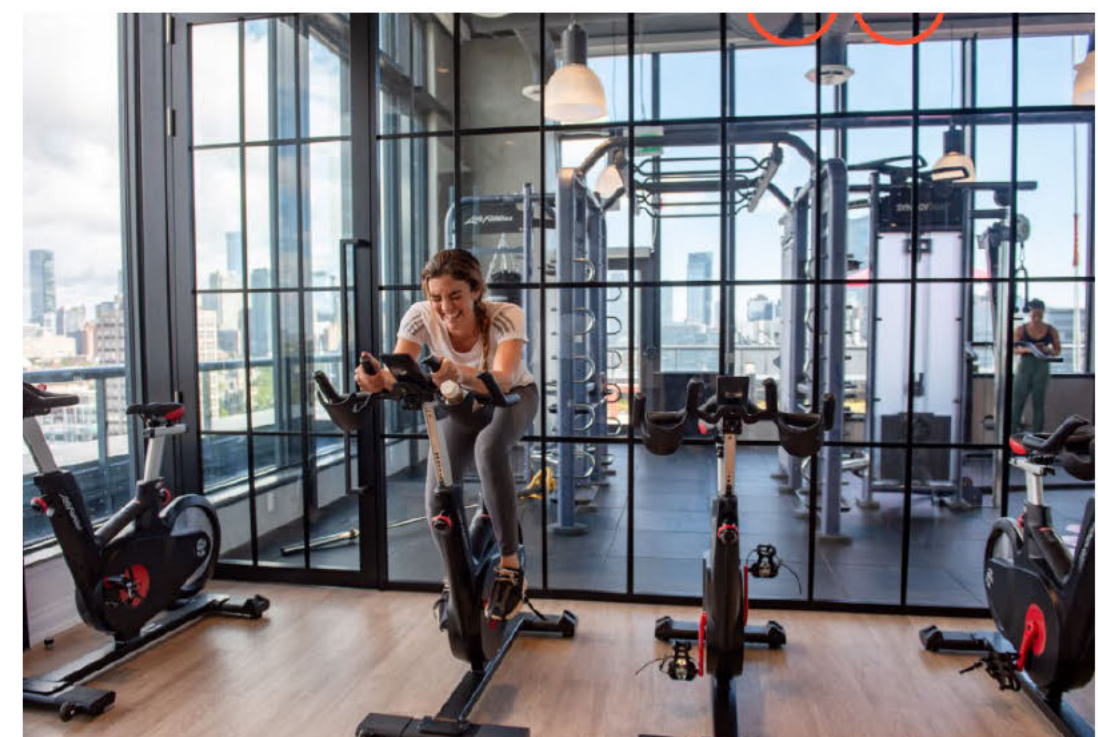
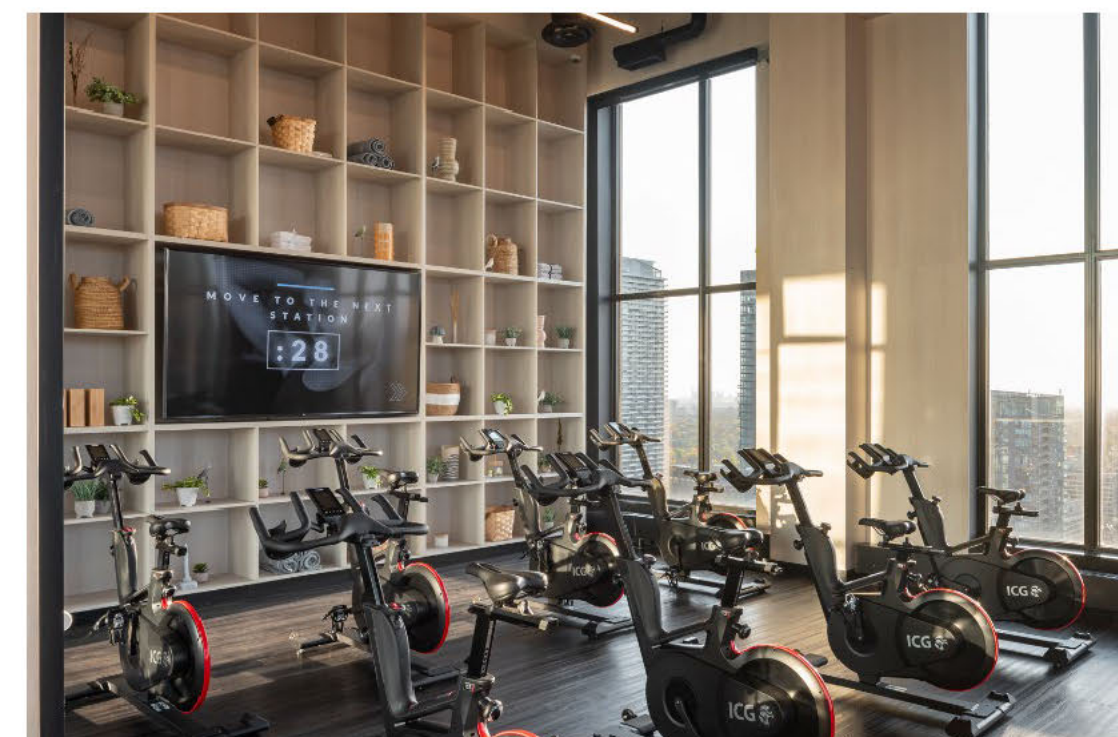
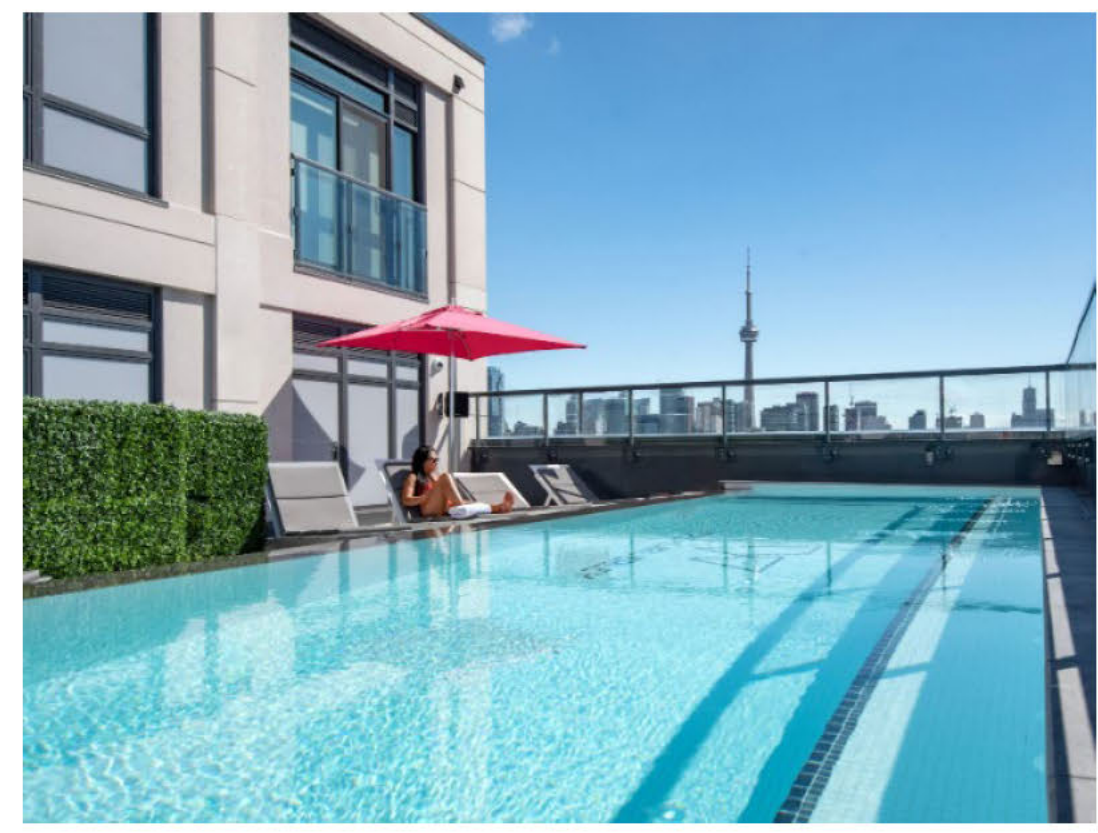
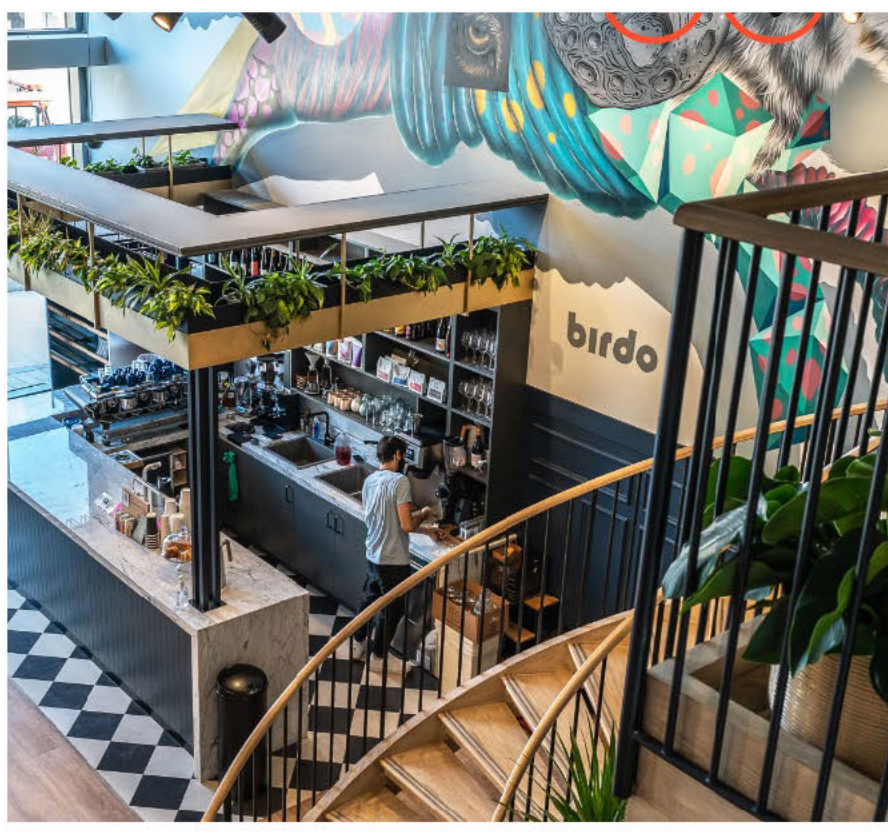
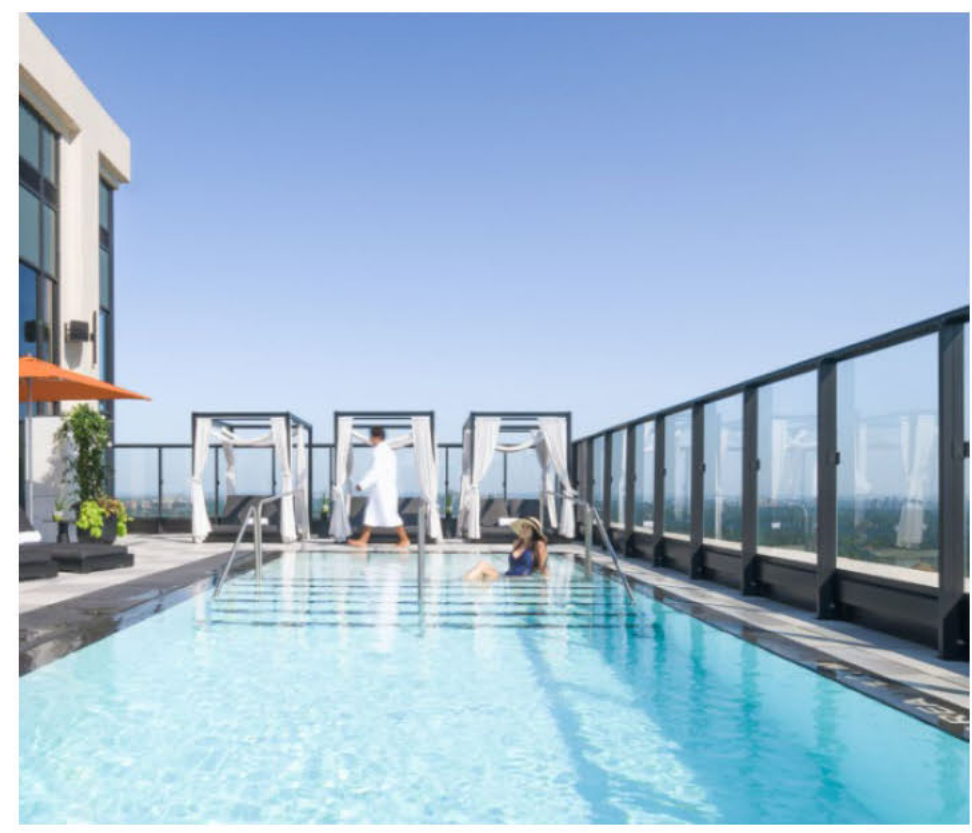




