

PLANNING JUSTIFICATION **REPORT**

ZONING BY-LAW AMENDMENT

30 DUKE STREET LIMITED

22 Weber Street West
City of Kitchener

Date:

July 2020

Prepared for:

30 Duke Street Limited

Prepared by:

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)

540 Bingemans Centre Drive, Suite 200

Kitchener, Ontario

T: 519.576.3650

F: 519.576.0121

Our File 1961A

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1. INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) has been retained by 30 Duke Street Limited to provide planning advice in support of the redevelopment of their lands municipally known as 22 Weber Street West, in the City of Kitchener (hereinafter referred to as 22 Weber Street West, the 'subject lands' or the 'site'). In order to permit the proposed redevelopment, amendments to the City of Kitchener Official Plan and Zoning By-law are required.

The subject lands are located just outside the boundary of the Urban Growth Centre (Downtown Kitchener) on the north side of Weber Street West. The subject lands are an interior lot located between Young Street and Queen Street North, as illustrated on **Figure 1**. The subject lands are approximately 0.14 hectares in area, are vacant of any buildings and are presently being used as a commercial parking lot.

It is proposed that the subject lands be redeveloped with a 15-storey multiple residential building with 126 units, including 19 barrier free units. A total of 24 parking spaces are proposed and will be located at grade. The building is oriented towards Weber Street West. Pedestrian and vehicular access to the development is proposed from Weber Street West with a direct pedestrian connection from the building to the public sidewalk system.


This Planning Report has been prepared for submission to the City of Kitchener and includes the following:

- An introduction and general description of the subject lands, surrounding land uses and existing conditions to provide an understanding of the locational context;
- A Neighbourhood Character study;
- A description of the overall development concept and proposed Official Plan and Zoning By-law amendments;
- A public consultation strategy;
- A review and assessment of the existing and emerging Provincial, Regional and Municipal policy framework in relation to the proposed redevelopment;
- A parking reduction justification summary; and
- A review and summary of other technical reports prepared in support of the proposed planning application.

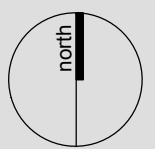
Implementation of the redevelopment requires approval of Official Plan and Zoning By-law Amendment applications (OPA and ZBA). A future Site Plan application and Draft Plan of Condominium application will also be submitted in support of this application. This report supports the planning applications and assesses the proposal in the context of the applicable planning framework.



Aerial Photo
22 Weber Street West,
Kitchener, Ontario

LEGEND
 Subject Lands

DATE: February 27, 2019
SCALE: 1 : 5,000
FILE: 1961A
DRN: LHB



K:\1961A-22 WEBER ST\REPORT\AERIAL PHOTO 2018.DWG

Figure 1

Source: City of Kitchener 2018



**PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE**
 200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9
 P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

1.1 Complete Application

The required Pre-consultation meeting with City Staff and review agencies was held on November 14, 2019. **Appendix A** to this report includes the Record of Pre-submission Consultation, issued by the City on December 13, 2019. The Record of Pre-submission Consultation identifies the reports and plans that are required to form a complete application for both the OPA/ZBA and the future Site Plan Application.

For a complete Official Plan Amendment and Zone Change Application, the following reports and plans are required:

- Site Plan Concept
- Planning Justification Report including Parking Justification
- Urban Design Brief including Wind Study and Tall Building Guideline Analysis
- 3D Massing Model
- Heritage Impact Assessment
- Archaeological Assessment
- Functional Servicing Report including Water Distribution
- Colour Renderings

For a complete Site Plan Application, the following additional reports and plans are required:

- Existing Conditions Plan
- Site Plan
- Parkland Dedication Plan
- 3D Massing Model
- Preliminary Floor Plans
- Sustainability Statement
- Wind Study (updated)
- Preliminary Grading Plan
- Building Elevation Drawings
- Truck Movement Plan
- Functional SWM Brief and Geotechnical Report

In addition to the above, the Region requested the completion of a Noise Study which will be completed as part of a future Draft Plan of Condominium Application. A General Vegetation Overview and Tree Management Plan was also requested. However, upon visual inspection of the site we confirm there is no existing vegetation on-site. The existing asphalt parking lot extends across the entire site with no landscaping internal to the site.

All required reports have been prepared and submitted concurrently with the planning applications. Note, the Pedestrian Wind Study and the Shadow Impact Study form part of the Urban Design Brief.

2. SITE DESCRIPTION & SURROUNDING LAND USES

The subject lands are located within the Civic Centre Neighbourhood, on the north side of Weber Street West. Weber Street West is classified as a Regional Road. Generally, the function of Regional Roads is to provide safe, direct, accessible and multi-modal transportation links for moving people and goods throughout Waterloo Region, and to adjacent municipalities. Existing sidewalks are located on both sides of the street, providing direct access for pedestrians to north/south streets and the downtown. The subject lands are located proximate existing and planned cycling routes. The subject lands are located between Queen Street North (a collector street) and Young Street (a local road).



Subject Lands as viewed from Weber Street West

The subject lands are located within a Major Transit Station Area (MTSA) given their proximity to the Region's Light Rail Transit (LRT) system and specifically their proximity to the Kitchener City Hall Station which is located one block south of the subject lands. MTSA's are intended to be developed to achieve a mix of residential, office, institutional and commercial uses. Properties within MTSA area also intended to have a built form that is pedestrian friendly and transit oriented.

There are several Grand River Transit bus stops in proximity to the subject lands and existing transit stops are located at Weber and Queen Street and at Queen Street and Ahrens. The Charles Street Terminal is located approximately 500 metres to the south of the subject lands and provides connections to busses that provide service to other municipalities within and outside of the

Region of Waterloo. The Region's planned Multi-Modal Transit Hub is located approximately 1 kilometer west of the subject lands.

The subject lands are within a short walking distance to the commercial core of Downtown Kitchener as well as a number of cultural uses including the downtown library and Centre in the Square. A Neighbourhood Overview plan is included as **Figure 2** and illustrates nearby cultural facilities, parks, recreation and employment; amenities within 5 and 10 minute walking distances from the subject lands and the location of VIA, GO and rapid transit stations in relation to the subject lands. **Figure 3** illustrates existing land uses in the immediate vicinity of the subject lands.

Uses that immediately surround the subject lands include the following:

NORTH: Immediately north of the subject lands are properties designated and zoned to permit the conversion of residential to office uses. Two properties immediately abut the rear yard of the subject lands, one of which has already been converted to non-residential use. The designated Low Rise Residential Preservation Area is located further to the north on the north side of Roy Street.

EAST: An office building is located immediately east of the subject lands. St. Andrew's Presbyterian Church, the Region of Waterloo offices and the Provincial Offences Court are all located further to the east.

SOUTH: Weber Street West runs along the southern property limit, beyond which is the northern limit of the City's Urban Growth Centre (downtown). Buildings within the downtown on the south side of Weber Street West are primarily used for non-residential purposes and include an 11 storey office tower. The commercial core of Downtown is located further to the south.

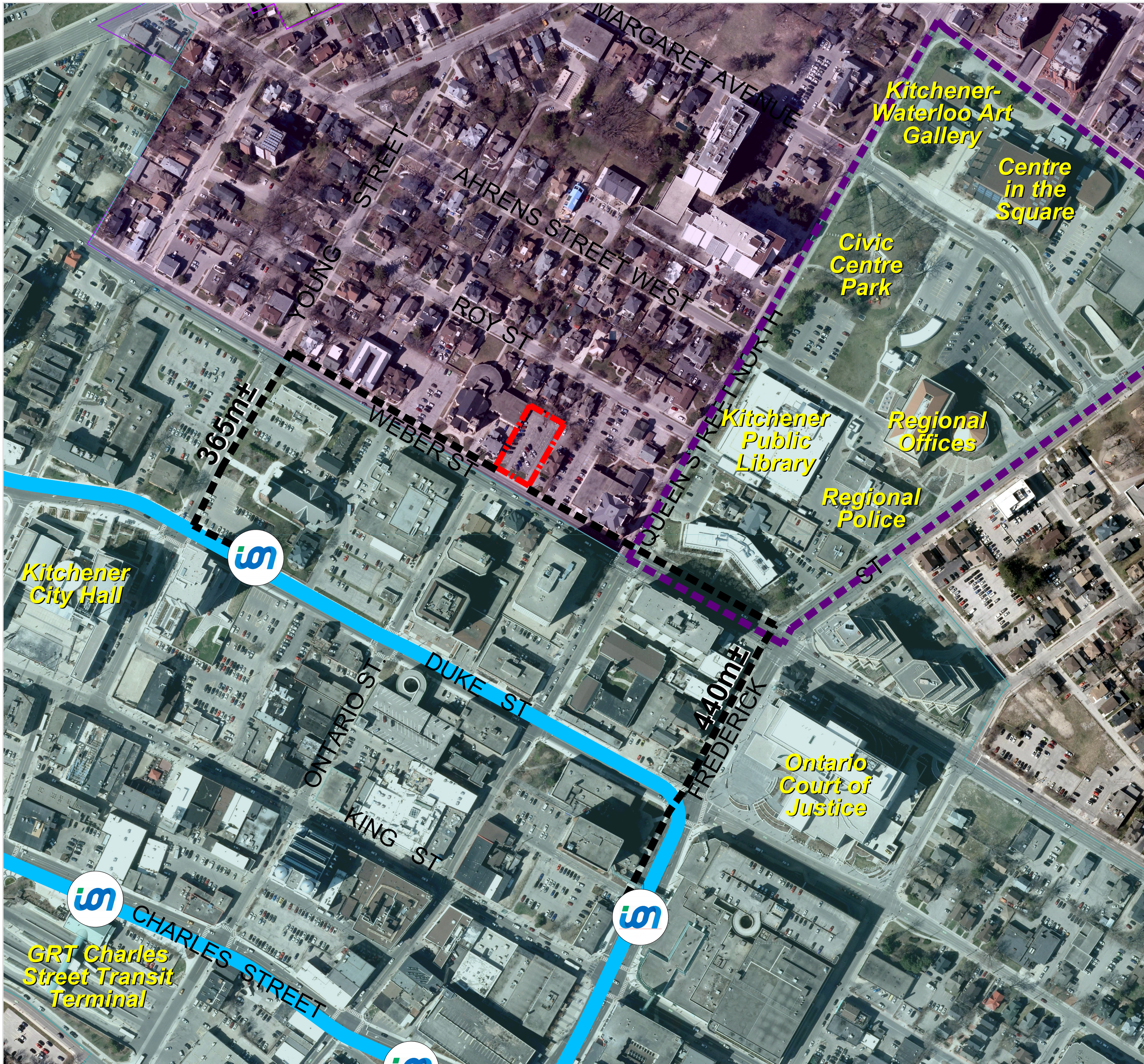
WEST: Two properties abut the western property line including a vacant church and a Counselling Centre. Apartments are located further west along Weber Street.

In summary, the subject lands are well-located in a mixed-use area of Kitchener, immediately north of the Downtown and are well served by the existing arterial and collector road networks, existing and planned public transit and active transportation routes.

