



March 15, 2024

City of Kitchener  
200 King St. W.  
Kitchener, Ontario  
N2G 4V6

**Re: Item 6.1: Growing Together – PTMSA Land Use and Zoning Framework,  
DSD-2024-005 and Follow-up Report DSD-2024-128  
Special Council – March 18, 2024**

**178 and 188 Queen Street South  
196 and 202 Queen Street South  
15 Joseph Street**

Dear Mayor Vrbanovic and City Councillors,

On behalf of the owners of the captioned properties at the corner of Queen Street South and Joseph Street, Zehr Group requests that Council maintain the SGA-4 (19H) (79H) Zone proposed for these properties as recommended to the Planning and Strategic Initiative Committee on January 29, 2024.

Our team and the owners met with planning staff in November 2023 to discuss the initial draft zoning for the captioned properties and sought a change in the zoning to the SGA-4 Zone. As requested, our November 30, 2023 submission to City planning staff (appended to the January 2024 staff report) demonstrated how the consolidation of the five captioned properties would satisfy the intent of the policy criteria outlined in Policy 15.D.2.5 in the draft Official Plan Amendment regarding additional height and intensity and that it warranted the SGA-4 Zone. Based on our submission, the zoning was changed to the SGA-4 (19H)(79H) Zone in the recommended January 2024 staff report and Zoning By-law Amendment.

However, we are collectively disappointed of the change from the SGA-4 Zone recommended at the January 29<sup>th</sup> PSIC meeting to the SGA-3 Zone that is recommended for the March 18<sup>th</sup> Special Council meeting. We became aware of this change on March 14<sup>th</sup>. We do acknowledge the timing of the recent article in the Waterloo Record and related submissions addressing the recommended planning policy and zoning in the Heritage Conservation Districts, which include specific commentary regarding the captioned properties.

Accordingly, we want to reinforce that property consolidation is appropriate for a tall building as allowed by the SGA-4 (19H)(79H) Zone for the following principal reasons.

**First**, the property consolidation is an appropriate size and configuration for a tall building. Our November 2023 submission demonstrated that the property consolidation provides a lot size and configuration that comply with the SGA-4 Zone regulations. This lot size and configuration would accommodate a tall building form that could easily comply with the SGA-4 Zone's tower setback and floorplate regulations for the tallest building range (37+ storeys). In short, the site complies with the intent of the Growing Together's general zoning approach requiring larger sites for the tallest buildings.

**Second**, tall buildings already exist in the immediate context. The Queen Street South corridor between Courtland Avenue and Charles Street has several existing tall buildings, including those facing the property consolidation across Joseph Street and Queen Street South. Their heights range from 10 to 18 storeys in height. These are older tall buildings and are generally shorter than contemporary tall buildings; nonetheless, a new taller building on the property consolidation would not be out of character with this established built form context.

**Third**, a tall building can fit within the surrounding heritage context. None of the five properties have heritage status on an individual basis, either listed or designated, and one building in the property consolidation was recently demolished through the heritage permit process. Four of the properties are within the Victoria Park Heritage Conservation District (202 Queen Street South excluded) and the abutting properties at 25 Joseph (former Victoria Park Public School) and 214 Queen (York Apartments) are individually designated. We remain confident that the proposed mid-rise podium's scale and massing and the exterior design character of a tall building on the property consolidation can address the heritage context. This is similar to other tall buildings within a heritage context, both in Kitchener and elsewhere in Ontario.

**Fourth**, development applications for the property consolidation will require several studies and plans to support the proposed tall building form, including heritage analysis and consideration of airport flight paths. Inclusion of the property consolidation within the SGA-4 Zone does not change these requirements. A heritage impact assessment will be required regardless of whether the property is in the SGA-3 or SGA-4 Zone. Such a study will be required to assess the surrounding context and evaluate the appropriateness of the building form and design addressing the "*existing massing, scale, and historic character of the area*" as outlined in the staff report. This process would include heritage permitting regarding demolition and development.

And **fifth**, the property consolidation's prominent location presents a significant opportunity for redevelopment to support the City's housing, transit and downtown objectives. The location's attributes includes its short walk (250 or 450 metres) to the nearest southbound or

northbound ION Stations, bi-directional iExpress stops within 350 metres, Downtown Kitchener on its doorstep, and Victoria Park recreation one block away. The preliminary development plan would add 400 to 500 new residential units with ground floor commercial animating Queen Street South. The design exhibits a point tower atop a mid-rise base that is scaled and would be clad in a complementary fashion to the abutting heritage fabric of the former Victoria Park Public School and York Apartments (also owned by one of the property consolidation's owners) as well as the broader Heritage Conservation District.

We appreciate your consideration of the above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Muir', with a stylized, cursive script.

Kevin Muir  
Director of Land Development  
Zehr Group

cc. Dave Aston, MHBC  
Zac Zehr, 178-188 Queen LP and 178-188 Queen Street GP Inc.  
Ash Singh, York Queen Inc. and York Queen KW Inc.  
Joe Bullas, Bullas Glass Limited  
Rosa Bustamante, Director of Planning and Housing Policy/City Planner  
Garett Stevenson, Director of Housing and Development Approvals  
Dianna Saunderson, Manager of Council/Committee Services & Deputy Clerk