- Fitzrovia is a fully vertically integrated developer and manager of multi-family properties across Toronto and Montreal, with a portfolio of approximately 8,000 units and nearly \$9.0 billion of assets under management.
- Founded with the vision of creating a vertically integrated developer, principal investor and manager of institutional quality rental housing across Canada.
- The Company's strategy is focused on institutional quality development and management of well-located rental properties near major employment nodes and/or public transit.
- Fitzrovia's long-term view as developers, owners and managers drives its decision making throughout the development process and results in complete communities that residents are proud to live in.



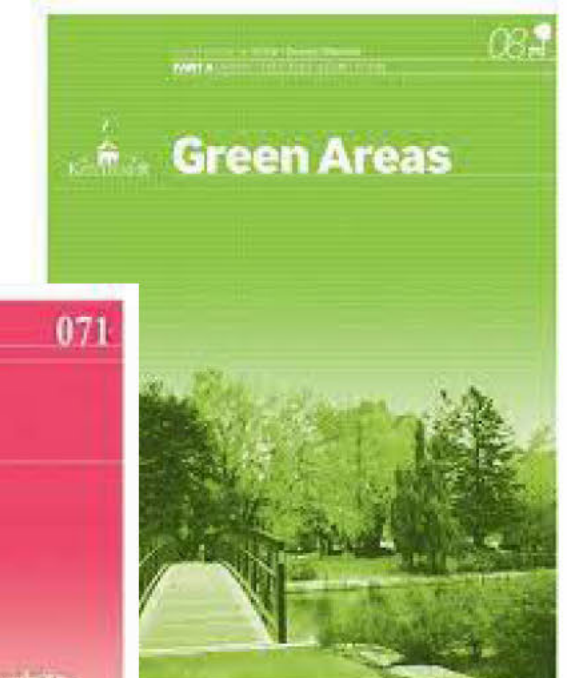
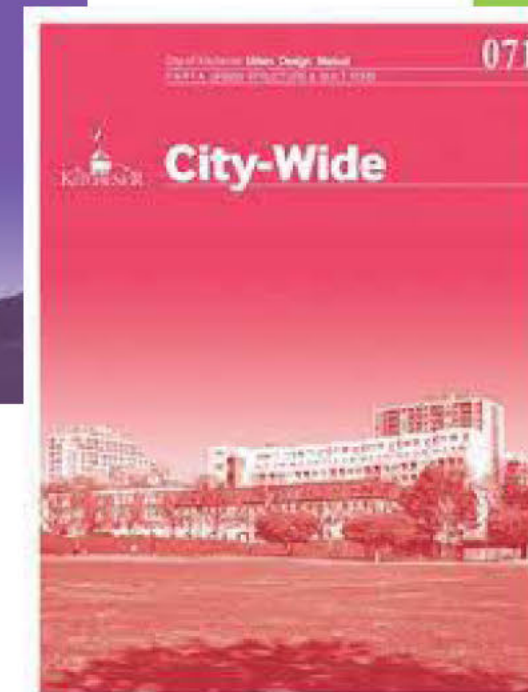






# ● Kitchener's Existing Approach

- Zoning By-Law currently silent on matter of amenity space, save for requiring ground floor patios in certain residential zones
- Recommended rate for amenity space set out in Urban Design Manual (Recommended Amenity Space =  $(2 \text{ m}^2 \times \text{\#units}) + 2.5\text{m}^2 \times \text{\# bedrooms} - \text{\# units}$ )
- Amenity space provided reviewed through site plan approvals process
- Balances quantity and quality of amenity provided
- Largely successful approach, with majority of recent developments containing