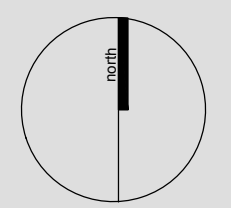
Neighbourhood Overview
22 Weber Street West,
Kitchener, Ontario
Figure 2

LEGEND

-  Subject Lands - 22 Weber Street West
-  Downtown
-  Heritage Conservation District
-  Civic District
-  ION Route & Transit Stop
-  Walking Route & Approximate Distance



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DRN:	L.H.B.




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Existing Land Uses
22 Weber Street West,
Kitchener, Ontario

Figure 3

LEGEND

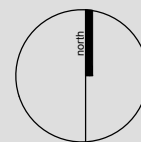
 Subject Lands - 22 Weber Street West

DATE: July 11, 2019

SCALE: 1:1,000

FILE: 1961A

DRN: L.H.B.



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3. CIVIC CENTRE DISTRICT & NEIGHBOURHOOD CHARACTER STUDY

The subject lands are located at the edge of the Civic Centre Neighbourhood Secondary Plan Area and have an immediate interface with the downtown core of the City of Kitchener. The Civic Centre area helps to tell the story of Kitchener's phenomenal growth at the turn of the 19th century and of the development of its extensive industrial sector. Almost two-thirds of the existing houses in this area were built between 1880 and 1917 and in most cases were occupied by owners, managers or workers for some of the key industries that defined the community at the turn of the century. The Lang and Breithaupt families for example, whose enterprises and extensive public service did so much to promote and develop the City, are represented by surviving homes in the district. Other businessmen, industrialists and public servants including the City's first reeve, Dr. Scott, Mayors Eden and Greb, and Engineer and County Clerk Herbert Bowman also came to the neighbourhood.

The Civic Centre neighbourhood is one of Kitchener's oldest neighbourhoods and retains a large number of original buildings that are well crafted and maintained. In addition to the residential building stock, there are a number of other prominent and well preserved buildings within the Civic Centre neighbourhood including churches and early commercial buildings. While the majority of the neighbourhood was constructed for, and remains as residential, conversions to commercial and office uses have occurred with little negative impact on the quality of the streetscape.

The Neighbourhood Character Study included as **Appendix B** of this report illustrate that the interior portions of the Civic Centre Neighbourhood contain attractive and consistent streetscapes linked by mature trees, grassed boulevards and laneways. Hibner Park, Kitchener's second oldest city park, is located in the centre of the District and in close proximity to the subject lands. Unlike the interior of the neighbourhood, Weber Street has a variety of built forms, setbacks and building heights recognizing the change and redevelopment that has occurred over time.

The subject lands represent one of the only vacant properties in the Civic Centre Neighbourhood and are designated as High Density Commercial Residential, allowing for multiple residential and non-residential uses with a maximum Floor Space Ratio (FSR) of 4.0. The site represents an unutilized parcel of land that can redevelop without demolition/disruption to existing built form and without displacing affordable housing or other uses. The Secondary Plan policies balance the protection of internal lower density residential enclaves with redevelopment opportunities along Weber Street West and Queen Street through the introduction of the Office-Residential Conversion which serves as the transition between the higher intensity uses along Weber Street and Queen Street and the Low Rise Residential Preservation designated of the interior of the neighbourhood. The subject lands abut this transition area and as such are sufficiently separated from the interior of the neighbourhood.

Heritage Considerations

The subject lands are also located within Civic Centre Heritage Conservation District (CCHCD) and therefore, are designated under Part V of the Ontario Heritage Act (OHA). The CCHCD Plan includes specific policies and guidelines that apply to the subject lands and recognizes that Weber Street is different from the interior of the district and sets forth policies for new development which are specific to this area. The Plan recognizes that Weber Street West is designated High Density Commercial Residential and is supportive of higher density developments provided that it does not result in the demolition of significant cultural heritage resources and is compatible with the character of the streetscape. An HIA has been completed to evaluate the development relative to the specific design direction provided within the CCHCD. The HIA concluded that the development will not result in any adverse impacts related to obstruction, isolation, change in land use, or shadows. The development is considered a neutral impact to adjacent heritage resources within the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD) located along Weber Street West and Roy Street.

Evolution of the Civic Centre Neighbourhood

The City of Kitchener is currently reviewing the Civic Centre Neighbourhood. The first step in the review was the preparation of the Parts Central Plan. The Parts Plan was approved by Council resolution only and predates the in effect Growth Plan as well as the Regional requirement to delineate Major Transit Station Areas. This is relevant given Growth Plan policies which speak to maximizing the population in walking distances to transit and the limited opportunities to do so recognizing the intent to continue to protect the interior portions of the Civic Centre Secondary Plan from redevelopment.

The on-going Civic Centre Review involves the area containing the existing Civic Centre Secondary Plan and a portion of the Central Frederick Street Secondary Plan. This area is proposed to become the new Civic Centre Secondary Plan. The subject lands continue to be located within the Civic Centre Neighbourhood. The development of the subject lands represents an opportunity for a transit-supportive, carefully designed residential development as has always been intended by the Civic Centre Secondary Plan.

The original Civic Centre Secondary Plan was approved in the 1980's and represents one of the first inner-city Secondary Plans that was subject to extensive neighbourhood consultation. The major issue at the time was planning to accommodate intensification and higher density development in support of the downtown and future mass transit within an area identified as Settlement Policy Area "B" in the former Regional Official Policies Plan (ROPP). It was resolved that higher density commercial and residential redevelopment opportunities would be provided along the periphery of the community (i.e. Weber Street and Victoria Street) and to a lesser extent Queen Street North and Margaret Avenue. The Civic Centre Secondary Plan has contemplated high density redevelopment of the subject property for a considerable period of time. Since the Secondary Plan has first been approved mass transit is now a reality in the form of LRT and planning policy has continued to evolve and change with increased emphasis on support for transit particularly higher order transit such as LRT which is now recognized on Schedule 5 of A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2019.

4. DEVELOPMENT PROPOSAL

The proposal provides for the development of the subject lands with a 15-storey multiple residential building. While the Owner plans on submitting a Draft Plan of Condominium application in the future, the tenure is still to be determined. Regardless of tenure, an important aspect of the project is to provide housing at an attainable price. As such, the development has been designed to be as cost-effective as possible, while still providing a high level of urban design and attractive architecture.

The development will have a gross floor area of approximately 8,570 square metres (92,249.73 square feet) and 126 units, including 19 barrier free units. The preliminary site plan is included as **Figure 4** and is described as follows:

Ground Floor / Building Base

Indoor amenity, office and lobby space is proposed within the front half of the ground floor. Large windows are proposed facing Weber Street West and the ground floor has been designed at a height of 4.5 metres. The back half of the ground floor contains parking, bicycle storage and the internal stairwell.

The main building entrance is oriented to Weber Street West. The main entrance will connect directly with the public sidewalk system. A secondary entrance is located at the back of the building providing access to the building from the parking area.

The base of the building has been designed to be visually distinct from the floors above. This has been achieved through the use of different building materials and colours; the inclusion of large ground floor windows and the provision of a stepback above the base.



As illustrated in preliminary renderings, the base of the building is visually distinct from the floors above.

This has been achieved through the use of different building materials and colours; the inclusion of large windows on the ground floor windows and the provision of a stepback above the base.

Amenity Space

Balconies are proposed for all residential units providing outdoor amenity. An interior amenity room is also proposed on the ground floor with large windows facing the street. Indoor secure bicycle parking will also be provided and will be contained within the ground floor storage area.

Residents of the development will also have access to all the amenities associated with living in the Civic Centre District and close to downtown. There are multiple parks within a 10 minute walk from the site, including Victoria Park, a major outdoor recreation area.

Parking and Access

The development is proposed to have a mix of surface and structured parking. Where possible parking has been incorporated into the proposed building structure as illustrated on the conceptual site plan. A total of 24 parking spaces are proposed. One vehicular access to the parking area is proposed via a driveway from Weber Street West. Bicycle parking will also be provided.

Servicing and Infrastructure

Existing municipal water, sanitary and storm infrastructure is available along Weber Street West. The development will connect to the existing services. For further details refer to the Functional Servicing Brief prepared by MTE dated July 10, 2020.



The development will introduce 126 new units adjacent to downtown and within a Major Transit Station Area.

The development represents the redevelopment of a vacant and underutilized site and will provide an improved pedestrian experience along Weber Street West.

REVISIONS		
NO.	DATE	PARTICULAR
1	20.07.08	ISSUED FOR OPA / ZC

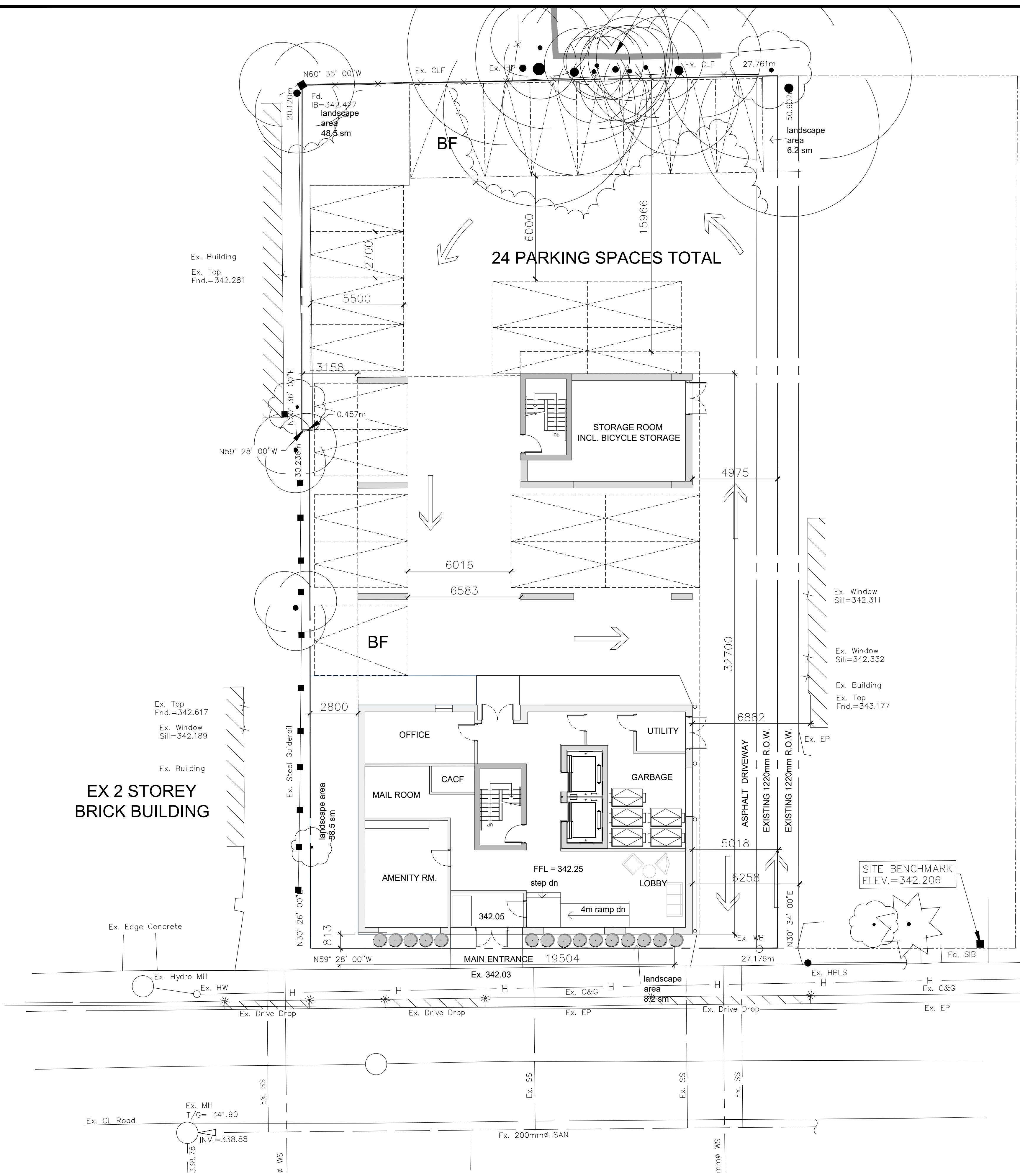


Figure 4

AREA OF SITE 1392 SM
LANDSCAPED AREA 122.2SM = 8.78%

GROUND FLOOR AREA 256.87 SM
TYPICAL FLOOR AREA 571.34 SM

571.34 X 15 STORIES = 8570 SM
PROPOSED FSR = 6.16

24 PARKING SPACES PROPOSED

TOTAL PROPOSED = 126 UNITS

PARKING REQUIREMENTS 107 X 0.165 = 17.65 SPACES SMALL UNITS +
19 BF X 0.165 = 3.135 SPACES
21 TOTAL PARKING SPACES REQUIRED
24 SPACES PROPOSED

