

169-183 Victoria St S

Zoning By-law Amendment Application

ZBA24/021/V/AP

**Owners: 1000002286 Ontario Ltd., Legion Heights
Victoria Inc., 2306975 Ontario Inc.**

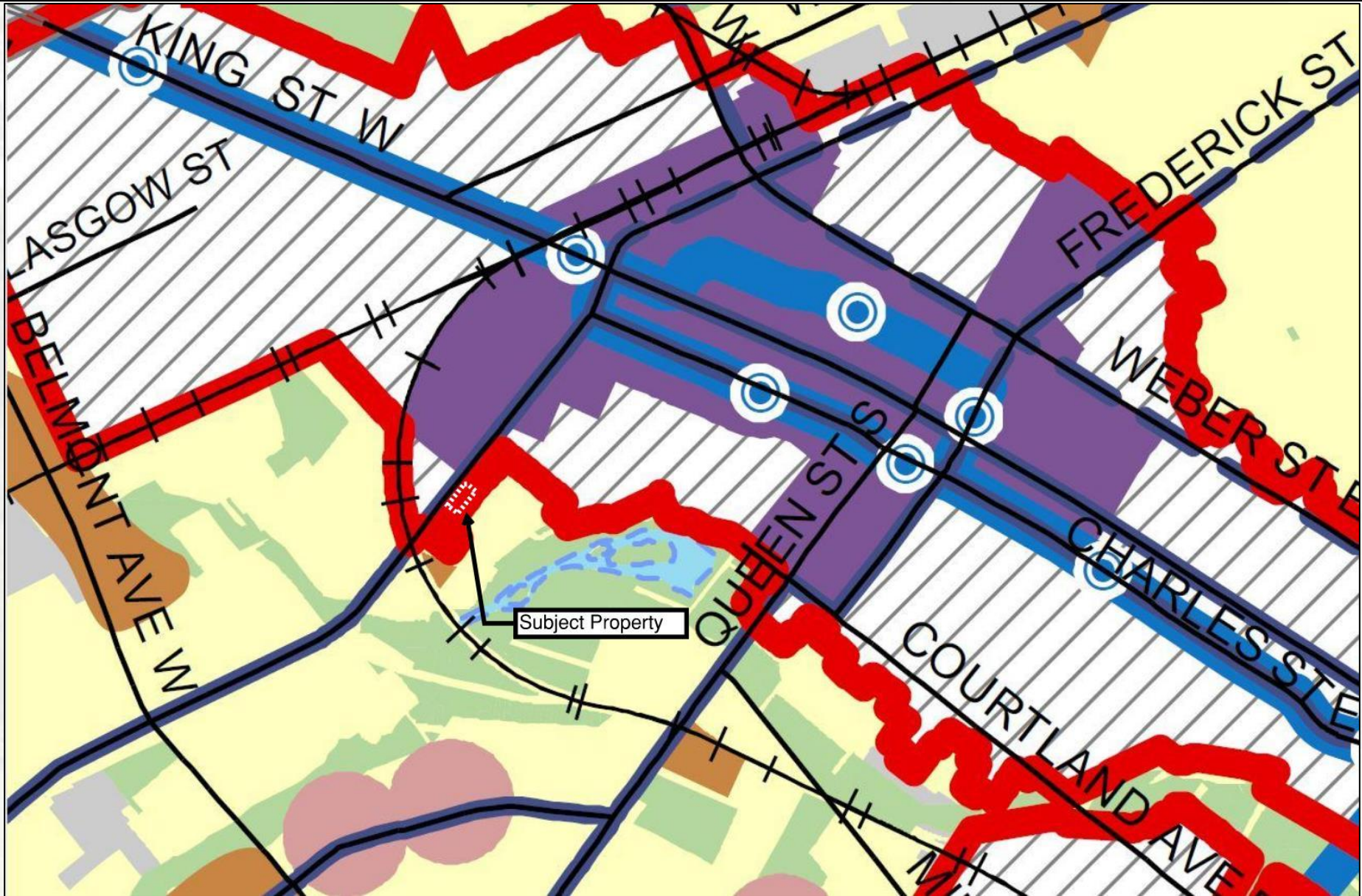
Planning & Strategic Initiatives Committee