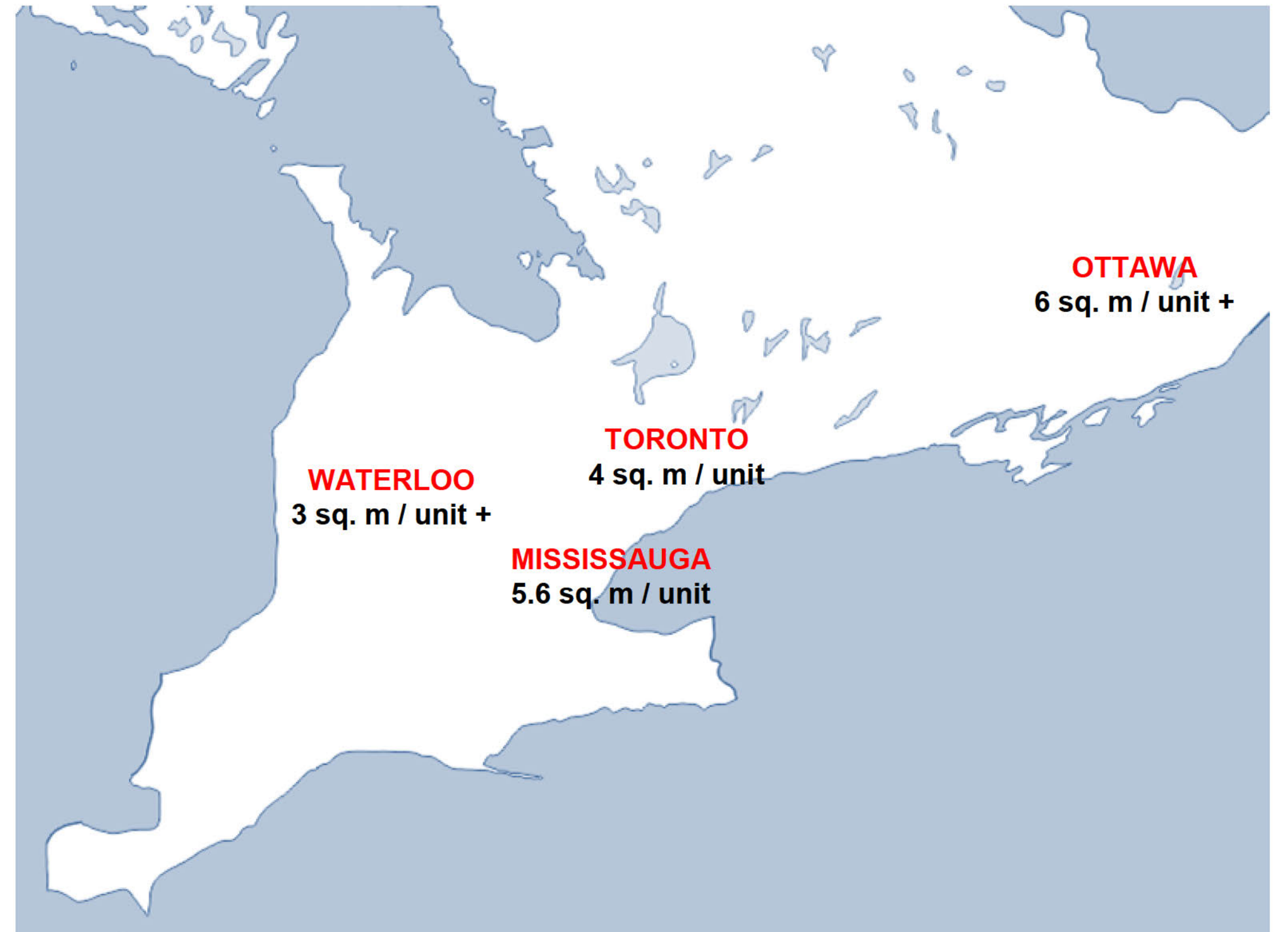
# ● Draft Amenity Requirements

- (New Definition) Private Amenity Space – means the use of a premises for indoor or outdoor active or passive recreation for the exclusive use of occupants of a dwelling unit. It can include features such as outdoor patios, above ground decks, balconies (subject to additional requirements), communal indoor spaces (such as gyms), communal indoor social spaces (such as entertainment rooms), swimming pools, and outdoor rooftop amenity space (such as rooftop decks and terraces). It shall not include lobbies, washrooms, laundry facilities, storage areas, hallways, elevators, reception areas, management offices, parking areas, access driveways, unprogrammed landscaped open space (excluding outdoor patios), receiving areas, loading spaces, and the like.
- In the SGA-2 zone, 4 m<sup>2</sup> of private amenity space is required per dwelling unit.
- In the higher density SGA-3 and SGA-4 zone, 8m<sup>2</sup> of private amenity space is required per dwelling unit.
- Balconies may be included, provided they have a minimum depth of 1.2 m and a minimum unobstructed area of 4 m<sup>2</sup>



# ● Inter-Jurisdictional Comparison

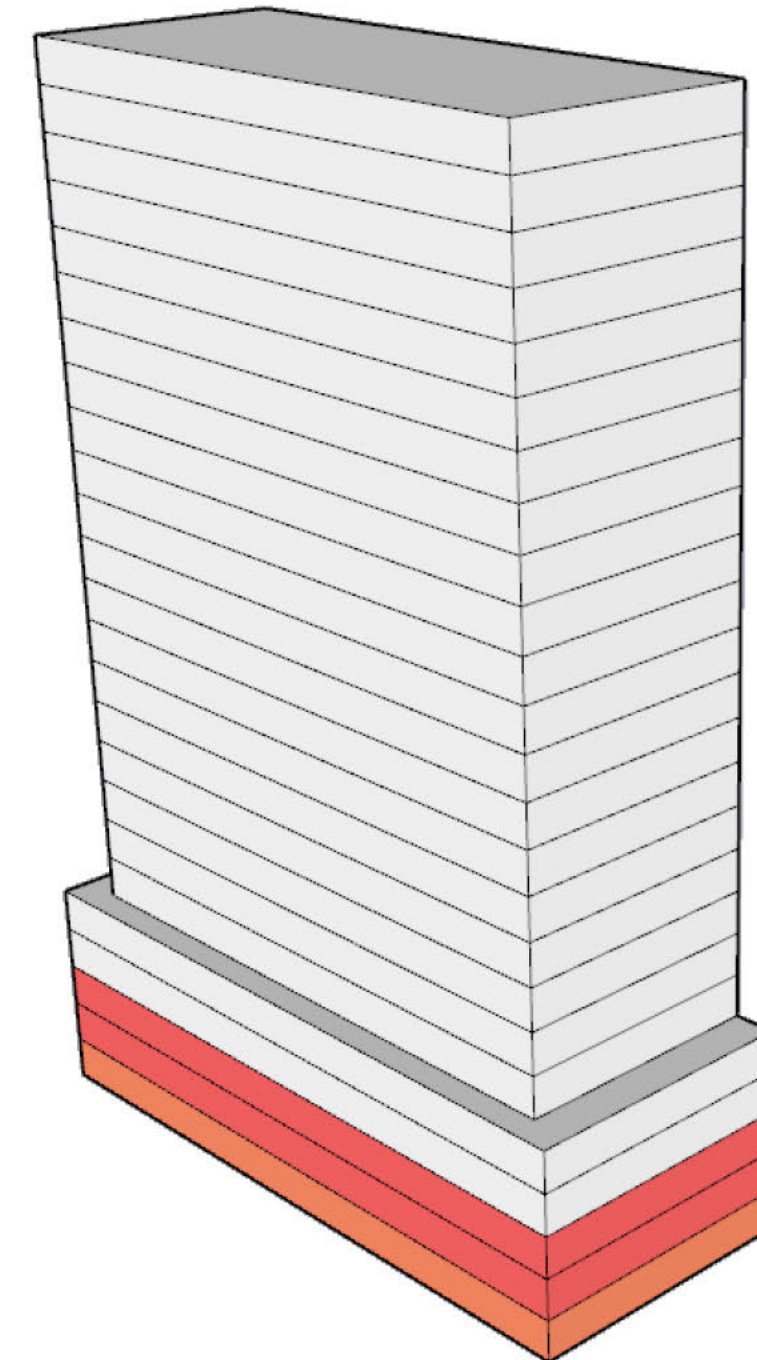
- Amenity space requirements vary from municipality to municipality
- GGH horseshoe rates tend to be between 4 sq. m – 6 sq. m per unit
- Waterloo requires 3 sq. m per unit plus additional space for units containing >1 bedrooms
- Cities of Cambridge, London, Milton and Oakville do not require amenity space in their respective by-laws, but rather follow similar approach followed by Kitchener





# ● Implications & Observations

- For a 300-unit development >25,000 sq. ft of amenity space will be required in SGA3 and SGA4 zones
- Greater size requirements ≠ better amenities
- Programming + operational + maintenance costs
- Financial implications & impact on housing affordability
- Alignment with policy objectives to encourage growth within priority growth areas?
- Equity considerations – why prescribe amenity space for certain types of housing and not others?





# ● Recommendations

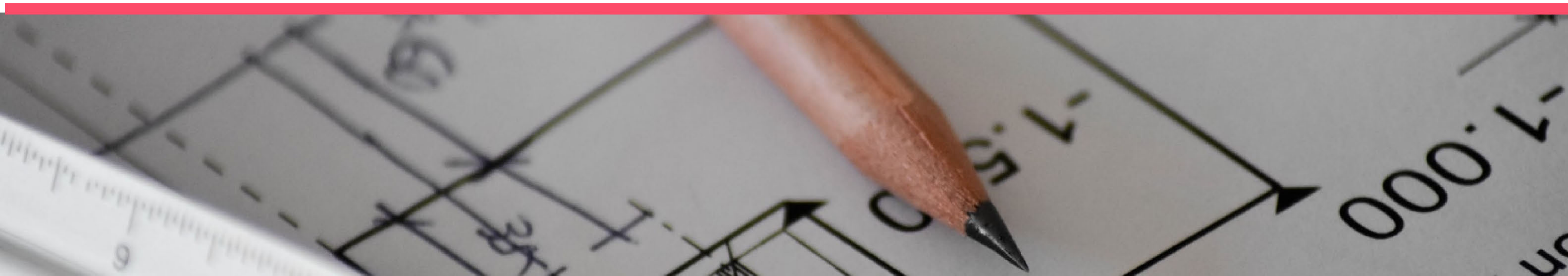
- Maintain current approach to regulating amenity space, guided by Urban Design Manual
- Continue to work with the development industry to ensure appropriate amenities provided
- If pursuing a regulated approach, recommend a maximum requirement of 4 sq. m per unit
- Provide clarity in the by-law with regards to POPS (Privately Owned Publicly Accessible Spaces) and include towards amenity space requirements