14 FLOORS WITH 9 UNITS EACH = 126 UNITS TOTAL

126 UNITS X 0.15 = 19 BF UNITS REQUIRED PER OBC

15 STOREYS INCLUDING GROUND FLOOR
14 X 3.0M FLOOR TO FLOOR = 42M HEIGHT
GROUND FLOOR HEIGHT = 4.6m
TOTAL BUILDING HEIGHT = 46.6m
PROPOSED SITE PLAN
GROUND FLOOR AREA 256.87 SM = 2,880 SQ. FT.



PROPOSED MULTI-RESIDENTIAL DEVELOPEMENT
22 WEBER ST W, KITCHENER, ONTARIO
JULY 15, 2020

Plot Date: Jul 15, 2020 - 2:28pm By: eborsepu File: K:\VG\Brantford\22_Weber St - Daniel\21907\Drawings\2\Weber Plans-July14-20.dwg

5. PROPOSED AMENDMENTS

The development proposal as currently contemplated requires the approval of Official Plan and Zoning By-law Amendments as described within the following sub-sections.

5.1 Proposed Official Plan Amendment

The City of Kitchener Official Plan was adopted in 2014 through the approval of Official Plan Amendment No. 103. The 2014 Official Plan establishes a community structure and identifies the subject lands as being within a Major Transit Station Area (**Figure 5**).

The land use designation for the site is set out in the Civic Centre Secondary Plan. The Civic Centre Secondary Plan was adopted under the 1994 Official Plan. Secondary Plans were deferred as part of the review and approval of Official Plan Amendment No. 103 and therefore do not form part of the new 2014 Official Plan. It is intended that after the City-led Neighbourhood Review planning process is completed, that the Secondary Plans will be reviewed and brought into the 2014 Official Plan. Until that time, reference should be had to the 1994 Official Plan for lands located within the Secondary Plans (including 22 Weber Street).

The subject site is designated 'High Density Commercial Residential' in the Civic Centre Secondary Plan as shown on **Figure 6**. The High Density Commercial Residential designation permits a range of uses including free standing multiple residential buildings at a maximum Floor Space Ratio of 4.0. The Official Plan amendment proposes to retain the existing designation but with an increased FSR permission of 6.2.

The increase in FSR from 4.0 to 6.2 recognizes when the Floor Space Ratio concept was first developed the relationship between FSR and building height was not thoroughly analyzed from a design perspective. For example a larger site can achieve significantly more massing and building height than a smaller site that is rectangular in shape such as the one that is under consideration. And quite apparently an unlimited building height as is now provided for cannot be achieved with the FSR limitations that are now in place. The proposal introduces a maximum building height of 15 storeys which is appropriate under the circumstances and in recognition of the Roy Street buffer that is now in place. An increase in the floor space ratio from 4.0 to 6.2 achieves an appropriate built form within a Major Transit Station Area, and represents an appropriate location for additional density, redevelopment and intensification.

The site represents an unutilized parcel of land that can redevelop without demolition/disruption to existing built form and without displacing affordable housing or other uses. The Secondary Plan policies balance the protection of internal lower density residential enclaves with redevelopment opportunities along Weber Street West and Queen Street through the introduction of the Office-Residential Conversion which serves as the transition between the higher intensity uses along

Weber Street and Queen Street and the Low Rise Residential Preservation designated of the interior of the neighbourhood. The subject lands about this transition area and as such are sufficiently separated from the interior of the neighbourhood.

It is important to note that elsewhere within the High Density Commercial Residential designation redevelopment for high density use will be challenging given the presence of buildings that have been identified in the Heritage District Plan as having heritage value. The site represents an unutilized parcel of land that can redevelop without demolition/disruption to existing built form and without displacing affordable housing or other uses. This will help the City of Kitchener in achieving Provincial policy direction related to maximizing populations within walking distance of major transit.

5.2 Proposed Zoning By-law Amendment

The City of Kitchener Zoning By-law 85-1 (the “Zoning By-law”) was approved on February 11, 1985 and has since been amended. The following amendment is proposed for the in-force Zoning By-law for the City of Kitchener.

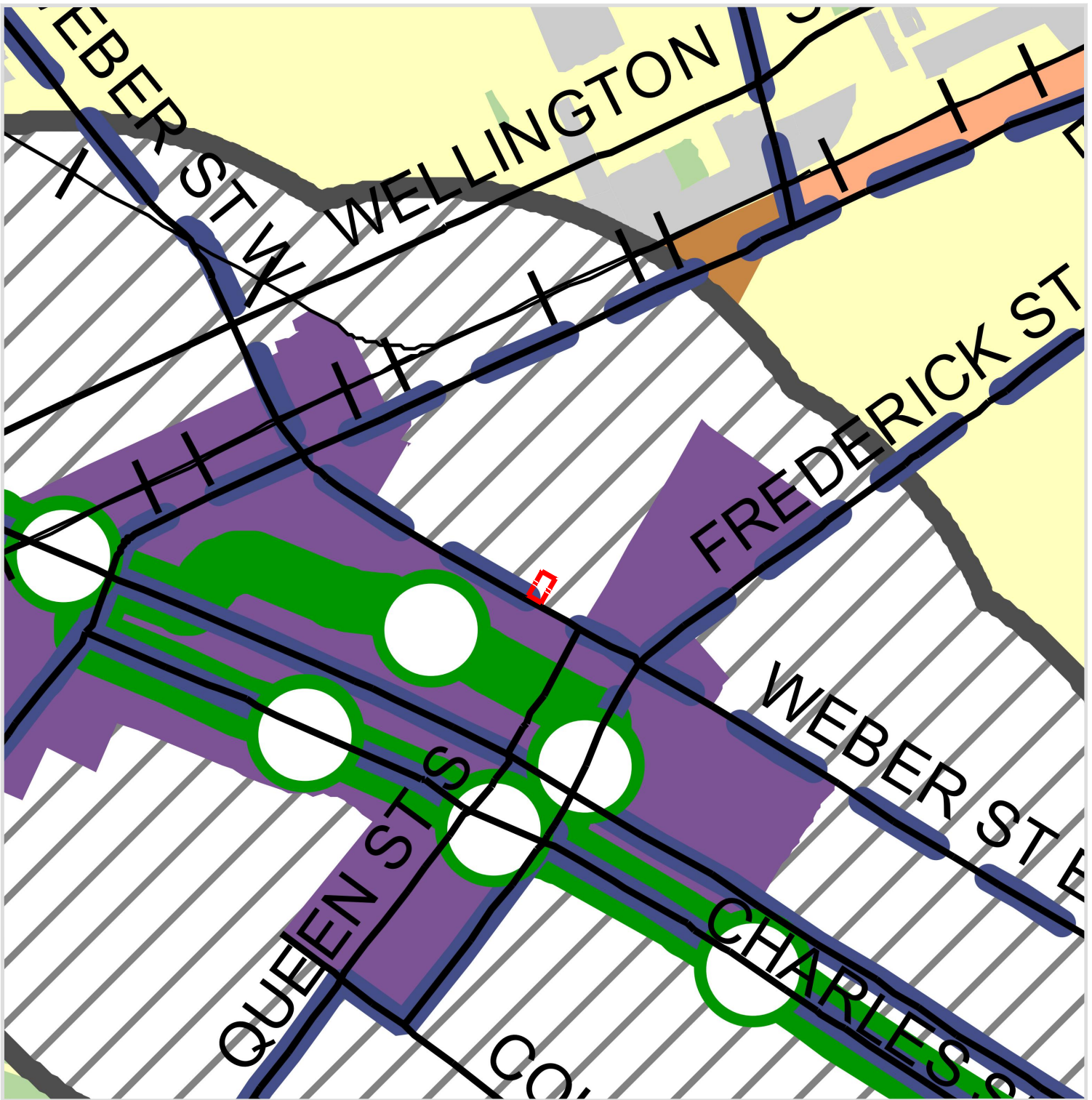
The subject lands are zoned Commercial Residential Three Zone (CR-3) as illustrated on **Figure 7**. The Zoning By-law Amendment application requests the subject lands be rezoned Commercial Residential Three Zone with Site Specific Provisions in order to permit the development as proposed. The following site specific zoning regulations are requested:

- Special Regulation XXXR- A minimum front yard setback of 0.8 metres is proposed along King Street East, whereas a minimum front yard of 3.0 metres is required. The purpose of this special regulation is to orient the development to Weber Street West while maximizing the rear yard setback. Setbacks along this portion of Weber Street West vary significantly between properties. The proposed setback is consistent with a number of buildings along this portion of Weber Street West that are setback at or just beyond the property line.
- Special Regulation XXXR- A minimum rear yard setback of 15.0 metres is proposed, whereas a minimum setback of one half the building height is required. It is noted that this regulation is consistent with the ‘Transition to Low-Rise Residential’ regulation proposed through Phase 2 of the City’s Comprehensive Review of the Zoning By-law (CRoZBy).
- Special Regulation XXXR – A maximum Floor Space Ratio of 6.2 is proposed, whereas a maximum Floor Space Index of 4.0 is permitted. The proposed increase in the FSR will allow for the appropriate form and scale of development on lands located in a Major Transit Station Area. As previously stated, the site represents an unutilized parcel of land that can redevelop without demolition/disruption to existing built form and without displacing affordable housing or other uses.
- Special Regulation XXXR - A minimum landscape area of 8% whereas a minimum area of 10% is required.

- Special Regulation XXXR - A minimum ground floor height of 4.5 metres whereas no minimum ground floor height is required. This is to provide the opportunity for the conversion of ground floor space to non-residential uses in the future.
- Special Regulation XXXR –A parking rate of 0.165 spaces per unit, whereas the zoning by-law allows a maximum of 40% of units less than 51 square metres in size to be parked at this rate. This recognizes that the majority of units are proposed to be 55 square metres or smaller and also recognizes that parking regulations for the south side of Weber Street West (across the street from the subject lands) only require 0.165 spaces per unit – which can be applied to all small units. The proposed parking reduction recognizes the location of the subject lands in a Major Transit Station Area and is discussed in further detail in the Parking Justification Section (Section 12) of this report.
- A visitor parking rate of 10% of the total required parking is proposed, whereas 20% is required.