October 28, 2024

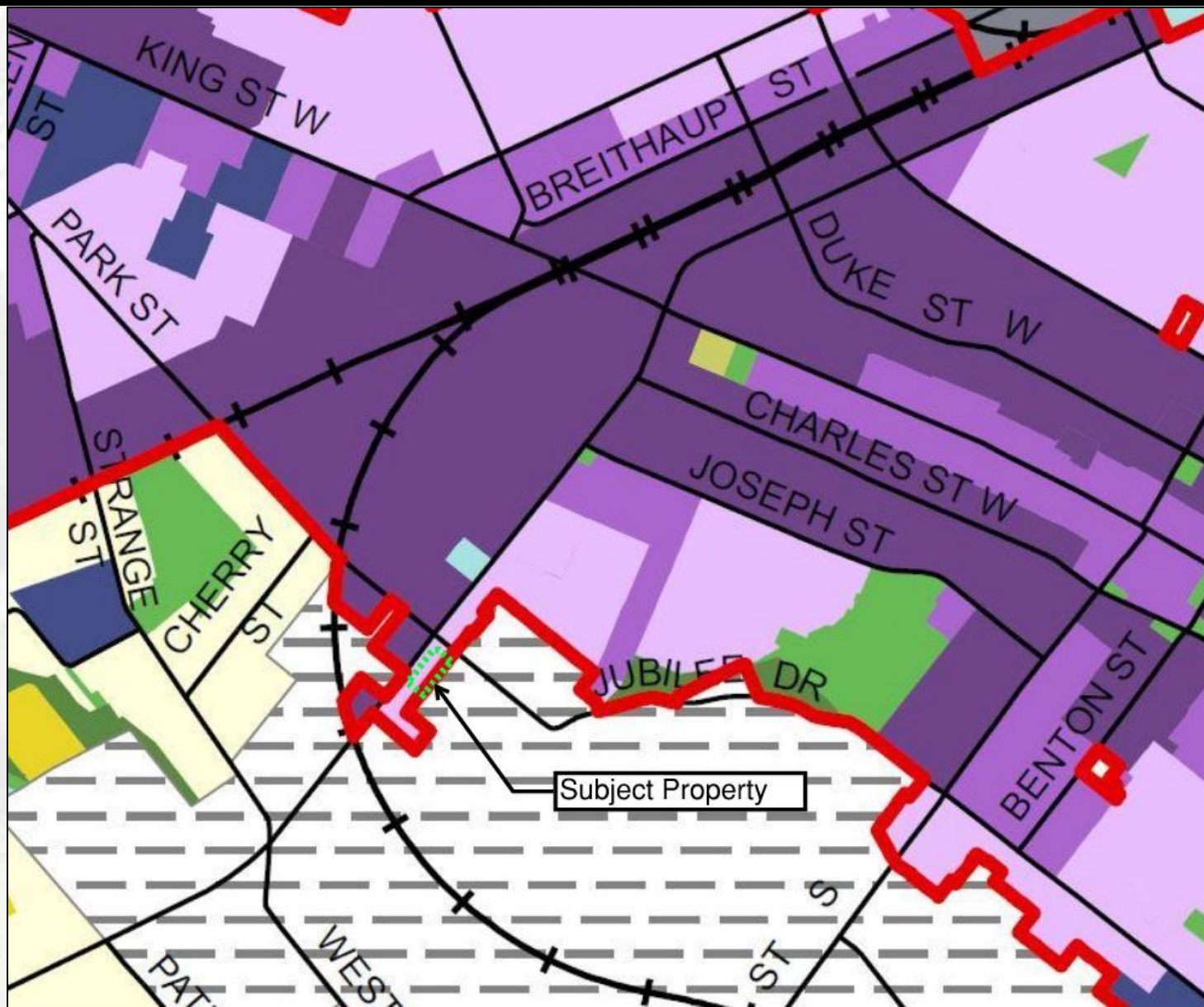
Site Location and Neighbourhood



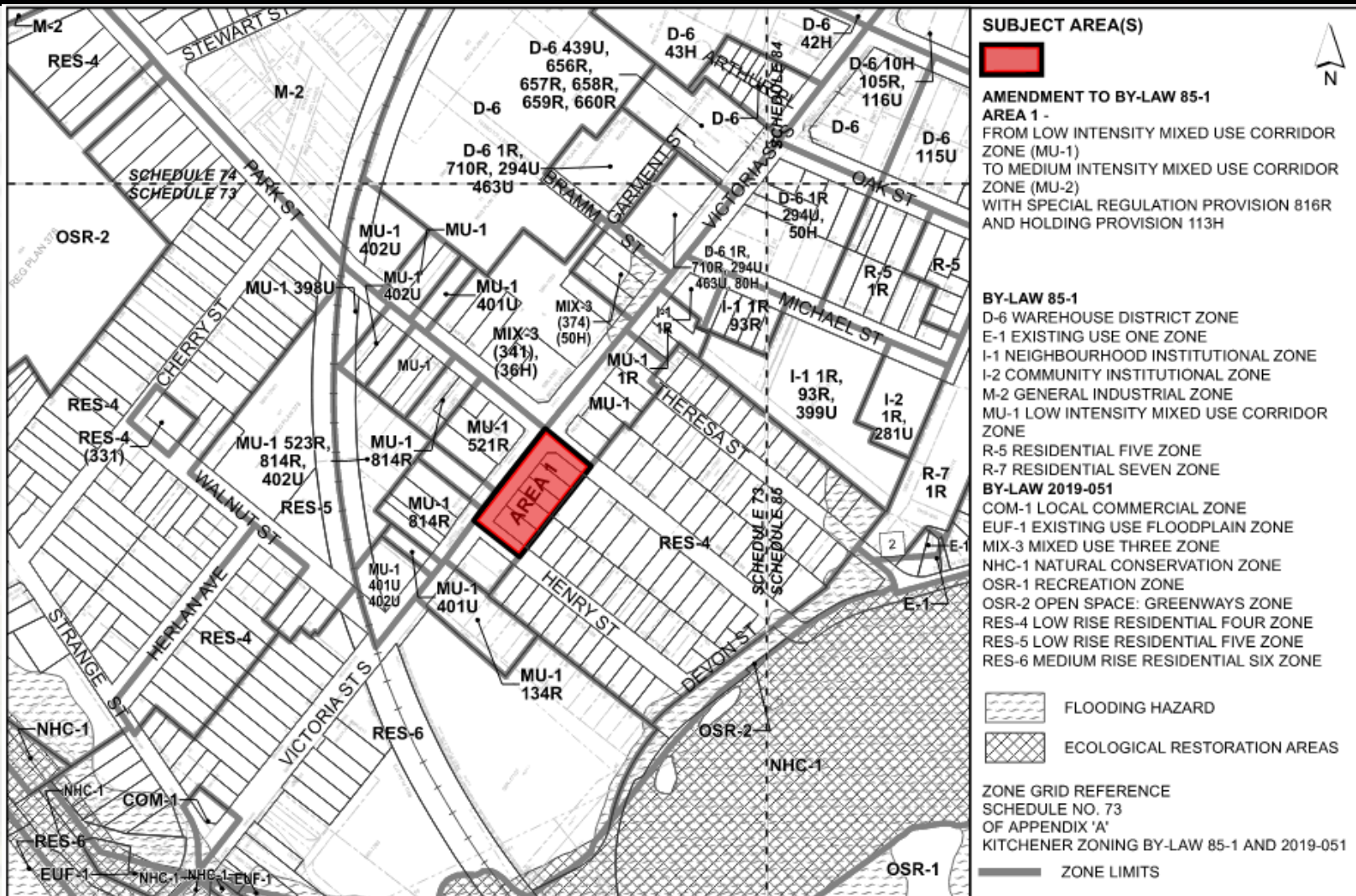
Official Plan – Urban Structure



Official Plan - Land Use



Current and Requested Zoning – By-law 85-1



MAP NO. 1

