

AMENDMENT NO. XX TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER

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276 King Street East

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SECTION 1 – TITLE AND COMPONENTS

This Amendment shall be referred to as Amendment No. XX to the Official Plan of the City of Kitchener. This Amendment is comprised of Sections 1 to 4 inclusive.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of the Official Plan Amendment is to amend the Official Plan by adding Site Specific Policy Area 5 to *Map 4 – Urban Growth Centre (Downtown)* and by adding associated Site Specific Policy 15.D.2.68 to the Official Plan.

SECTION 3 – BASIS OF THE AMENDMENT

The subject lands are currently designated Market District on Map 4 – Urban Growth Centre (Downtown) of the 2014 Official Plan. Also, the lands are identified as Urban Growth Centre (Downtown) and Major Transit Station Area on Map 2 – Urban Structure of the 2014 Official Plan.

The applicant is requesting an Official Plan Amendment to add Site Specific Policy Area 5 to *Map 4 – Urban Growth Centre (Downtown)* and to add associated Site Specific Policy 15.D.2.68 to the Official Plan. These amendments would permit a mixed use building with a Maximum Floor Space Ratio (FSR) of 4.8 and a maximum building height of 28.5 metres or 7-storeys, which the applicant intends on constructing through future approvals. A ‘parallel’ Zoning By-law Amendment is also requested.

The Amendment would assist the City in achieving the densities contemplated by the Provincial Policy Statement and Growth Plan. The Official Plan Amendment would facilitate a mid-rise development proposal that provides a mix of high-density housing and commercial use in a location where there are excellent levels of infrastructure and public service facilities. The proposal is considered transit supportive development because it would support the nearby ION and transit services and make use of active transportation opportunities in and near downtown.

The City’s Official Plan states that the planned function of the Urban Growth Centre (Downtown) is to accommodate a significant share of the region’s and the city’s future population and employment growth. The requested Amendment assists in achieving the planned function. Moreover, Planning staff is of the opinion the proposed use of the subject lands is desirable and appropriate for this location and will not have adverse impacts on surrounding land uses. The proposed development is compatible with the surrounding neighbourhood.

Policy 15.D.2.59. of the City’s Official Plan states that, “The maximum Floor Space Ratio for all new development and/or redevelopment, except those lands with frontage on Market Lane or Duke Street, will be 3.0” and policy 15.D.2.61. states that, “The building and façade heights may be regulated through the Zoning By-law.” It should also be noted that the subject property is within the *recommended focus area* on Planning Around Rapid Transit Stations (PARTS) Phase 1 (2013) Station Study Area mapping. Furthermore, the PARTS Central Plan (2016) suggests a maximum FSR of 3.0 and that “Building Heights on King Street will be limited to maintain the current pedestrian experience”.

In this regard, while the Amendment is for 4.8 FSR, which is more than contemplated by the Market District and PARTS, Planning staff has undertaken an extensive review of the design and

are of the opinion that it meets the objectives of the King Street streetscape, achieving a 45-degree angular plane through the use of stepbacks.

Planning staff is satisfied that the requested Amendment aligns with Provincial, Regional, and City policies. In addition, the Amendment is consistent with the policies and intent of the Provincial Policy Statement and conforms to the Growth Plan. Accordingly, Planning staff recommends approval of the Amendment.

SECTION 4 – THE AMENDMENT

The City of Kitchener Official Plan is hereby amended as follows:

- a) Part D, Section 15.D.2. is amended by adding Site Specific Policy Area 15.D.2.68 as follows:

“15.D.2.68. **276 King Street East**

Notwithstanding the Market District land use designation on lands municipally known as 276 King Street East, a Floor Space Ratio (FSR) of 4.8 shall be permitted, and, generally, a maximum building height of 7-storeys or 28.5 metres shall be permitted.

In addition, A Holding provision pursuant to Section 17.E.13 will apply to prohibit any residential or other sensitive land uses until such time as a detailed stationary noise study has been submitted to and accepted by the Regional Commissioner of Planning, Development and Legislative Services. This Holding provision will not be removed until the City of Kitchener is in receipt of a letter from the Regional Commissioner of Planning, Development and Legislative Services advising that such noise study and the recommended implementation measures have been accepted to the satisfaction of the Regional Municipality of Waterloo.

- b) Amend Map No. 4 – Urban Growth Centre (Downtown) by:

- i) Adding Specific Policy Area “5. 276 King Street East (Policy 15.D.2.68)”, to the ‘Area of Amendment’, as shown on the attached Schedule ‘A’.

NOTICE OF PUBLIC MEETING for a development in your neighbourhood 276 King Street East



Concept drawing



7 Storey
Building



Residential
Upper Floors



Commercial
Ground Floor

Have Your Voice Heard!

Date: **June 13, 2022**

Time: **4:00 p.m.**

Location: **Virtual Zoom Meeting**

To view the staff report, agenda,
find meeting details or to
appear as a delegation, visit:
kitchener.ca/meetings

To learn more about this project,
including information on your
appeal rights, visit:
**[www.kitchener.ca/
planningapplications](http://www.kitchener.ca/planningapplications)**

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The City of Kitchener has received applications to change the Official Plan and Zoning By-law to permit a 28.5 metre high (7-storey) mixed-use building with ground floor commercial uses and 29 dwelling units within the upper storeys. The building has a floor space ratio of 4.8. The applications request to not provide any parking for motor vehicles, but to require 33 long-term bicycle parking spaces and 12 short-term bicycle parking spaces. A holding provision is also requested to prevent development until a detailed noise study has been submitted to and approved by the Region.