It is understood that the City of Kitchener is currently in the process of updating their Zoning By-law. While draft zoning has been prepared for lands within a Major Transit Station Area, such zoning has not yet been considered by Council and this process continues to evolve. Further review and analysis of the Draft Zoning By-law may be required through the processing of the Zoning By-law Amendment application in order to determine the appropriate zoning should the new Zoning By-law come into force.

A proposed draft zoning by-law is included in this Report as **Appendix C**.



**City of Kitchener,
Official Plan,
Map 2,
Urban Structure**
(Approved by the Region of
Waterloo, November 4, 2014,
Last Revised: June 24, 2019,
Revised by Amendments - OPA 3,
LPAT PL150200)

Figure 5

22 Weber Street
City of Kitchener,
Region of Waterloo

LEGEND

Subject Lands

Intensification Areas

- Urban Growth Centre (Downtown)
- Major Transit Station Area
- City Node
- Community Node
- Neighbourhood Node
- Urban Corridor
- Arterial Corridor

Other Areas

- Community Areas
- Industrial Employment Areas
- Green Areas

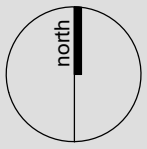
Transit

- Existing Transit Corridor
- Planned Transit Corridor
- Light Rail Transit Corridor
- Adapted Bus Rapid Transit Corridor
- Rapid Transit Station

Area Under Deferral

- Area Under Deferral


DATE:	June 2, 2020
SCALE:	1 : 15,000
FILE:	1961A
DRN:	LHB

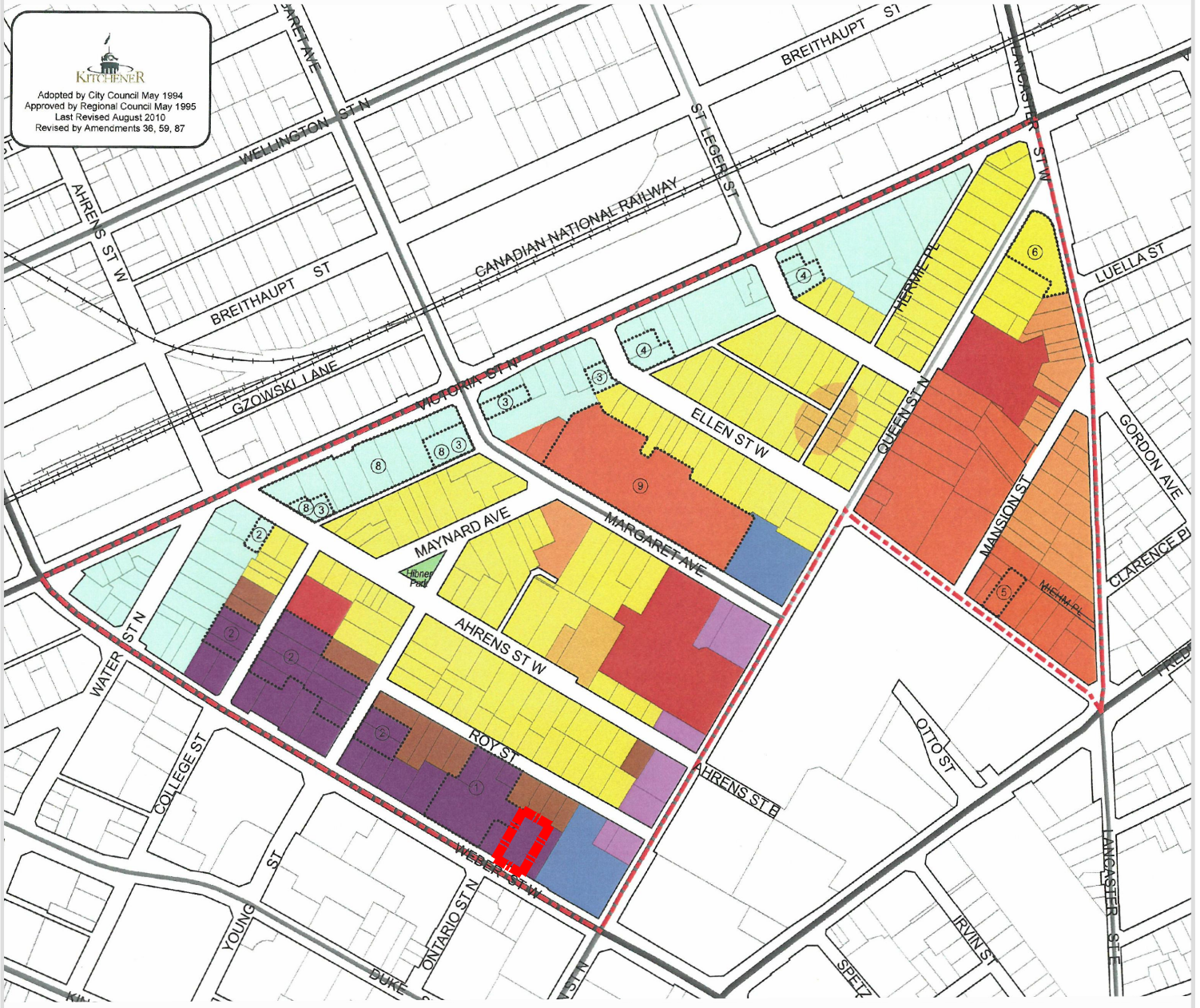


K:\1961A-22 WEBER ST\REPORT\OFFICIAL PLAN JUNE 2 2020.DWG

MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9
P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM



 Adopted by City Council May 1994
 Approved by Regional Council May 1995
 Last Revised August 2010
 Revised by Amendments 36, 59, 87



**City of Kitchener,
 Municipal Plan,
 Map 9,
 Civic Centre
 Neighbourhood**
 (Last Revised: August 2010)







Figure 6

LEGEND

 Subject Lands

Civic Centre Neighbourhood

-  Low Rise Residential Preservation
-  Low Rise Multiple Residential
-  Low Density Multiple Residential
-  Medium Density Multiple Residential
-  High Density Multiple Residential
-  Office Residential Conversion
-  Medium Density Commercial Residential
-  High Density Commercial Residential
-  Community Institutional
-  Mixed Use Corridor
-  Neighbourhood Park

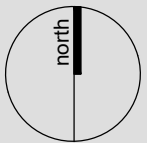
-  Boundary of Secondary Plan
-  Special Policy Area
-  Primary Arterial Road
-  Secondary Arterial Road
-  Major Collector Road
-  Minor Collector Road

DATE: June 2, 2020

SCALE: 1 : 20,000

FILE: 1961A

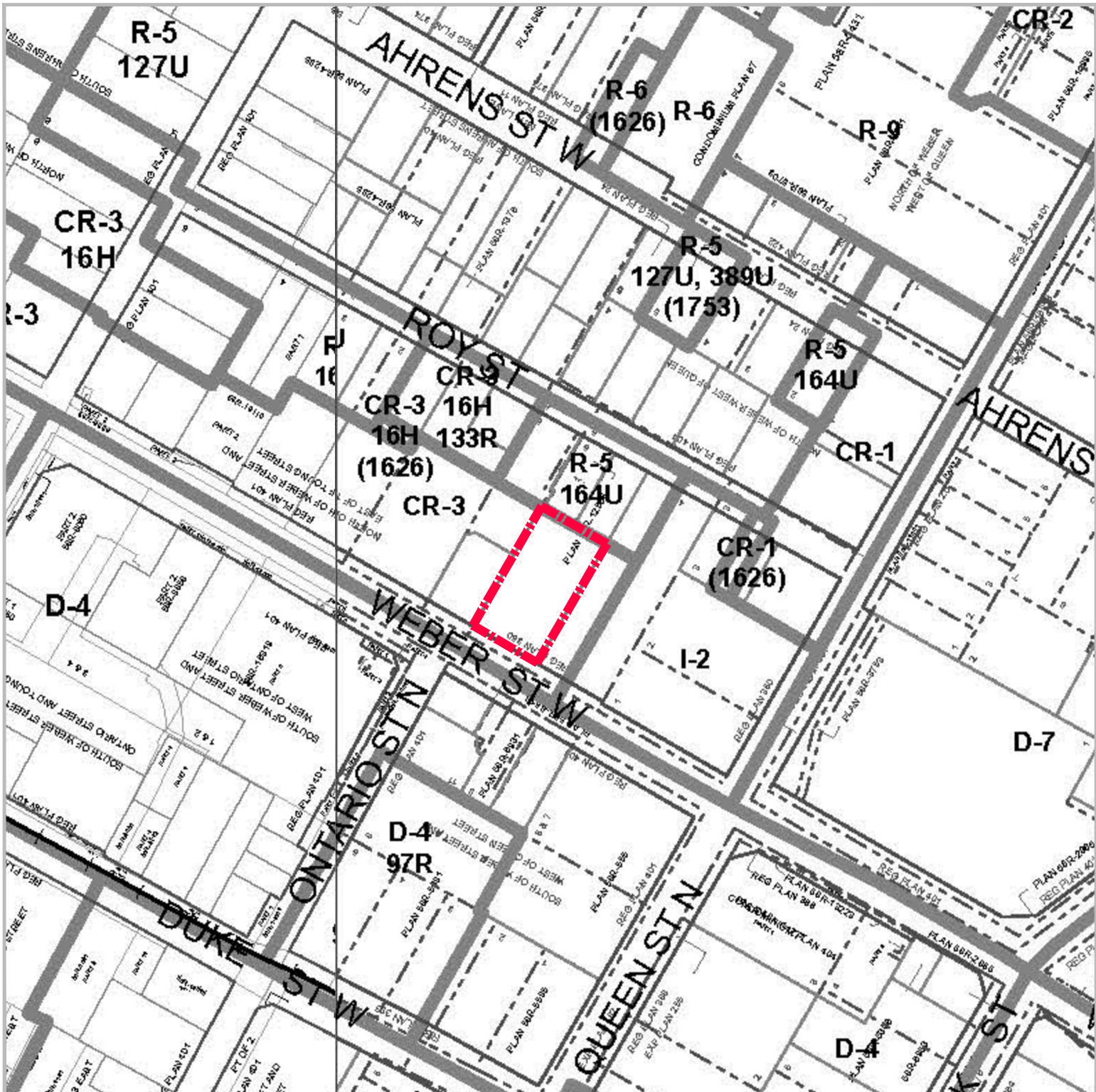
DRN: LHB



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**PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE**

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**City of Kitchener
Zoning By-law 85-1**
(Schedules 84 & 121)

LEGEND

 Subject Lands

EXISTING ZONING

- R-5 RESIDENTIAL FIVE ZONE
- R-6 RESIDENTIAL SIX ZONE
- R-9 RESIDENTIAL NINE ZONE
- I-2 COMMUNITY INSTITUTIONAL ZONE
- CR-1 COMMERCIAL RESIDENTIAL ONE ZONE
- CR-2 COMMERCIAL RESIDENTIAL TWO ZONE
- CR-3 COMMERCIAL RESIDENTIAL THREE ZONE
- D-4 OFFICE DISTRICT ZONE
- D-7 MACKENZIE KING SQUARE ZONE

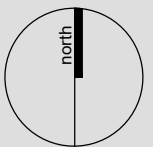
- R Special Regulation Provision for Specific Lands
- U Special Use Provision for Specific Lands

DATE: June 8, 2020

SCALE: Not to Scale

FILE: 1961A

DRAWN: LHB



K\1961A-22 WEBER ST REPORT ZONING 85-1 JUNE 2020.DWG

Figure 7

22 Weber Street,
City of Kitchener
Region of Waterloo



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6. PROVINCIAL POLICY ANALYSIS

6.1 Provincial Policy Statement, 2020

The 2020 Provincial Policy Statement (PPS) was issued by the Province of Ontario in accordance with Section 3 of the Planning Act and came into effect on May 1, 2020. The PPS provides policy direction on matters of Provincial interest related to land use planning and development and applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after May 1, 2020. Part II of the PPS requires that decisions affecting planning matters shall be “consistent with” the PPS.