# Thank You!

January 29, 2023



# 23-31 Cedar St N and 18-26 Madison Ave N

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City of Kitchener

Planning and Strategic Initiatives Committee

January 29, 2024

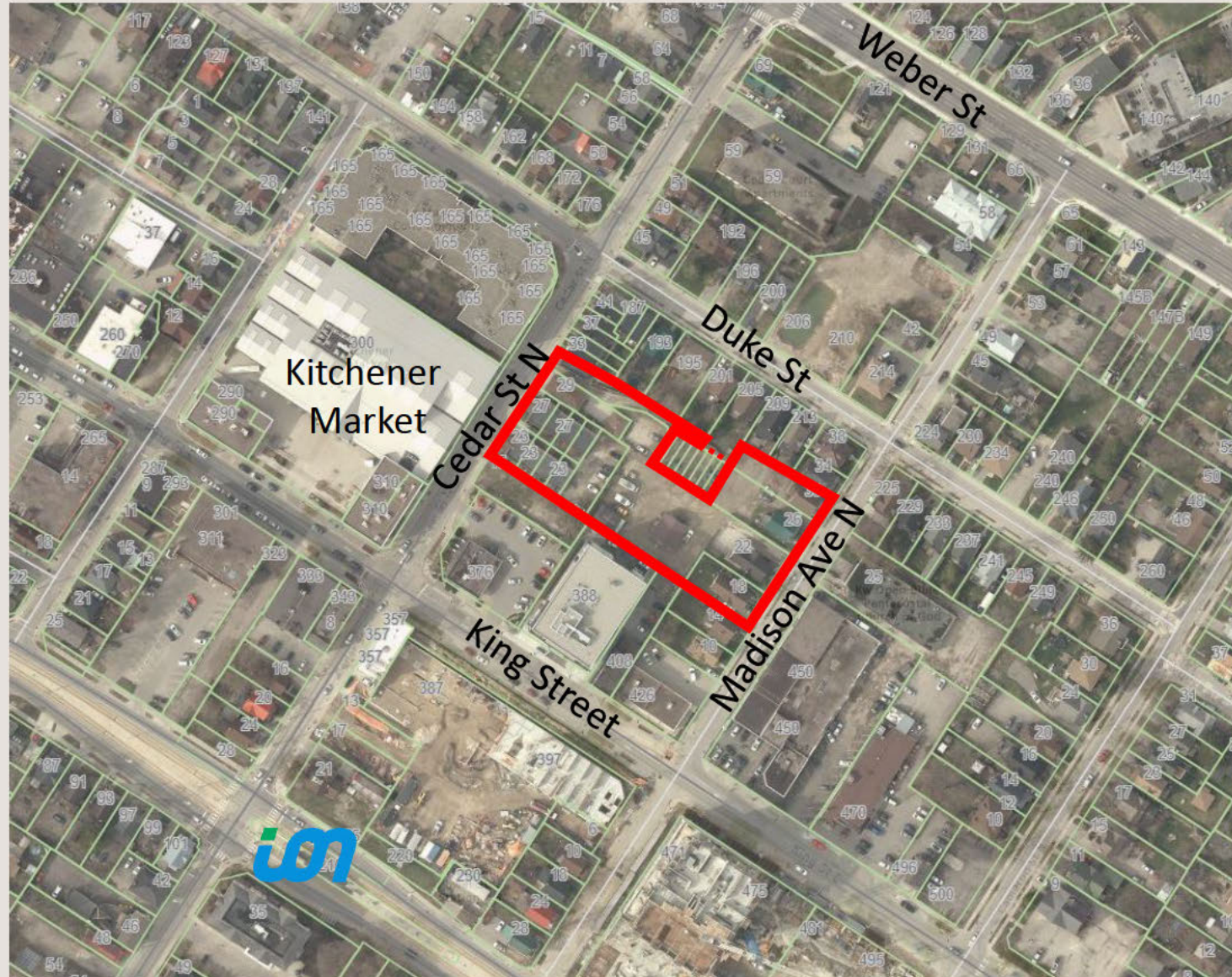


# Request

Request: Motion to amend Official Plan and Zoning By-law  
Amendments to include the entire Site  
within the SGA-B designation and SGA-2 zone

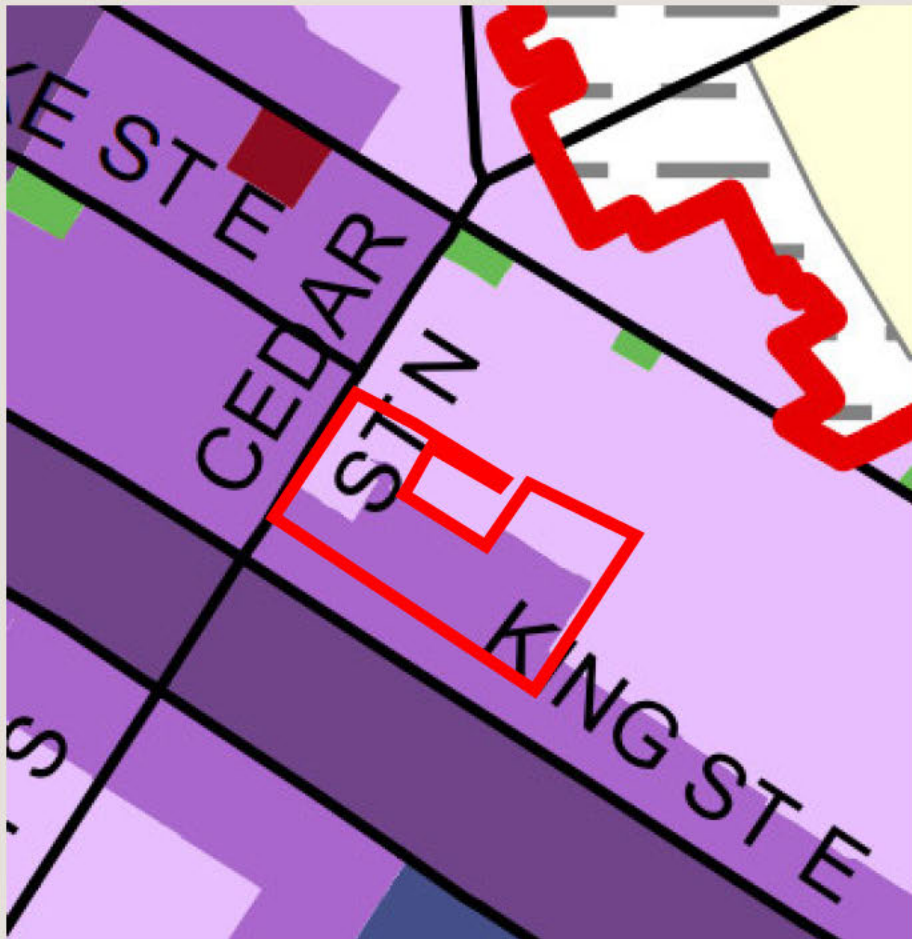
- Result of a miscommunication in consultation process
- Staff are in support of the proposed change
- Only option to rectify the error

# Site Context





# Proposed Amendments



Official Plan



Zoning By-law

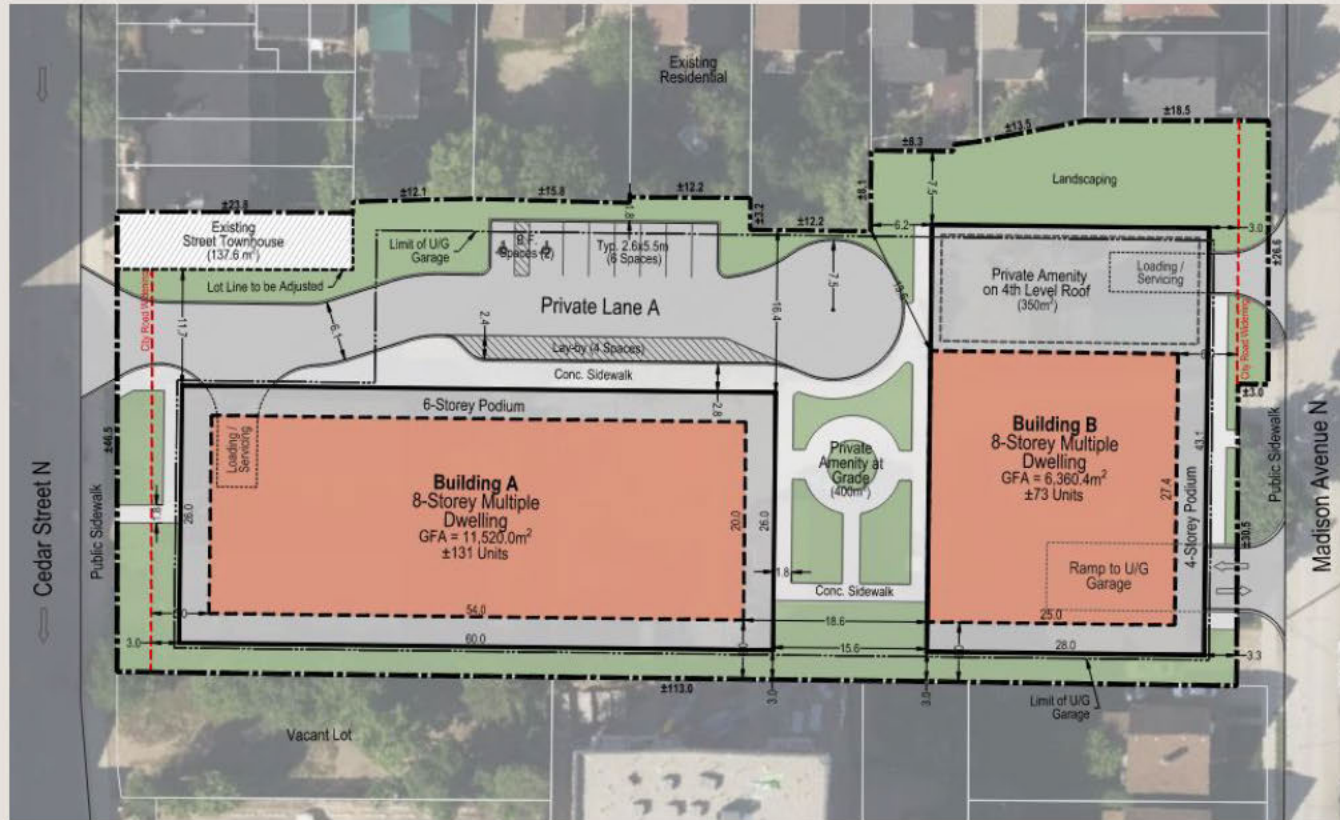
# Background

- Proof of consolidated ownership
- Viable development concept
- Planning support for OP Policy 15.D.2.5