1000002286 ONTARIO LTD.; LEGION HEIGHTS
 VICTORIA INC.; 2306975 ONTARIO INC.

169-183 VICTORIA ST S

0 50 100
 METRES

SCALE 1:4,000

DATE: OCTOBER 1, 2024

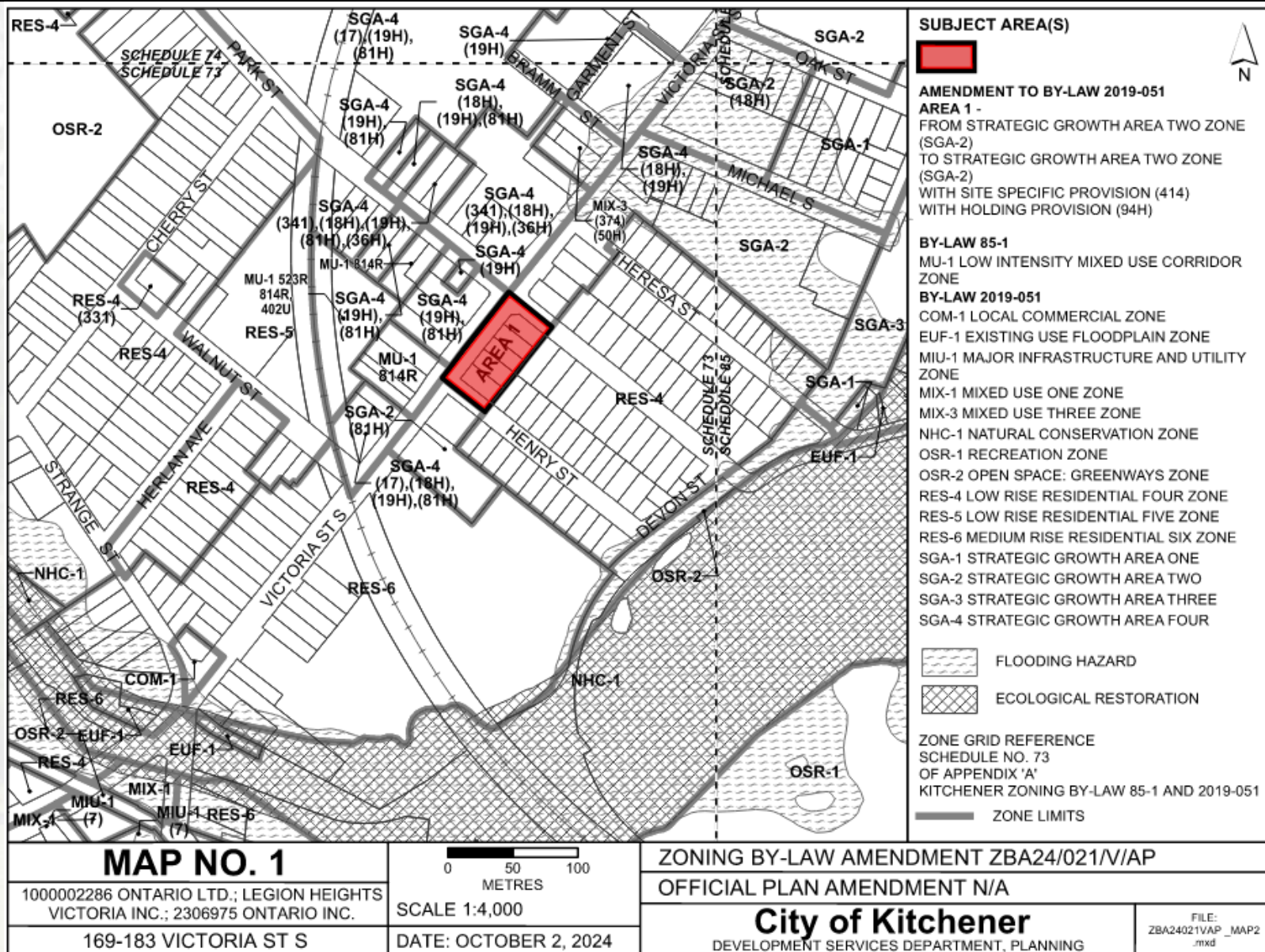
ZONING BY-LAW AMENDMENT ZBA24/021/V/AP

OFFICIAL PLAN AMENDMENT N/A

City of Kitchener

DEVELOPMENT SERVICES DEPARTMENT, PLANNING

FILE:
 ZBA24021VAP_MAP1
 .mxd



Development Concept



Conceptual Rendering showing the proposed building from the intersection of Henry Street at Victoria Street South, looking East.