The PPS provides a vision for land use planning in Ontario that encourages the efficient use of land, resources and public investment in infrastructure. A mix of land uses is encouraged to provide choice and diversity. A variety of transportation modes to facilitate pedestrian movement, with a focus on public transit a means of creating more sustainable, livable and healthy communities. The PPS encourages development that will provide for long-term prosperity, environmental health and social well-being.

The following is an analysis of the development in the context of the policies of the PPS.

Section 1.1.1 of the PPS provides that healthy, livable and safe communities are sustained by:

- promoting efficient development and land use patterns;
- accommodating an appropriate range and mix of land uses including affordable and market-based residential types including multi-unit housing;
- avoiding development which may cause environmental or public health and safety concerns;
- avoiding development and land use patterns that would prevent the efficient expansion of settlement areas;
- promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns and optimization of transit investment in order to minimize land consumption and servicing costs;
- improving accessibility for persons with disabilities and older persons;
- ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- promoting development and land use patterns that conserve biodiversity; and
- preparing for the impacts of a changing climate.

Section 1.1.2 requires that within settlement areas, sufficient land shall be made available through intensification, redevelopment and, if necessary, designated growth areas, to accommodate an

appropriate range and mix of land use to meet projected needs for a time horizon of up to 25 years.

The PPS defines intensification as:

The development of a property, site or area at a higher density than currently exists through:

- a) Redevelopment, including the reuse of brownfield sites;*
- b) The development of vacant and/or underutilized lots within previously developed areas;*
- c) Infill development; and,*
- d) The expansion or conversion of existing buildings.*

Section 1.1.3 of the PPS provides that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- efficiently use land and resources;
- are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion;
- minimize negative impacts to air quality and climate change, and promote energy efficiency;
- prepare for the impacts of a changing climate;
- support active transportation,;
- are transit-supportive, where transit is planned, exists or may be developed; and
- are freight supportive.

Further, land use patterns shall also be based on a range of uses and opportunities for intensification and redevelopment. Appropriate development standards shall be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health or safety. Planning authorities are directed to promote opportunities for transit-supportive development accommodating a significant supply and range of housing options through intensification and redevelopment.

Section 1.4 of the PPS identifies the need for providing an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents. This includes providing a range of housing forms, and all forms of residential intensification, directing new housing development towards areas with appropriate levels of infrastructure and public service facilities, and promoting densities that efficient use land, resources and infrastructure and support active transportation and transit.

Section 1.6 of the PPS identifies the need to provide infrastructure and public service facilities in an efficient manner that prepares for the impacts of a changing climate. Infrastructure and public service facilities are to be coordinated and integrated with land use planning and growth management.

Section 1.8 of the PPS promotes lands use and development patterns that prepare for the impacts of a changing climate, including compact form, the use of active transportation and transit and the provision of transit-supportive development and intensification.

The development will intensify and result in the efficient use of the site through the replacement of vacant parcel in a settlement area, with a residential building. The development will have a compact urban form in order to optimize the use of the lands, services and infrastructure.

The development will contribute to the mix of uses within the area through the addition of new development, comprised of residential units contributing to the range and mix of housing options within the neighbourhood. The proposal will add a high density development to the area as intended in the existing planning framework.

The development is well located in an area of City which is comprised of commercial, residential and institutional uses at a range of densities. Further, the development is well-located with respect to existing rapid transit (ION) and supports active transportation through the location of the subject land in proximity to the downtown area which can be conveniently accessed from a range of destinations, including the commercial core of downtown Kitchener. Appropriate connections to pedestrian infrastructure will be provided and facilities to support cycling will be integrated in the building design.

The development supports the energy conservation, air quality and climate change policies of the PPS encouraged in Section 1.8. The development represents the efficient use of land within a settlement area and appropriate intensification in a location that is well serviced by transit. The development is transit-supportive and has been designed to promote transit and active transportation as the primary modes of travel.

The development will optimize the use of available infrastructure, in accordance with Section 1.6 of the PPS. A Functional Servicing Report was prepared by MTE dated July 10, 2020, in support of the development which confirms the adequacy of services, confirms that capacity is available within existing services and identifies a servicing strategy for the development.

From a transportation perspective, the development will support the ION light rail transit system and is located one block north of an existing transit station. The development will be well located to provide a variety of transportation options to minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

In summary, the proposed Official Plan and Zoning By-law Amendments are consistent with the Provincial Policy Statement.

6.2 A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2019

The Minister of Municipal Affairs and Housing issued a new Growth Plan for the Greater Golden Horseshoe (the Growth Plan), effective on May 16, 2019. The 2019 Growth Plan replaces the previous version of the Growth Plan for the Greater Golden Horseshoe issued in 2017. The Growth Plan, 2019 represents the long-term framework for implementing Ontario's vision for building strong, prosperous communities and managing growth within the Greater Golden Horseshoe.

The subject lands are identified as being located within the Delineated Built-up Area of the City of Kitchener, on Schedule 2 of the Growth Plan. All land use planning decisions made by any authority that affects a planning matter must conform to the Growth Plan.

The Growth Plan is guided by the principles of supporting the achievement of complete communities; intensification and higher densities to make efficient use of land and infrastructure and support transit viability; capitalizing on new economic and employment opportunities while providing certainty for traditional industries; supporting a range and mix of housing options; improving the integration of land use planning with investment in infrastructure and public service facilities; managing growth; conserving and promoting cultural heritage; protecting and enhancing natural heritage and agriculture; and integrating climate change considerations into planning and managing growth. The following is an analysis of the development in the context of the Growth Plan.

6.2.1 Complete Communities

The Growth Plan emphasizes the establishment of “complete communities”. Complete communities are defined as:

Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.

Section 2.1 of the Growth Plan describes that complete communities are well designed to meet the needs for daily living throughout a lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities and housing. Complete communities support transit, active transportation and provide high quality open space and support climate change mitigation.

The development contributes to the overarching direction of the Growth Plan towards the achievement of complete communities through the addition of residential uses within the Built-up Area in the City of Kitchener. The development represents an intensification opportunity and will contribute to the range and mix of housing opportunities available within the City and in close proximity to downtown.

The Growth Plan promotes the development of a diverse range and mix of housing options, including affordable housing, to accommodate people at all stages of life, of all household sizes and incomes. The development will contain 126 units, which will contribute to the mix of housing options in the area. The objective of the development is to provide residential housing at a more attainable price point than other developments in the area (regardless of the ultimate tenure).

Further, the development represents the intensification of a vacant, underutilized site. Section 2.2.2 of the Growth Plan requires that until the next municipal comprehensive review is approved and in effect, a minimum of 60 per cent of all new residential development must be within the Built-up Area. The development will contribute to this intensification target.

The development will be of a high quality built form and will enhance the public realm through an upgraded streetscape.

The development contributes to the creation of a compact community through its built form which includes a 15-storey multiple residential building with minimal parking.

Based on the foregoing, the development will contribute to the development of the Weber Street West Corridor and the City as a whole, as a complete community.

6.2.2 Transit Corridors and Station Areas

The development will benefit from convenient access to a range of transportation options, including public transit, active transportation and vehicular travel. The development will be located within a Major Transit Station Area (MTSA), and will provide a transit-supportive development.

The Growth Plan recognizes transit as the first priority for major transportation investment and seeks to align transit with growth and land use planning by directing growth to Urban Growth Centres and Major Transit Station Areas.

Major Transit Station Areas are defined as:

"The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a ten-minute walk."

Based on the definition above, the subject lands are located within a MTSA, as the subject lands are within proximity to several ION stations, the closest of which is approximately 280 metres from the site. Further, Schedule 5 of the Growth Plan identifies the ION Transit network as a Priority Transit Corridor. Section 2.2.4 of the Growth Plan identifies that Major Transit Station Areas on Priority Transit Corridors will be planned for a minimum of density of 160 residents and jobs combined per hectare for those areas served by light rail transit.

Section 2.2.4.2 directs that upper-tier municipalities (in this instance the Region), in consultation with lower tier municipalities (City of Kitchener) will delineate the boundaries of major transit station areas in a manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station. The Regional Official Plan Review process is currently underway. Draft mapping of the MTSA's continue to recognize the subject lands as being within a MTSA. The development provides an opportunity to increase the population within walking distance of the station.

In accordance with Section 2.2.4.9, within all MTSA's, development will be transit-supportive, with a mix of land uses, to support existing and planned transit service levels; fostering collaboration between public and private sectors; providing alternative development standards, such as reduced parking standards; and prohibiting development that would adversely affect the achievement of transit supportive densities. MTSA's will also be planned to achieve multimodal access to stations, and be supportive of active transportation.

The development will be located in close proximity to a number of station stops including the Kitchener City Hall station. Convenient and comfortable pedestrian access will be provided from the development to the station by way of the existing public sidewalk system. The development will also provide cycling facilities, including indoor secure bicycle parking spaces.

The development has an estimated density of 1,614 people and jobs per hectare, as demonstrated in the table below:

DENSITY - PEOPLE AND JOBS PER HECTARE		
RESIDENTIAL	Units	Total
1.78 persons per unit*	126	224.28 people
LOT AREA	0.139 ha	
Estimated Density	1,614 People and Jobs per Hectare	

* City of Kitchener DC Background Study, 2019

This density will contribute to achieving the density target established by the Growth Plan for Major Transit Station Areas on Priority Transit Corridors. The development will contribute to the mix of uses within the MTSA and will provide support for the transit service. The Major Transit Station Area in which the subject lands are located is constrained, in part, from redevelopment opportunities given the extent of Low Rise Residential Preservation designated lands and the designation of a Cultural Heritage District over significant portions of the MTSA. The subject lands offer an opportunity for redevelopment on lands that are vacant and are located outside the established residential enclave.

The development will contribute to the evolution of this Major Transit Station Area and the adjacent Urban Growth Centre through the development of a residential tower with a total of 126 units along a Regional corridor.

In summary, the development will provide support for the significant investment that has been made in the Priority Transit Corridor, the ION light rail transit line. Further, the development features reduced parking in order to prioritize alternative modes of travel including transit and active transportation.

6.2.3 Housing

The development will contribute to a range and mix of housing options and densities by offering attainable housing in an area served by the Priority Transit Corridor. In providing for a three-year supply of residential units, the Growth Plan directs that the supply may exclusively consist of lands suitably zoned for intensification and redevelopment. The subject lands have historically been, and continue to be designated and zoned for intensification and redevelopment.