# Background

- Proof of consolidated ownership ✓
- Viable development concept ✓
- Planning support for OP Policy 15.D.2.5

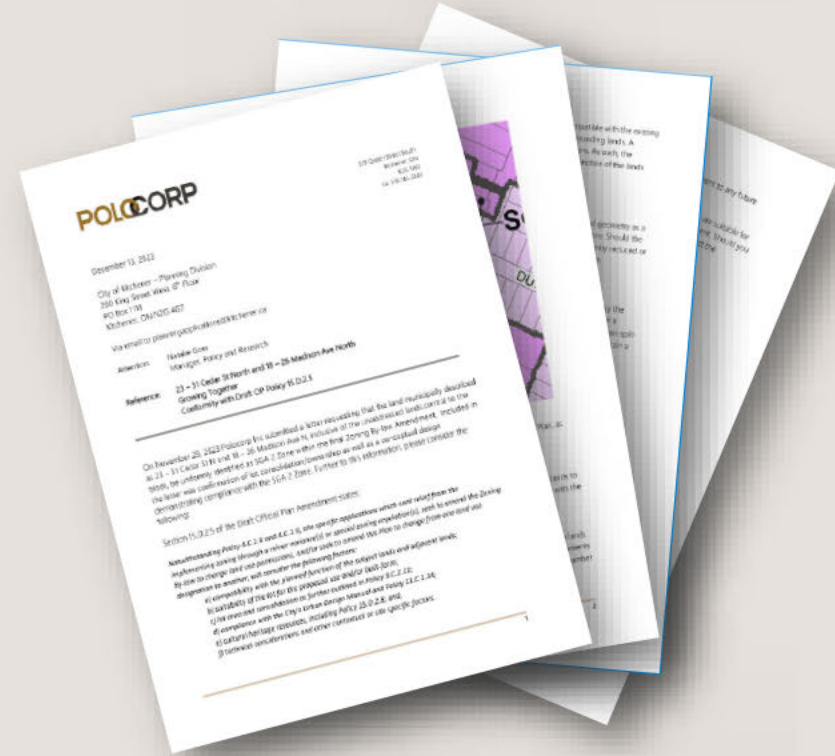


# Background

- Proof of consolidated ownership ✓
- Viable development concept ✓
- Planning support for OP Policy 15.D.2.5 – **Lost**

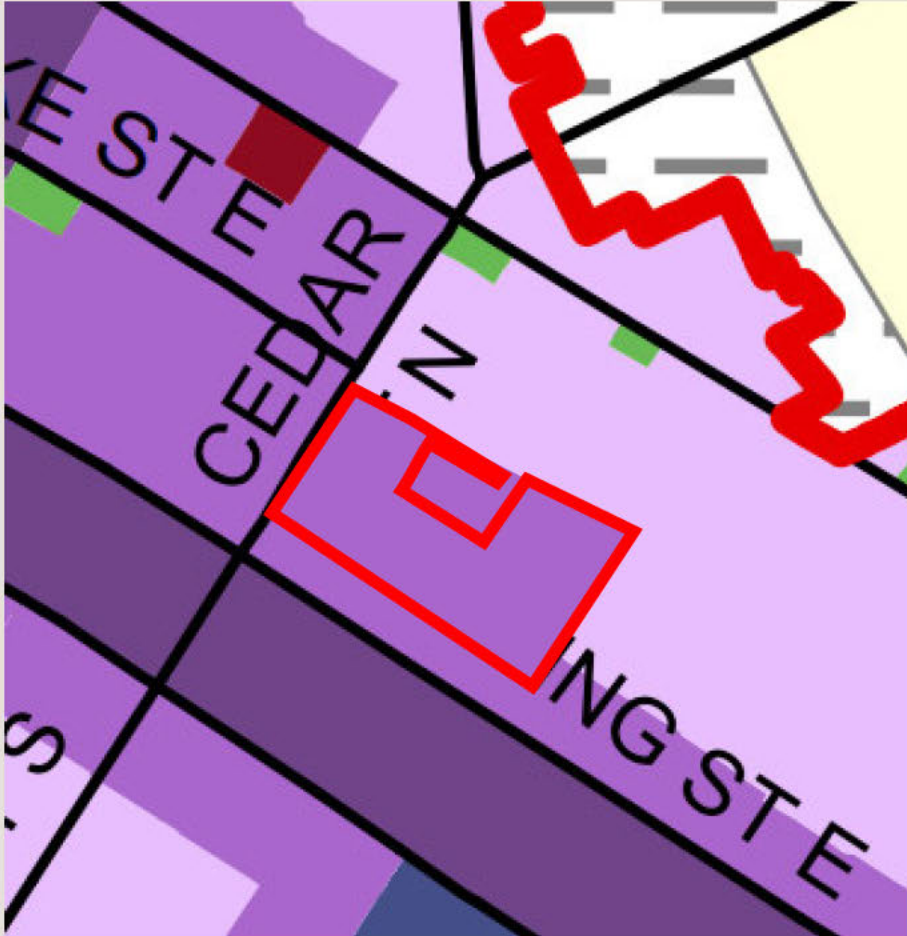
- Submitted Dec. 13, 2023
- Was not recorded
- Discovered January 19, 2024
- Staff in support of change