Opportunity



The proposal will:

- Facilitate redevelopment of the lands with “missing middle” housing, in a mid-rise built form.
- Add 112 new rental dwelling units to the City’s housing inventory, including affordable units.
- Include a mix of dwelling unit types, including 3-5 three-bedroom units.
- Be subject to the City’s new Rental Replacement By-law as well as Inclusionary Zoning requirements.
- Provide visual interest and an attractive building design along Victoria Street.
- Efficiently use land, infrastructure, and services.

Highlights and Conclusion



- Development & Housing Approvals staff recommends approval of the ZBA application to change the zoning:
 - From MU-1 to MU-2 with a Special Regulation Provision and Holding Provision (under By-law 85-1); and
 - From SGA-2 to SGA-2 with a Site-Specific Provision and a Holding Provision (under By-law 2019-051).
- Staff further recommends:
 - That the Proposed By-law to amend Zoning By-law 2019-051, shall have no force and effect until By-law 2024-065 (Growing Together PMTSAs) is in full force and effect, and
 - That the Urban Design Brief attached to report DSD-2024-430, be endorsed, and that staff be directed to implement the Urban Design Brief through a future Site Plan Approval process.
- Staff responded to questions and comments of the community at the September 25th Virtual Neighbourhood Meeting, through one-on-one emails and phone conversations, and through the staff report.
- The requested Zoning By-law Amendment demonstrates good planning principles and is consistent with Provincial, Regional and City planning policies.

Reference Slides





PROPOSED MULTI-UNIT RESIDENTIAL BUILDING
 8 STOREY, 120 UNITS
 8,564 sq. m.
 92,181 sq. ft.

Key setbacks and easements include:
 - 3.0m EXT. SIDE YARD SETBACK (PRE ROAD WIDENING; SGA-2)
 - 4.5m EXT. SIDE YARD SETBACK (PRE ROAD WIDENING; ZBL 85-1)
 - 15.0m LOW-RISE TRANSITION SETBACK; MAX. 20m BUILDING HEIGHT (SGA-2)
 - 3.0m REAR YARD SETBACK (SGA-2)
 - 6.2 x 6.8 m HYDRO EASEMENT
 - 6.2 x 6.8 m HYDRO EASEMENT
 - 6.2 x 6.8 m HYDRO EASEMENT

Parking and other features include:
 - 8 BIKE PARKING
 - 8 CAR PARKING
 - 15.0m LOW-RISE TRANSITION SETBACK; MAX. 20m BUILDING HEIGHT (SGA-2)
 - 15.0m LOW-RISE TRANSITION SETBACK; MAX. 20m BUILDING HEIGHT (SGA-2)
 - 15.0m LOW-RISE TRANSITION SETBACK; MAX. 20m BUILDING HEIGHT (SGA-2)