In summary, the proposed Official Plan and Zoning By-law Amendments conform to the 2019 Growth Plan.

7. REGION OF WATERLOO OFFICIAL PLAN

A new Regional Official Plan (ROP) was approved by the Ministry of Municipal Affairs and Housing (MMAH) with modifications on December 22, 2010, and approved, with amendments, by the Ontario Municipal Board on June 14, 2015. The ROP was processed as a municipal comprehensive review and represents the Region's conformity exercise with respect to the 2006 Growth Plan for the Greater Golden Horseshoe.

The ROP general development policies are aligned with the PPS and 2006 Growth Plan policies for development, including promoting the development of complete communities, protecting the natural environment and resources, conserving cultural heritage, and respecting the scale, physical character and context of established neighbourhoods.

7.1 Major Transit Station Areas and Transit Oriented Development

Section 2.D.6 of the Region Official Plan provides that Major Transit Station Areas are those lands located within a 600 to 800 metre radius of a rapid transit station. These areas are not presently identified on Map 3a of the ROP (**Figure 8**), but will include future ION LRT stations within the Region of Waterloo.

Major Transit Station Areas will be planned and developed to achieve increased densities that will support and ensure the viability of existing and planned rapid transit service levels as well as a mix of residential, office, institutional and commercial developments, where appropriate.

Section 2.D.7 of the ROP requires area municipalities to prepare a Station Area Plan for each Major Transit Station located outside of an Urban Growth Centre. A Station Area Plan has been prepared by City of Kitchener, known as The PARTS Central Plan, which has been approved by City of Kitchener Council but the implementing Official Plan Amendments or Secondary Plan have not been completed and approved at this time.

Given that these emerging policies have not been adopted, the development has been analyzed in the context of the Transit Oriented Development (TOD) provisions of the ROP. Table 2 of this report demonstrates that the development conforms to the ROP TOD policies, in Section 2.D.2 of the ROP.

Table 2 – Transit Oriented Development Analysis		
a.	creates an interconnected and multi-modal street pattern that encourages walking, cycling or the use of transit and supports mixed-use development	<p>The development is connected to the existing multi-modal street pattern. Walking is supported through a direct connection to existing sidewalk network along Weber Street West. Cycling will be encouraged through the inclusion of indoor bicycle spaces.</p> <p>The existing transit network is supported through the redevelopment of a vacant parcel with a residential development that is within walking distance to multiple light rail transit station stops, the Charles Street Terminal and the Region’s future Multi-Modal Transit Hub.</p>
b.	supports a more compact urban form that locates the majority of transit supportive uses within a comfortable walking distance of the transit stop or Major Transit Station Area;	The subject lands are located within 280 metres of the Kitchener City Hall ION stop; in proximity to several additional stops; are adjacent to a planned transit corridor and are within walking distance to several bus transit stops in the vicinity of the area. The development is of a compact urban form with an FSR of 6.2, and a compact 15-storey residential tower.
c.	provides an appropriate mix of land uses, including a range of food destinations, that allows people to walk or take transit to work, and also provides for a variety of services and amenities that foster vibrant, transit supportive neighbourhoods;	The development will provide new residential units that will support the existing services and amenities in the area, including the commercial core of Downtown Kitchener. The subject lands are within a Major Transit Station Area and are located in an area with a wide range of uses including cultural uses associated with the Civic Centre District. Accordingly, future residents will be able to walk, cycle and to take transit to their destinations, including work. An increased ground floor height is provided which provides an opportunity for future conversion to non-residential use.
d.	Promotes medium and higher density development as close as possible to the transit stop to support higher frequency transit service and optimize transit rider convenience;	The existing land use designation provides for high density development such as the development that is proposed and is within 280 metres of a transit station. Convenient pedestrian connections are provided and a building entrance will be located on Weber Street West providing direct access to the existing public sidewalk system.
e.	fosters walkability by creating pedestrian-friendly environments that allow walking to be a safe, comfortable, barrier-free and convenient form of urban travel;	The pedestrian connection to the building will be well-lit and barrier free with a direct connection to the existing municipal sidewalk network. A covered building

		entrance will be provided along King Street East. The Pedestrian Wind Study has assessed the conditions, and confirms the main entrance is well designed for wind and expected to have appropriate wind conditions. Sidewalks along Weber Street are also expected to have appropriate wind conditions.
f.	supports a high quality public realm to enhance the identity of the area and create gathering points for social interaction, community events and other activities; and	A high quality public realm is supported through the inclusion of a well-defined building base and large ground floor windows. While no retail is proposed, the ground floor has been designed at a height of 4.5 metres which would allow for future conversion of the ground floor to non-residential use. Planters along Weber Street West will improve the public realm and streetscape.
g.	provides access from various transportation modes to the transit facility, including consideration of pedestrian, bicycle parking, and where applicable, passenger transfer and commuter pick-up/drop off areas.	As previously noted, the development has been designed to accommodate pedestrians and cyclists and the site is designed to provide comfortable and convenient access to the LRT stop.

Based on the foregoing, it is concluded that the development conforms to the Transit Oriented Development policies of the ROP.

7.2 Transportation

With respect to transportation systems, Policy 5.1 provides that an integrated, accessible and safe multi-modal transportation system that provides transportation choice, and promotes sustainability, a healthy population and the effective movement of goods. The subject lands has access to existing and planned transit routes, regional roads, the provincial highway network, and pedestrian and cycling routes.

- King Street East and Charles Street East, south of the subject lands, are identified as an Existing Transit Corridor on Map 5a of the ROP (**Figure 9**). The Charles Street East Corridor represents the ION LRT network. Weber Street West is identified as a Planned Transit Corridor. Weber Street West is identified as a Regional Road on Map 5b (**Figure 10**).
- The subject lands are located proximate to planned cycling routes as shown on Map 5c the ROP as shown on **Figure 11** (refer also to **Figure 12** for the City of Kitchener's Integrated Transportation System). These cycling routes form part of an integrated cycling network, including the Trans-Canada trail located further south of the subject lands in proximity to Courtland Avenue East.
- Pedestrian connections (sidewalks) are available along the site frontage providing easy pedestrian access to area amenities.

The subject lands are well located with respect to the existing and planned transportation infrastructure. The development has been designed to integrate with the existing transportation system.

7.3 **ROP Summary**

The development represents an example of intensification within a Major Transit Station Area, within a location that contains the physical and community infrastructure required to support growth. The development will exceed the density target for Light Rail Transit networks and will provide support for the emerging transit system. It will contribute to maintaining a vibrant urban community through the provision of new residential units. The development will improve the overall public realm of the area. The development conforms to the policies of the ROP.














**Region of Waterloo
Regional Official Plan
Map 3a,
Urban Area**
(June 18, 2015)

Figure 8

22 Weber Street,
City of Kitchener,
Region of Waterloo

LEGEND

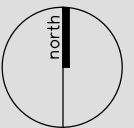
-  Subject Lands
-  Built-Up Area*
-  Urban Designated Greenfield Areas
-  Prime Industrial/Strategic Reserve (Served)
-  Urban Growth Centres
-  Reurbanization Corridors **
-  Major Transit Station Areas **
-  Central Transit Corridor Environmental Assessment Study Area
-  Planned Highway 7
-  Region of Waterloo International Airport
-  Urban Area Boundary

DATE: June 2, 2020

SCALE: 1:50,000

FILE: 1961A

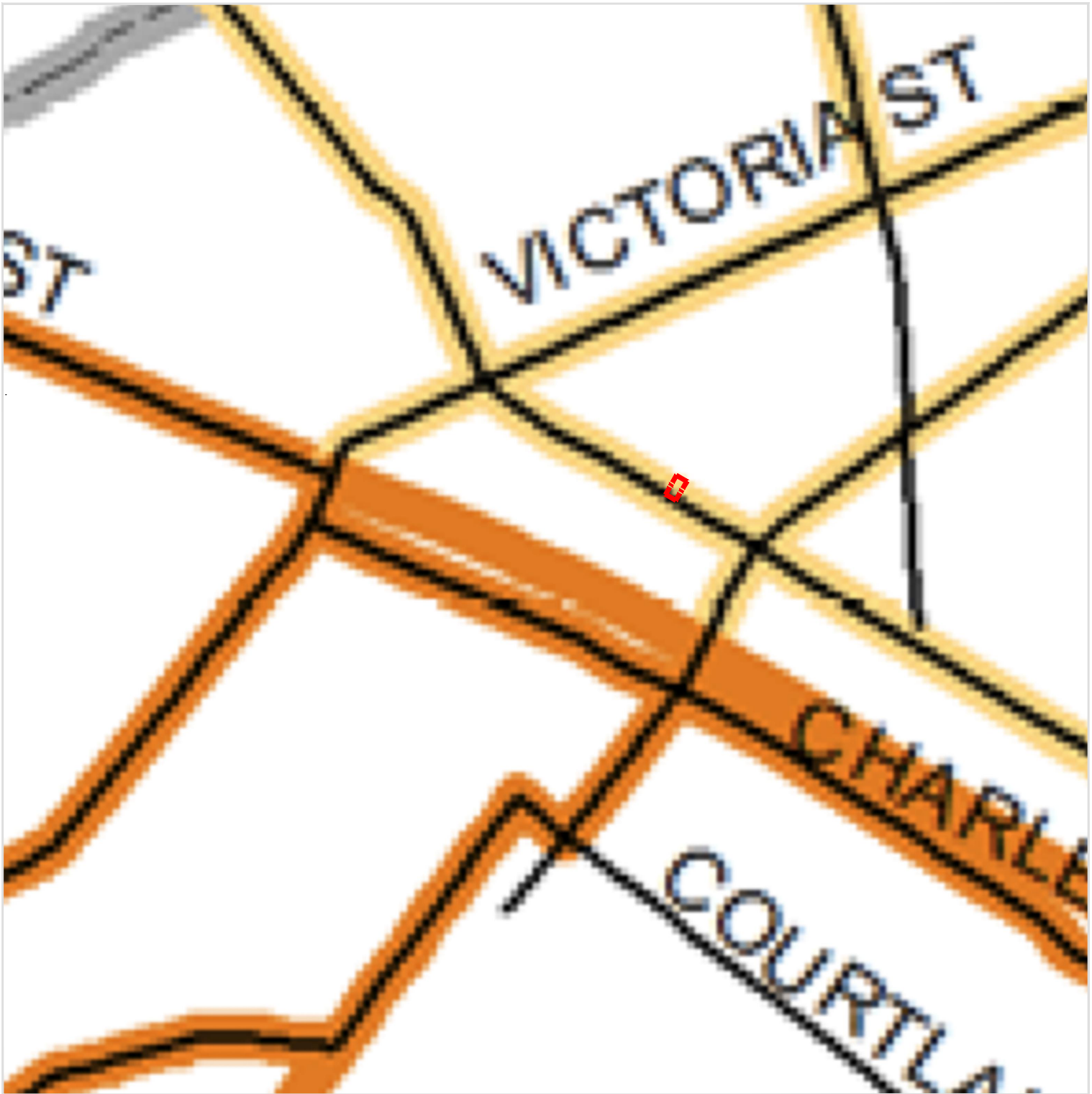
DRN: LHB



K:\1961A-22 WEBER ST\REPORT\ROP MAPS JUNE 2 2020.DWG

MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

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**Region of Waterloo
Regional Official Plan
Map 5a,
Regional Transit
Network**
(June 18, 2015)