Solution: Motion by Committee

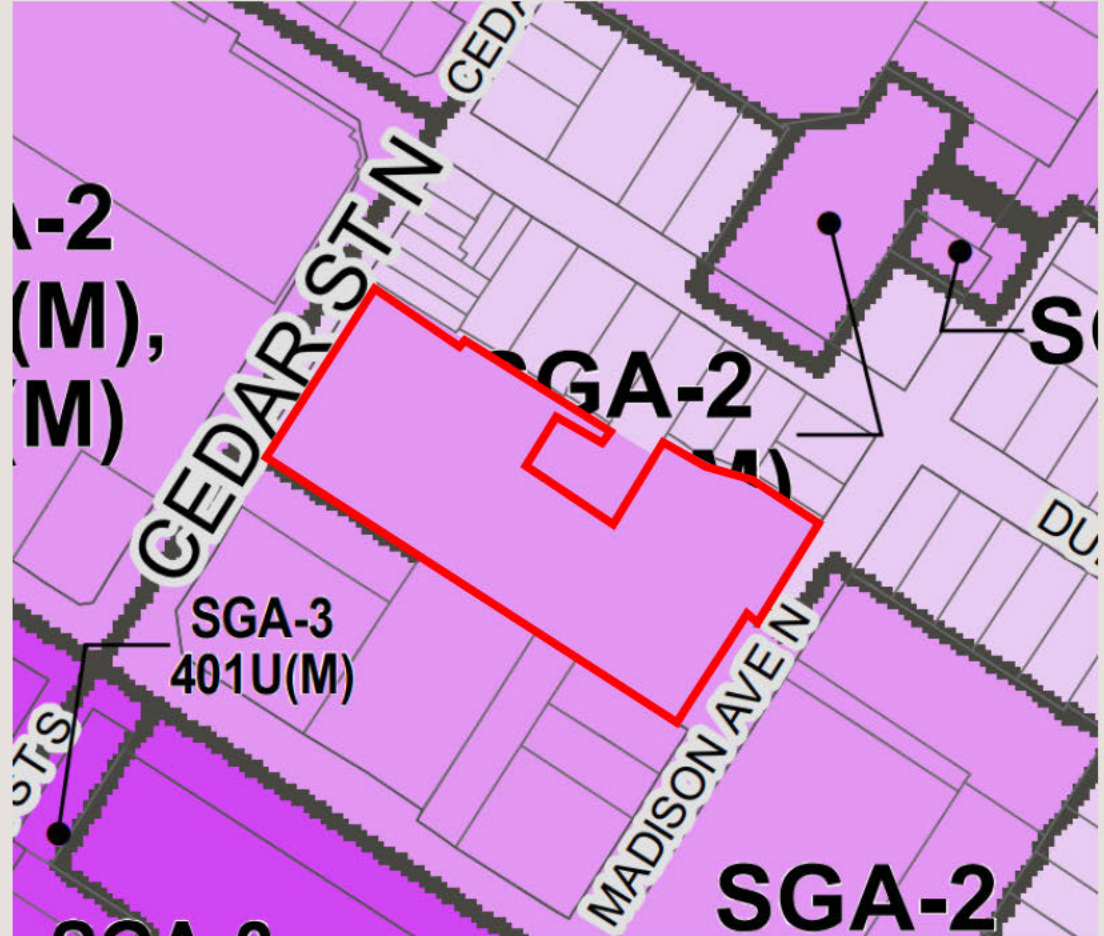




# Proposed Motion



Official Plan



Zoning By-law

# Thank You

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**POLO**CORP



Presentation to Planning and Strategic Initiatives Committee  
January 29, 2024

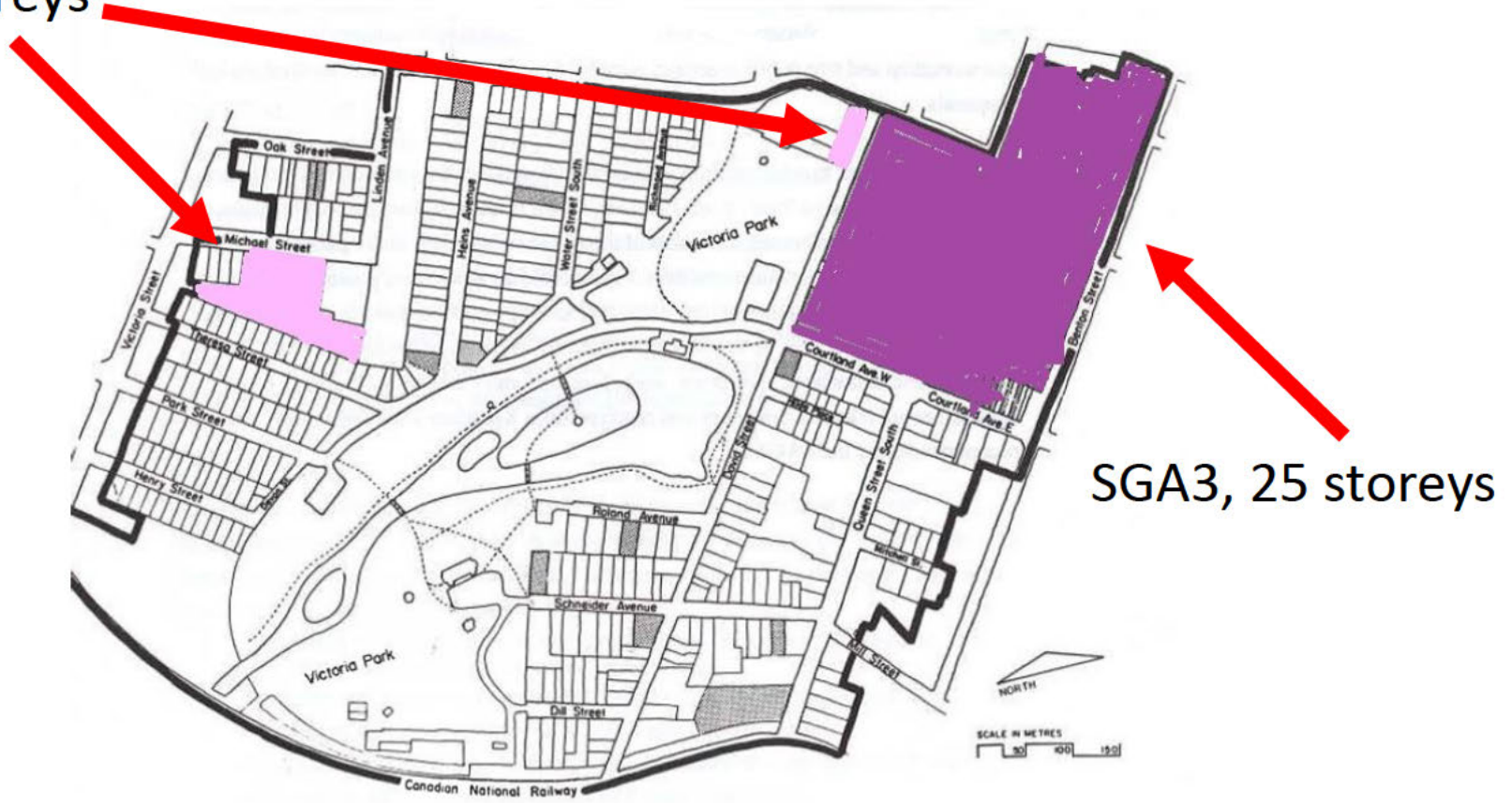
AC  
AO



**NORTH WATERLOO REGION**

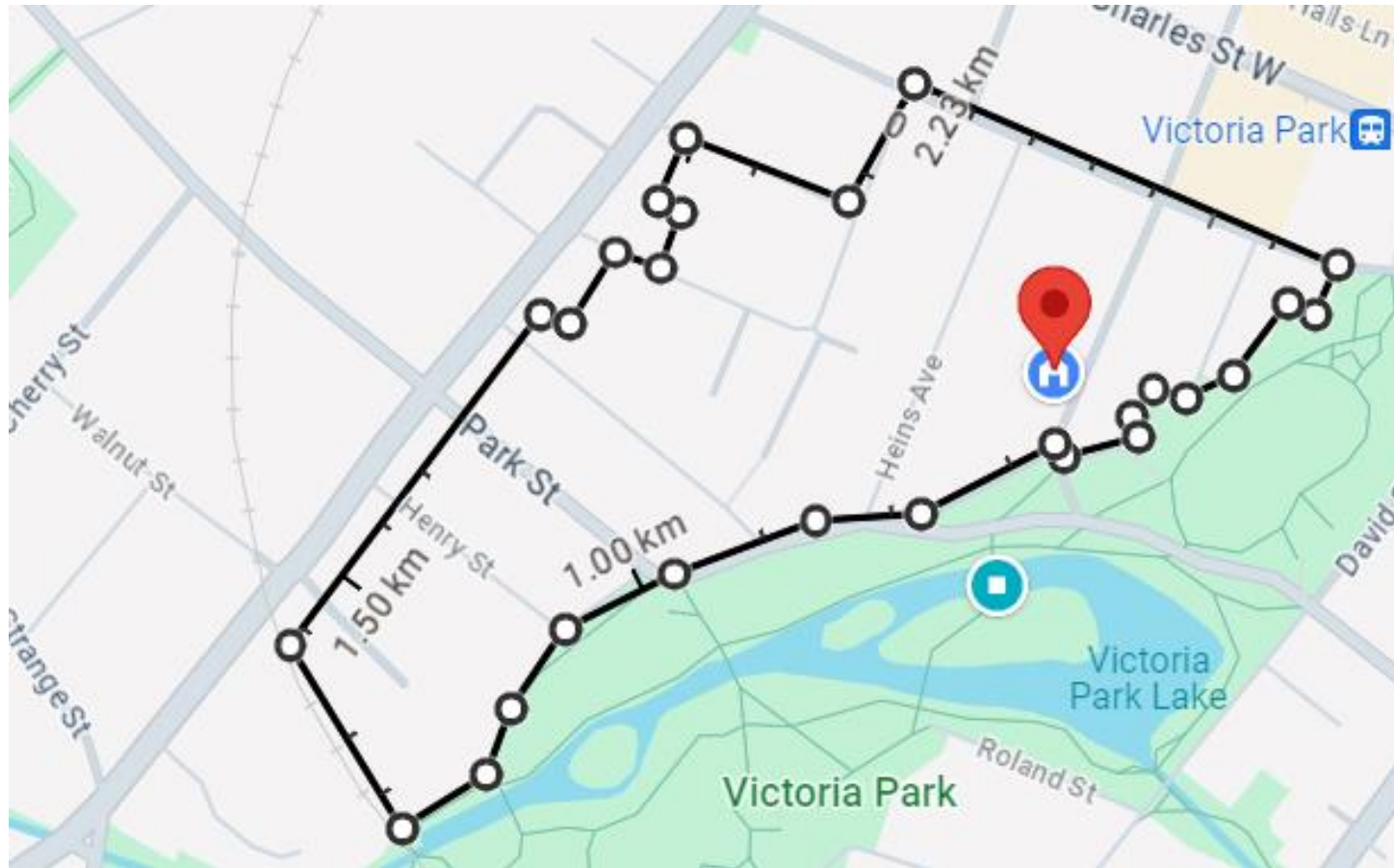
# Victoria Park HCD: Proposed Changes

SGA2, 8 storeys



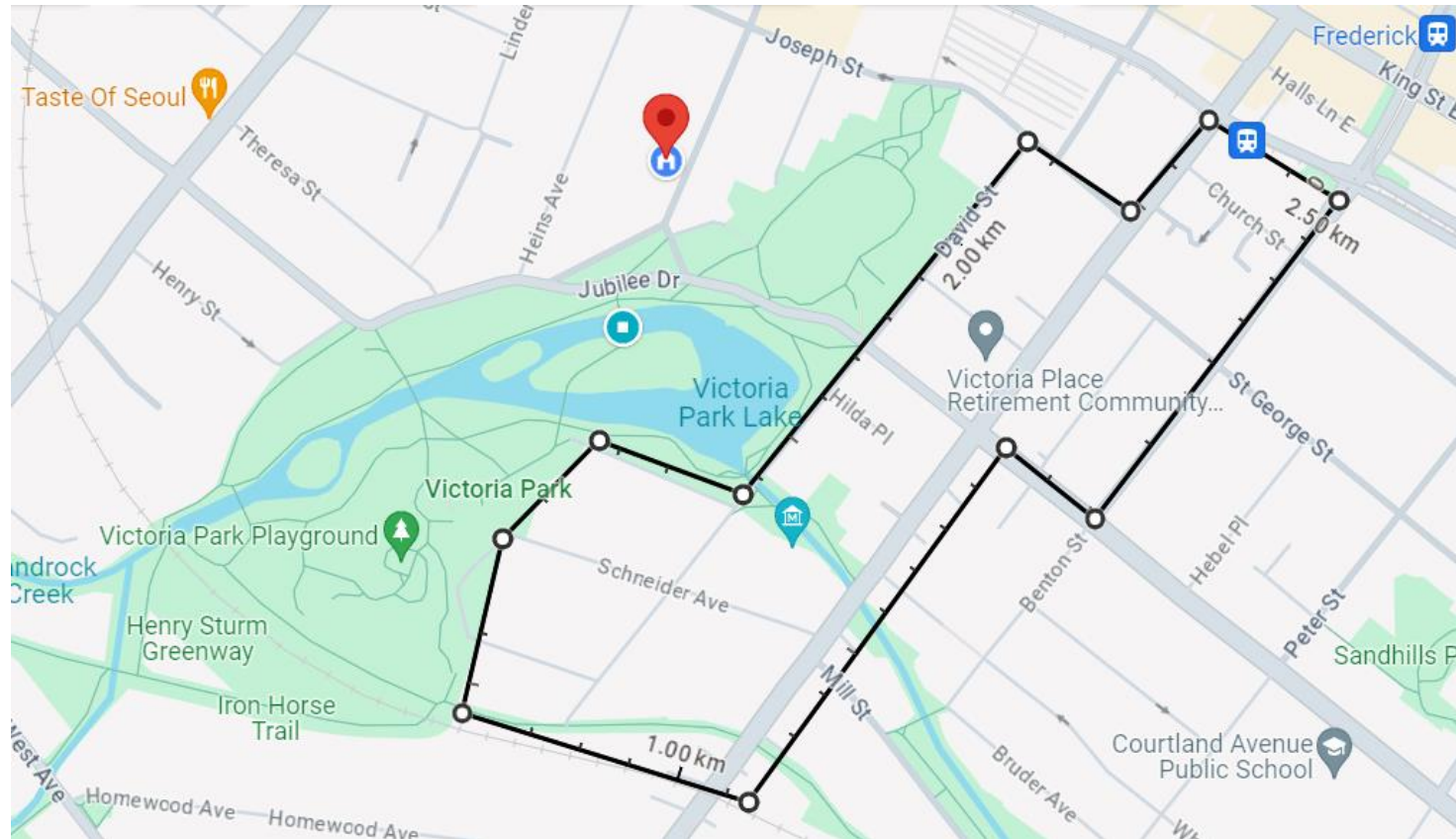


# Western Side of Victoria Park HCD



Total Area: 176,779.79 m<sup>2</sup>  
SGA2 Area 12,860.92 m<sup>2</sup>, or 7.3%

# Eastern Side of Victoria Park HCD



Total Area: : 214,523.15 m<sup>2</sup>

SGA3 Area 86,905.25 m<sup>2</sup> , or 40.4%



## Regional Official Plan

G.1 The Region and Area Municipalities will ensure **that *cultural heritage resources are conserved*** using the provisions of the Heritage Act, the Planning Act, the Environmental Assessment Act, the Cemeteries Act and the Municipal Act.

# Provincial Acts and Policy Statements

## **Planning Act**

Under provision 1.2.2 (d) the municipality must consider the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.