Rendering 2



Rendering 3



Zoning Comparison – Page 1



	Requirement under Current MU-1 Zone (By-law 85-1)	Requirement under Requested MU-2 Zone (By-law 85-1; without Requested Special Regulation Provision)	Requirement under Council-Approved, Appealed SGA-2 Zone (amendment to By-law 2019-051; without Site Specific Provision)	Proposed / Provided (Note that figures are pre-road-widening, per Section 5.9 of By-law 85-1 / 4.21 of By-law 2019-051).
Minimum Lot Width (Henry St)	15 m	15 m	30.0 m	30.49 m
Minimum Lot Area	N/A	N/A	1,500 m ²	2,025.9 m ²
Minimum Yard Setback	N/A	N/A	3.0m	*2.843 m (at Park St Corner Visibility Area)
Minimum Front Yard Abutting a Street (Henry St)	1.5 m	1.5 m	N/A	4.13 m
Minimum Side Yard Abutting a Street (Victoria St)	4.5 m	1.5 m	N/A	4.189 m
Maximum Front Yard (Henry St)	7.5 m	7.5 m	N/A	4.13 m
Maximum Side Yard Abutting a Street (Victoria St)	7.5 m	7.5 m	N/A	4.189 m
Minimum Width of Primary Ground Floor Façade	50%	50%	N/A	>50%
Minimum Rear Yard	7.5 m	7.5 m	N/A	*4.278 m
Minimum Rear Yard Abutting any Residentially Zoned Property	N/A since rear yard does not technically abut a residentially zoned property	N/A since rear yard does not technically abut a residentially zoned property	N/A	N/A
Minimum Façade Height	6.0 m	6.0 m	N/A	28.8 m
Maximum Building Height	13.5 m	24.0 m	20.0m within 15m of lot with a low-rise residential zone	*28.8 m

Zoning Comparison – Page 2



	Requirement under Current MU-1 Zone (By-law 85-1)	Requirement under Requested MU-2 Zone (By-law 85-1; without Requested Special Regulation Provision)	Requirement under Council-Approved, Appealed SGA-2 Zone (amendment to By-law 2019-051; without Site Specific Provision)	Proposed / Provided (Note that figures are pre-road-widening, per Section 5.9 of By-law 85-1 / 4.21 of By-law 2019-051).
Minimum Yard Setback where the Lot Abuts a Lot with a Low-Rise Residential Zone	N/A	N/A	7.5 m	7.5 m
For Storeys 7 and Above: Minimum Yard Setback	N/A	N/A	6.0 m	*4.189 m (at Victoria St); 2.843 m at Park St CVT); 4.13 m (at Henry St); 4.278 m (at Park St)
For 7 Storeys and Above: Maximum Building Length	N/A	N/A	60.0 m	58.4 m
For 7 Storeys and Above: Maximum Floor Plate Area	N/A	N/A	2,000 m ²	1,097.3 m ²
Minimum Floor Space Ratio	0.6	1.0	1.0	4.2
Maximum Floor Space Ratio	2.0	4.0	N/A	*4.2
Location of Dwelling Unit	Shall not be located on the ground floor unless located within a building used only as a multiple dwelling	Shall not be located on the ground floor unless located within a building used only as a multiple dwelling	N/A	N/A since building is used only as a multiple dwelling
Minimum Façade Openings	N/A for residential uses	N/A for residential uses	10%	31%
Minimum Street Line Façade Openings	N/A	N/A	20%	29%
Minimum Landscaped Area	10%	10%	20%	20%

Zoning Comparison – Page 3



	Requirement under Current MU-1 Zone (By-law 85-1)	Requirement under Requested MU-2 Zone (By-law 85-1; without Requested Special Regulation Provision)	Requirement under Council-Approved, Appealed SGA-2 Zone (amendment to By- law 2019-051; without Site Specific Provision)	Proposed / Provided (Note that figures are pre-road- widening, per Section 5.9 of By-law 85-1 / 4.21 of By-law 2019-051).
Motor Vehicle Parking	Not required per Bill 185	Not required per Bill 185	Not required per Bill 185	53 spaces
Driveway Visibility Triangle	4.57 m	4.57 m	N/A [see 4.5e)]	*4.2 m
Balconies	Balconies may extend within any yard provided that the minimum setback from a front lot line is 3.0 metres	Balconies may extend within any yard provided that the minimum setback from a front lot line is 3.0 metres	N/A [see 4.14.2d)]	*1.281 m
Priority Streets 6.6a)i)	N/A	N/A	A Community Use or Commercial Use listed in Table 6-1 shall occupy a minimum of 50% of the street line ground floor	*No Community or Commercial Uses
Priority Streets 6.6a)vi)	N/A	N/A	The minimum street line ground floor façade openings shall be 40%	*29%
Loading Spaces	N/A	N/A	Shall not be permitted within 7.5 metres of an abutting residential zone.	*2.4m