Figure 9

22 Weber Street,
City of Kitchener,
Region of Waterloo

LEGEND

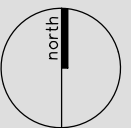
-  Subject Lands
-  Existing Transit Corridors
-  Planned Transit Corridors

DATE: June 2, 2020

SCALE: 1:50,000

FILE: 1961A

DRN: LHB



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



**Region of Waterloo
Regional Official Plan
Map 5b,
Existing, Planned and
Proposed Roads and
Corridors**
(June 18, 2015)

Figure 10

22 Weber Street,
City of Kitchener,
Region of Waterloo

LEGEND

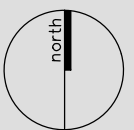
-  Subject Lands
-  Existing Regional Roads
-  Planned Regional Roads
-  Proposed Regional Corridors
-  Planned Provincial Highway

DATE: March 18, 2019

SCALE: 1:20,000

FILE: Y202C

DRN: LHB



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**Region of Waterloo
Regional Official Plan
Map 5c,
Regional Cycling
Routes**
(June 18, 2015)

Figure 11

22 Weber Street,
City of Kitchener,
Region of Waterloo

LEGEND

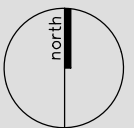
-  Subject Lands
-  Existing Cycling Routes*
-  Planned Cycling Routes*

DATE: June 2, 2020

SCALE: 1:50,000

FILE: 1961A

DRN: LHB



K:\1961A-22 WEBER ST\REPORT\ROP MAPS JUNE 2 2020.DWG

8. CITY OF KITCHENER OFFICIAL PLAN

The City of Kitchener Official Plan was approved by the Region of Waterloo on November 19, 2014 with modifications and deferrals. A Notice of Decision was issued by the Region on January 18, 2017 with respect to some previously deferred sections of the Official Plan. With the exception of deferrals the 2014 Official Plan is in full force and effect, including those policies related to Intensification Areas and Major Transit Station Areas.

The subject lands are located within a *Major Transit Station Area* (MTSA), on Map 2 –Urban Structure of the 2014 Official Plan, as previously illustrated on Figure 5 of this report. Map 3 – Land Use refers to the Secondary Plan for detail.

The subject lands are designated *High Density Commercial Residential* in the Civic Centre Secondary Plan, adopted as part of the 1994 City of Kitchener Official Plan, as previously illustrated on Figure 6. The proposed multiple residential use is permitted in the current Secondary Plan land use designation.

The proposed Official Plan Amendment is required to permit an increase in the permitted Floor Space Ratio (FSR) from 4.0 to 6.2 in the Official Plan and the Civic Centre Secondary Plan to permit the development as detailed in Section 5 of this report.

8.1 Major Transit Station Areas

The Official Plan sets out an Urban Structure for the City of Kitchener and provides policies for directing growth and development within this structure. Intensification Areas are identified throughout the Built-up Area as key locations to accommodate the majority of development or redevelopment for a variety of land uses. Section 3.C.2.3 of the Official Plan provides that Primary Intensification Areas include the Urban Growth Centre, Major Transit Station Areas, Nodes and Corridors, in this hierarchy. Intensification Areas are connected by transit corridors and an integrated transportation system and are intended to provide for a broad range and mix of uses in an area of higher density and activity than surrounding areas.

The subject lands are located within a Major Transit Station Area on Map 2 – Urban Structure of the 2014 Official Plan. Major Transit Station Areas are generally within a ten minute walking radius around the location of a Rapid Transit Station Stop. As noted previously, the subject lands are located within proximity of LRT stops, specifically:

- Approximately 280 metres northeast of the Kitchener City Hall ION stop, which provides northbound service and bus connections to routes 204, 1, 4 and 8 with service to The Boardwalk, Conestoga Station and Ottawa/Lackner;
- Approximately 450 metres northwest of the Frederick ION stop which provides northbound service to Conestoga Station and is opposite the GRT's future customer service centre. The Frederick Station, and by extension the subject lands, is within walking

distance to the Kitchener Public Library's main branch, Waterloo Region Courthouse, Market Square, and the Kitchener Waterloo Art Gallery. The Frederick Station has bus connections to The Boardwalk, Ottawa/Lackner, Conestoga Station and Sunrise Centre.

- Approximately 550 metres northwest of the Queen Street ION stop, providing southbound service to Fairway Station and provides access to a variety of events and activities in the city with bus connections to Conestoga Station, Frederic Station, The Boardwalk, Ottawa/Lackner and Sunrise Centre.
- Approximately 600 metres northeast of the Victoria Park ION stop, which provides service to southbound passengers and bus connections to route 6, GO Transit and intercity buses. Bus connections to Conestoga Station and Fairway Station are also provided.

Therefore the site is appropriately identified as being within a Major Transit Station Area, as it has four stations within a 600 metre distance, as shown on **Figure 2**.

Section 3.C.2.17 of the Official Plan provides that MTSAs should have a planned function to support transit and rapid transit. Their planned function is to provide a focus for accommodating growth through development to support existing and planned transit and rapid transit service levels; provide connectivity of various modes of transportation to the transit system; achieve a mix of residential, office and commercial development, where appropriate; and have streetscapes and a built form that is pedestrian-friendly and transit-oriented. Major Transit Station Areas may include lands within stable residential neighbourhoods which are not the primary focus for intensification and the planned function of these areas is to be confirmed through the Station Area Planning process. The subject lands are located outside of the stable residential neighbourhood and have been designated and zoned to facilitate high density development.

The development supports the planned function of the Major Transit Station Area through the development of a compact high density residential development. The development will result in intensification of a currently vacant parcel of land proximate to a range of transit options, including multiple rapid transit stations. Further, the development has been designed to be pedestrian and cyclist-friendly. The area along the north side of Weber Street West has been identified for intensification and the site represents an opportunity to intensify what is currently a vacant site.

Section 3.C.2.19 provides that Station Area Plans are required to be prepared for each MTTSA. The City has prepared a Station Area Plan for the Central Transit Station (the PARTS Central Plan). This plan has been adopted by Council but has not been implemented through an Official Plan Amendment. Accordingly, the development is required to be reviewed in the context of Section 3.C.2.22 of the Official Plan. The development addresses the Major Transit Station Development Criteria in Section 3.C.2.22 of the City of Kitchener Official Plan as follows:

- The development supports the planned function of the Major Transit Station Area through the proposed residential development, with a total of 126 units.
- Appropriate pedestrian and cycling facilities will be incorporated into the development including a sidewalk connection, a covered building entrance for pedestrians, and indoor bicycle storage spaces.
- Public transit facilities are located within a convenient and comfortable walking distance of the development.
- One vehicular access point is provided to the site, off of Weber Street West which diverts traffic away from the stable residential neighbourhood to the north.

Based on the foregoing, the development is appropriately located within a Major Transit Station Area. It represents an appropriate form of development which will support the function of the Major Transit Station Area and will provide a significant amount of residential density in close proximity to an ION LRT Station.

8.2 Civic Centre Secondary Plan

The City of Kitchener has 10 Secondary Plans which were deferred as part of the review and approval of Official Plan Amendment No. 103 (OPA 103), and do not form part of the new 2014 Official Plan. It is intended that after the City-led neighbourhood planning review process, that these Secondary Plans will be updated and brought into the 2014 Official Plan. Until that time, reference to the 1994 Municipal Plan for Secondary Plans is required.

The Civic Centre Secondary Plan was adopted as part of the 1994 City of Kitchener Municipal Plan. The subject lands are designated *High Density Commercial Residential* on the Land Use Plan as illustrated on **Figure 5**.

The *High Density Commercial Residential* designation is intended to permit higher density uses with access from Weber Street. The designation recognizes the proximity of the Civic Centre Neighbourhood to the higher intensity land uses of the Downtown, and the location of the Weber Street properties on a Primary Road. The subject lands are permitted to develop with a maximum Floor Space Ratio (FSR) of 4.0. There is no maximum height specified in the Secondary Plan. Permitted uses include multiple dwellings in standalone buildings. Properties located immediately west of and immediately east of the subject lands are also designated *High Density Commercial Residential*.

An *Office-Residential Conversion* designation applies to properties immediately north of the subject land (located along the south side of Roy Street). The intent of the *Office Residential Conversion* designation is to serve as the transition and buffer between the higher density uses anticipated along Weber Street and Queen Street and the interior of the neighbourhood which is intended to be preserved. The Office Residential Conversion designation was approved as an effective buffer to the low rise residential designation to the north and in preference to the High Density Commercial Residential designation extending from Weber Street to the south side of Roy Street.

Properties immediately south of the subject lands (on the south side of Weber Street West) are located within the Urban Growth Centre (downtown) and are designated *City Centre District*. The intent of this designation is to maintain the pedestrian appeal while evolving into a compact, contemporary urban setting, with taller buildings, lively street activity and a stylish mix of shops, restaurants and bars and cultural and entertainment uses

The development is consistent with the intent of the High Density Commercial Residential designation and has been designed with consideration to compatibility with the residential enclave to the north by:

- orienting the building closer to Weber Street West allowing for a 15 metre rear yard setback;
- by orienting the narrower portion of the building to face Roy Street, resulting in less overlook on residential dwellings north of the property. No balconies are proposed on the building face that will be visible from Roy Street;
- by providing a compact tower footprint which minimizes shadow impacts; and

- by introducing a building height that minimizes shadow impacts and meets the angular plane analysis as measured from the north side of Roy Street.

Compatibility is discussed in further detail in the Urban Design Brief that has been submitted as part of this application.

The increase in FSR from 4.0 to 6.2 recognizes when the Floor Space Ratio concept was first developed the relationship between FSR and building height was not thoroughly analyzed from a design perspective. For example a larger site can achieve significantly more massing and building height than a smaller site that is rectangular in shape such as the one that is under consideration. And quite apparently an unlimited building height as is now provided for cannot be achieved with the FSR limitations that are now in place. The proposal introduces a maximum building height of 15 storeys which is appropriate under the circumstances and in recognition of the Roy Street buffer that is now in place. An increase in the floor space ratio from 4.0 to 6.2 achieves an appropriate built form for the reasons noted elsewhere in this report.

This includes the ground floor of the building which is comprised primarily of parking and lobby area. The height of the building allows for an efficient use of the property at a density that allows for units to be provided at reasonable and attainable price points. The increase in FSR is appropriate given the location of the subject lands within a Major Transit Station Area, and represents an appropriate location for additional density, redevelopment and intensification. It is important to note that elsewhere within the High Density Commercial Residential designation redevelopment for high density use will be challenging given the presence of buildings that have been identified in the Heritage District Plan as having heritage value. The site represents an unutilized parcel of land that can redevelop without demolition/disruption to existing built form and without displacing affordable housing or other uses.

Based on the foregoing, the development is appropriate on the subject site and confirms to the policies of the High Density Commercial Residential designation, save and accept for the density which is proposed to be increased by amendment to the Official Plan.