## **Provincial Policy Statement (2020)**

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

**Conserved:** means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained.

## **A Place to Grow: Growth Plan for the Golden Horshoe (2020)**

4.2.7 Cultural Heritage Resources 1. Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.



449 Charles St. E, 97 Kent Ave. &  
60 Ottawa St. S

Growing Together - Request for Consideration

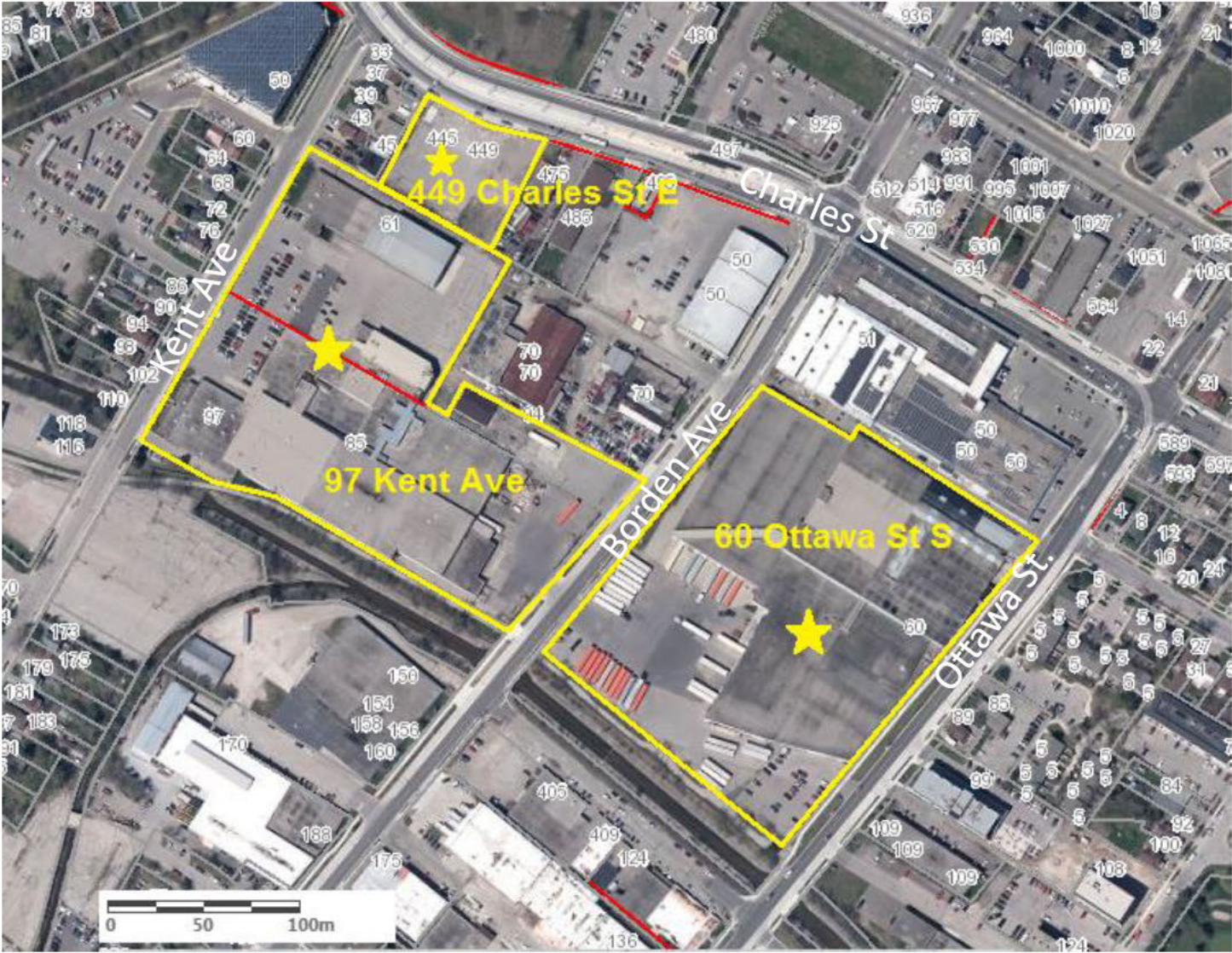
Stanley Black & Decker

Planning and Strategic Initiatives Committee Meeting Presentation

January 29, 2024

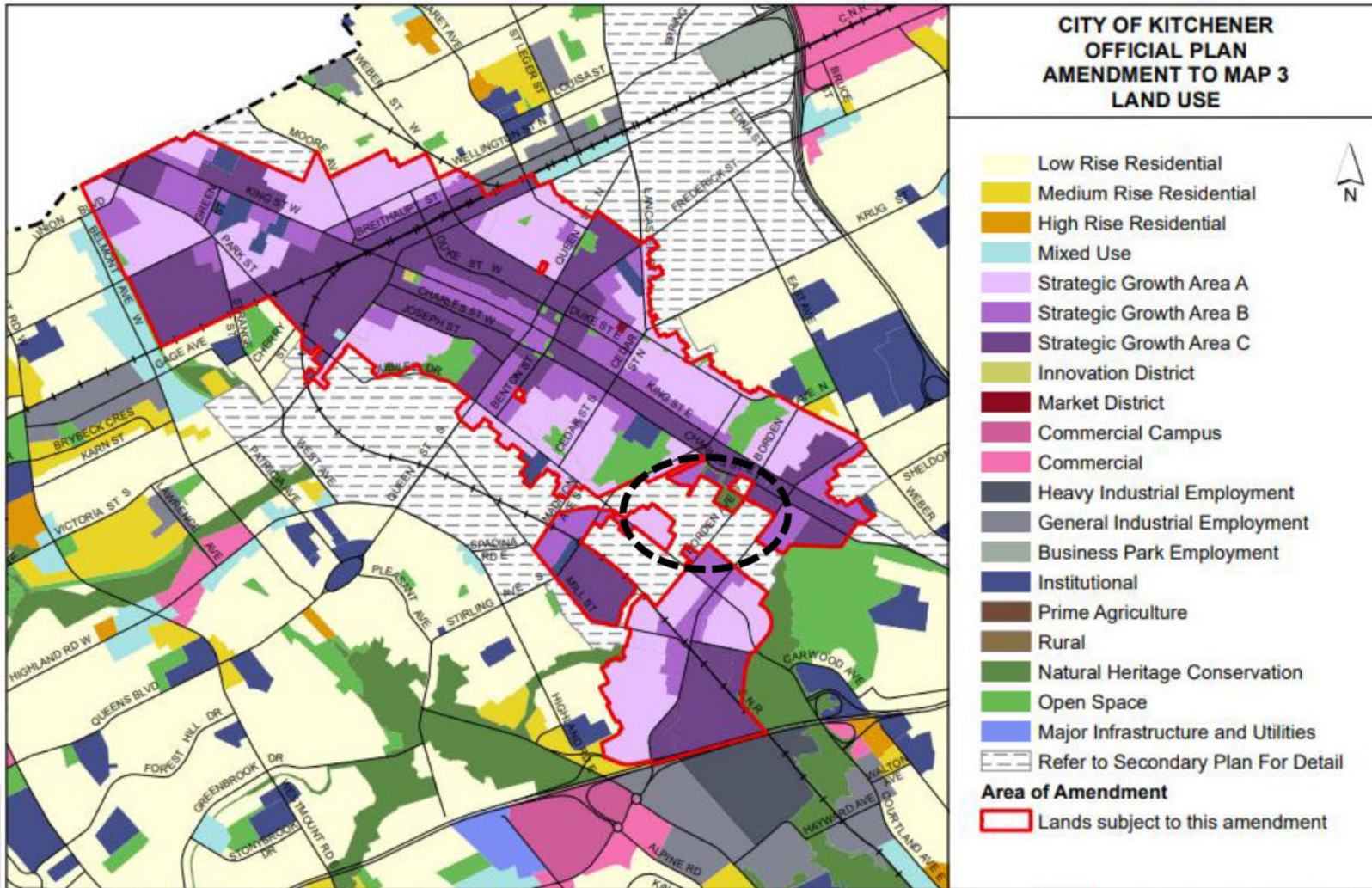


# Subject Property





# Strategic Growth Areas / Land Use Plan



<b>SCHEDULE 'B'</b>		0 1000 METRES	REVISED:	OFFICIAL PLAN AMENDMENT OPA23/016/K/JZ
APPLICANT: CITY OF KITCHENER		SCALE 1:30,000		ZONING BY-LAW AMENDMENT ZBA23/028/K/JZ
CITY OF KITCHENER		DATE: NOVEMBER 24, 2023	<b>City of Kitchener</b>	FILE: OPA23016KJZ_MAP3 .mxd
			DEVELOPMENT SERVICES DEPARTMENT, PLANNING	

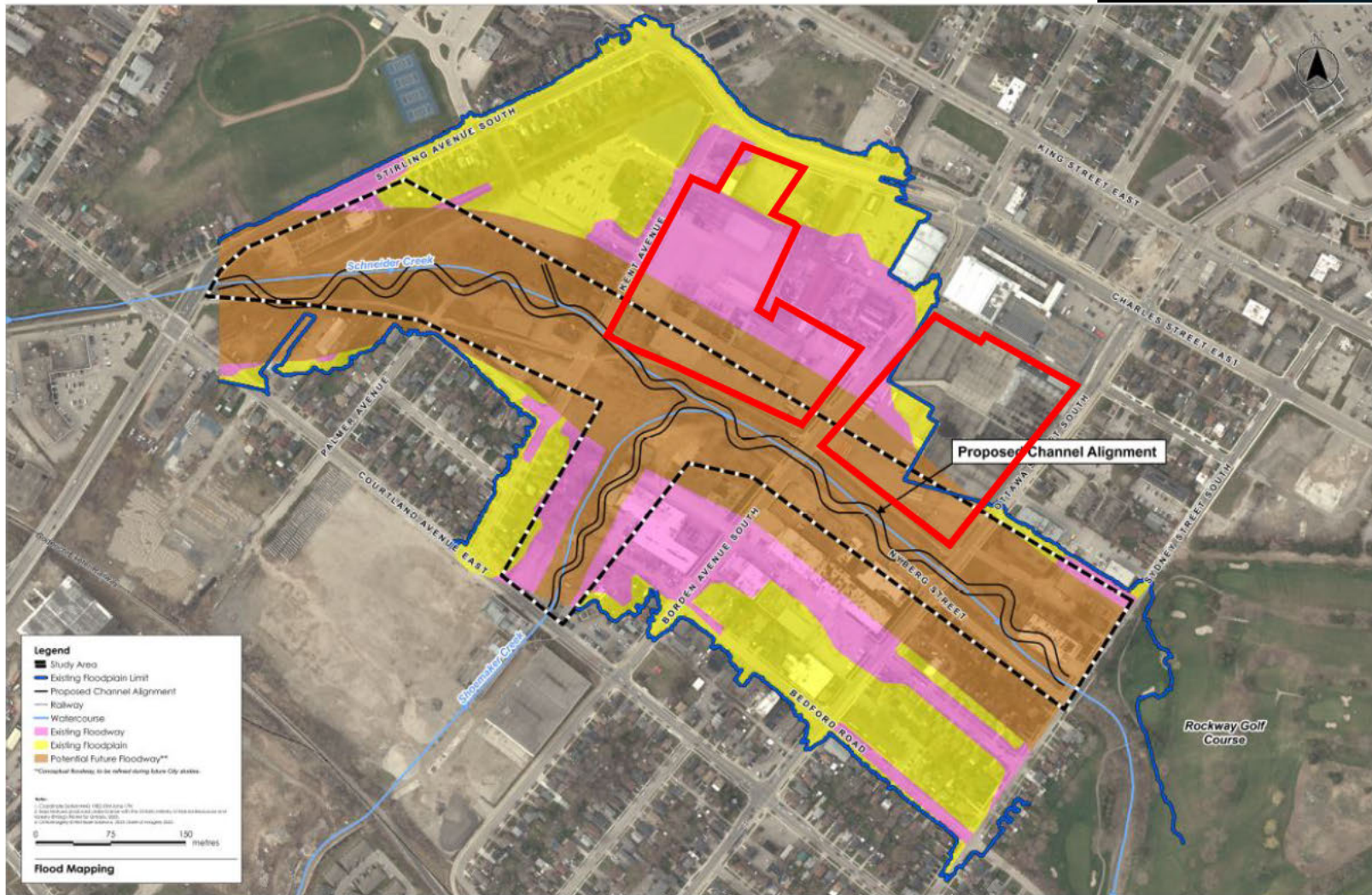






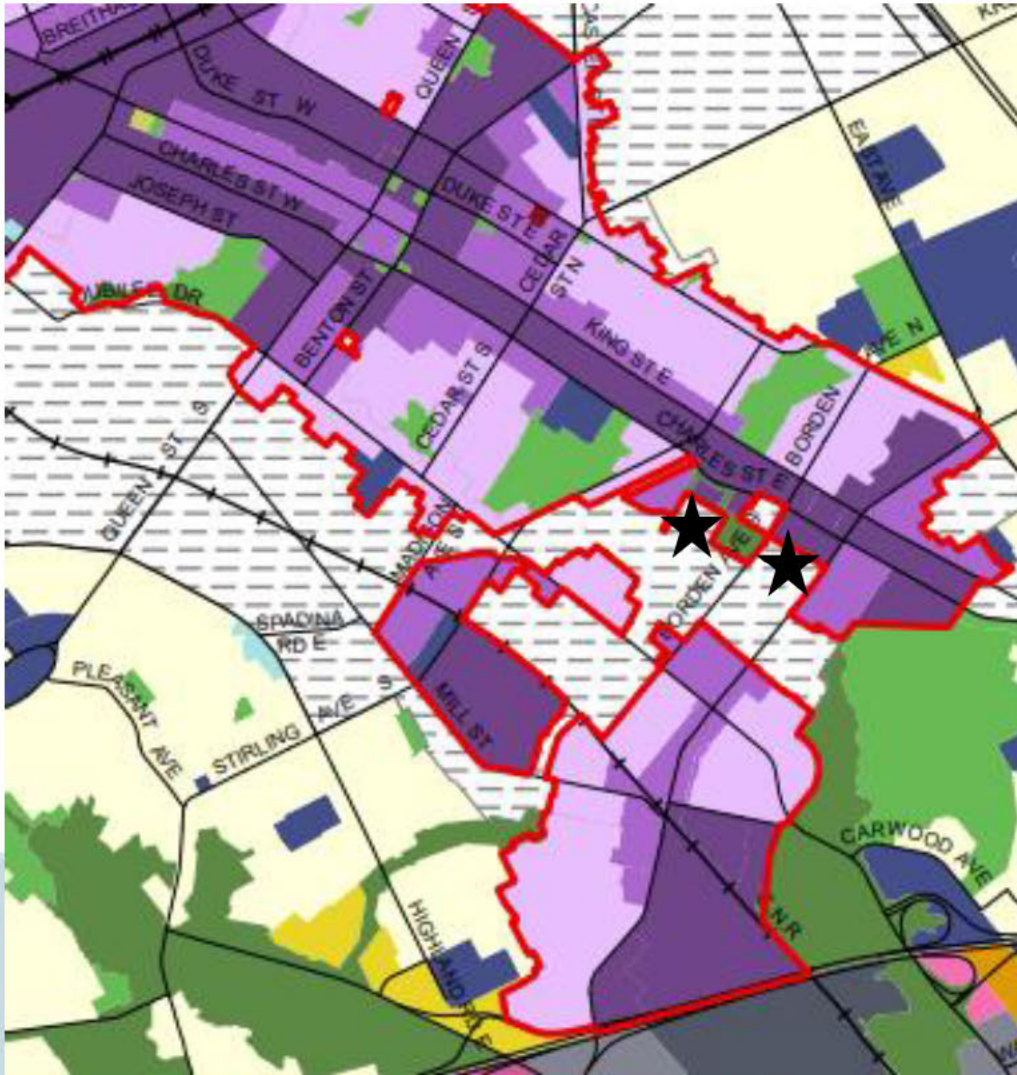


# Existing and Potential Flood Plain





# Request for Consideration – Official Plan



★ Areas to be included within Strategic Growth Area C



# Request for Consideration – Zoning By-law