8.3 **Energy, Air Quality & Waste**

The development supports the energy conservation policies and supports the City's intentions to minimize energy consumption set out at Section 7.C.6.1 of the Official Plan. The development is a high density, transit supportive residential development with minimal parking. This form of development, proximate to an LRT stop promotes a compact urban form in an Intensification Area (Major Transit Station Area). The development can be serviced through connections to existing municipal water and sewage lines which will maximize the use of existing infrastructure.

With respect to air quality, the development will contribute to a built form that minimizes adverse effects to air quality, in accordance with Section 7.C.7 of the Official Plan. Specifically, the compact, transit-supportive and pedestrian-friendly form of the development will minimize contributions to air pollution through reduced reliance on private automobiles and will support the ION rapid transit system.

As a general planning and design principle, higher density development in proximity to the amenities associated with downtowns and in support of higher-order transit is considered to be sustainable development.

8.4 Urban Design

Chapter 11 of the Official Plan details policies which generally encourage a high standard of urban design. The urban design policies apply to all development within the City. An Urban Design Brief has been prepared in support of the development and includes an assessment of the proposal in the context of the City of Kitchener's Official Plan. The development will be designed to create a distinctive and identifiable place within adjacent downtown Kitchener. The development will also:

- Create a strong visually appealing street edge through the provision of a building, which addresses the street in terms of architectural detailing;
- Provide for development that will be supportive of transit and alternative transit modes, and will encourage future residents to walk to and from nearby residential, commercial office and retail uses, services and public amenities and cultural facilities;
- Provide a development that, through the combination of massing, orientation, pedestrian entrances, architectural elements, detailing, and material selection, will result in a positive pedestrian experience along the adjacent street frontage;
- Minimize impacts on the Low Rise Residential-Preservation Area. Provide a 15 metre setbacks to allow for further transition between the development and the residential enclave on the north side of Roy Street; and
- Introduce additional building height within a major transit station area in a manner that is sympathetic to surrounding uses and cultural heritage context. The proposed height is permitted under the current zoning and the site serves as a transition between the downtown and the low rise residential enclave on the north side of Roy Street.

Overall, the proposed redevelopment represents a significant investment along the Weber Street West corridor in the City of Kitchener. It will create a substantial amount of new residential units to support major transit and the downtown.

For detailed Urban Design analysis, please refer to the associated Urban Design Brief, prepared by MHBC Planning dated July, 2020.

8.5 Transportation

The Official Plan provides for an integrated transportation system which incorporates active transportation, allows for the movement of people and goods and promotes a vibrant, healthy community using land use designations and urban design initiatives that make a wide range of transportation choices viable. The location of the subject lands in the context of the City's integrated transportation system is illustrated on **Figure 12**.

Road Network

The subject lands are located immediately adjacent to Weber Street West, a Regional Road. The subject lands have convenient access to the Regional Road network, King Street, and Charles Street, and the Provincial Highway Network, Highways 7 and 8 and Highway 401.

Transit and Active Transportation

As previously noted, the subject lands are located approximately 280 metres from the Kitchener City Hall ION stop. Several other Transit Stops are also in proximity to the site including rapid

transit and bus transit stops. The Region's future Multi-Modal Transit Hub and the existing Charles Street Transit Terminal are both located within walking distance from the subject lands.

Sidewalks will be maintained along the street frontages with an appropriate connection through the development to allow for safe and convenient pedestrian access to surrounding land uses and the existing and planned public transit network in the area.

In summary, the development represents an appropriate high-density built form for the location of the subject lands in the context of the City's integrated pedestrian network. Further, the development will support the ION rapid transit system and result in streetscape improvements which will enhance the public realm thereby creating a more visually appealing, comfortable and safe streetscape.

8.6 Cultural Heritage

The subject lands are located within the Civic Centre Neighbourhood Heritage Conservation District, designated under Part V of the Ontario Heritage Act. As such, any new development is subject to the policies of the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD) Plan.

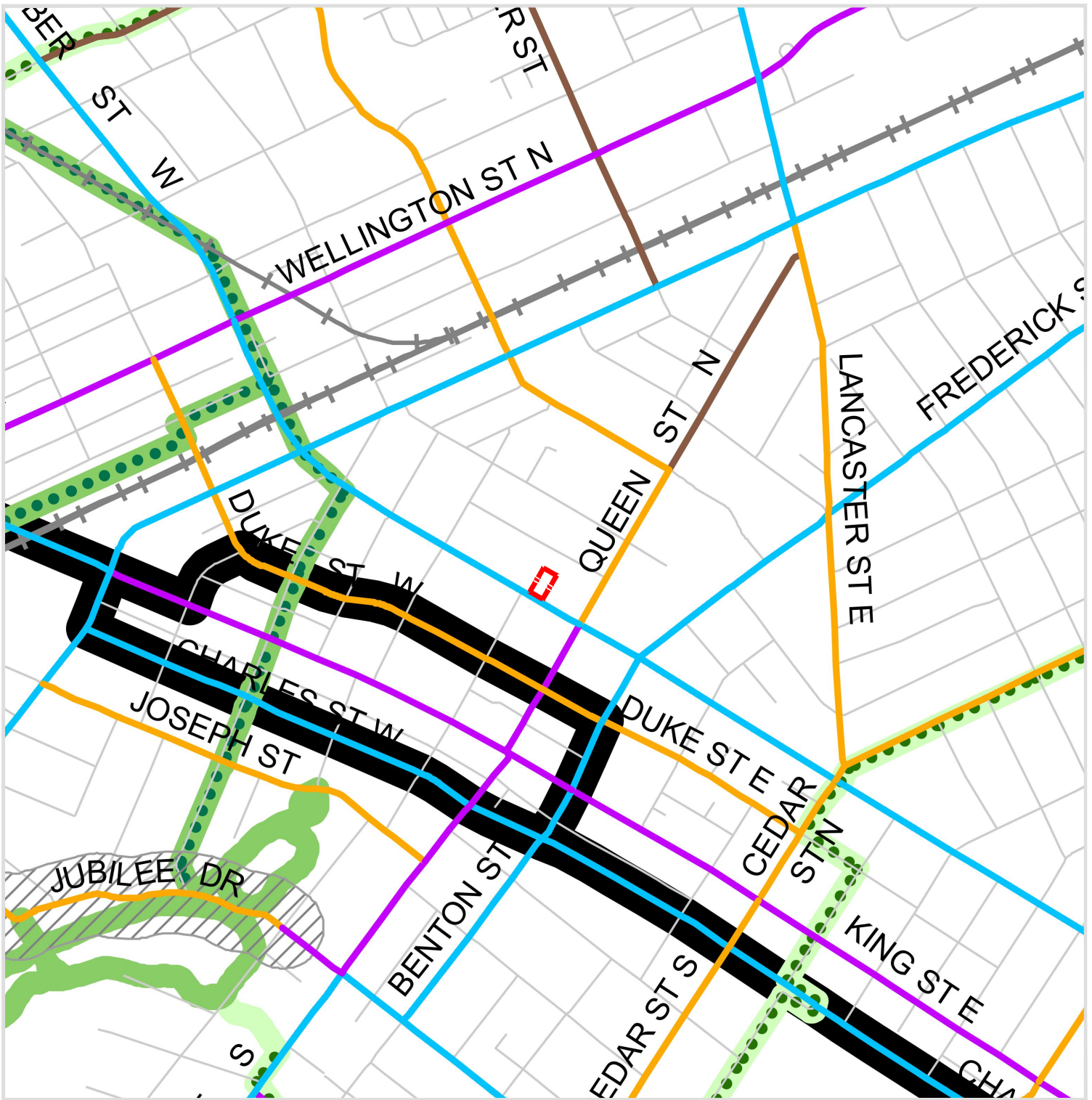
A Heritage Impact Assessment (HIA) has been completed to evaluate the development in terms of potential impacts to cultural heritage resources. The proposed new building does not include the demolition or alteration of any cultural heritage resources located on-site or adjacent.

The CCNHCD Plan recognizes that Weber Street is different from the interior of the district and sets forth policies for new development which are specific to this area. The Plan recognizes that Weber Street West is designated High Density Commercial Residential and is supportive of higher density developments provided that it does not result in the demolition of significant cultural heritage resources and is compatible with the character of the streetscape.

The HIA concludes that the development will not result in any adverse impacts related to obstruction, isolation, change in land use, or shadows. The development is considered a neutral impact to adjacent heritage resources within the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD) located along Weber Street West and Roy Street.

In summary, the proposed Official Plan Amendment conforms to the general intent of the Official Plan and implements the Major Transit Station Area and Intensification Area policies. The development will result in intensification of an underutilized parcel of land within immediately adjacent the Downtown Area which will result in the addition of a transit-supportive residential development.

It will support a diversified economy contributing and assist in achieving the City's proposed intensification and density targets. The development has been designed in consideration of the surrounding context and will be compatible with adjacent uses, including existing low-rise residential uses, which are separated from the site, by the Office Residential Conversion area along the south side of Roy Street.




**City of Kitchener
Official Plan,
Map 11,
Integrated
Transportation
System**

(Approved by the Region of Waterloo, November 4, 2014, Last Revised: March 21, 2019, Revised by Amendments - LPAT PL 150200)



















Figure 12
22 Weber Street,
City of Kitchener,
Region of Waterloo

LEGEND

 Subject Lands







Street Network

- Provincial Highway
- Regional Road
- City Arterial Street
- Major Community Collector Street
- Minor Neighbourhood Collector Street
- Local Street
- Heritage Corridor

Existing	Planned	Proposed Corridor
		
		
		
		
		
		





Multi-Use Pathway and On Road Connection Network

- Primary Multi-Use Pathway/Connection (Type 1)
- Secondary Multi-Use Pathway/Connection (Type 2)

Transit Corridor

- Light Rail Transit Corridor Public Transit Right-of-Way
- Adapted Bus Rapid Transit Corridor

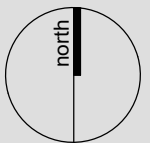
	
	

DATE: June 2, 2020

SCALE 1 : 15,000

FILE: 1961A

DRN: LHB



K:\1961A-22 WEBER ST\REPORT\OFFICIAL PLAN JUNE 2 2020.DWG

MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9
P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

9. PARTS Central Plan

The Planning Around Rapid Transit Stations (PARTS) project was introduced in 2012 in order to provide direction for future development and stability within rapid transit station areas. PARTS also prepared recommendations to ensure these area develop in a transit-supportive way that adds value and economic prosperity to the community and Region as a whole.

The PARTS Central Plan area was the first PARTS plan to be completed. The Plan contains six ION stops and all lands within the plan area are generally within 800 metres of a transit stop. The subject lands are located approximately 280 metres from the Kitchener City Hall stop, located along Duke Street.

The PARTS Central Plan was completed on April 13, 2016 and was approved by the Planning & Strategic Initiatives Committee and City Council. The PARTS Central Plan predates the 2019 Growth Plan and the Region's delineation of Major Transit Station Areas and was a high level plan that did not analyze or conclude on redevelopment opportunities that support Growth Plan direction for maximizing population in proximity to priority transit routes.

10. PUBLIC CONSULTATION

As of July 1, 2016, changes to the Planning Act (O. Reg 544/06, amended by O. Reg. 178/16) require that applicants submit a proposed strategy for consulting with the public with respect to an application as part of the 'complete' application requirements. This section summarizes the proposed Public Consultation Strategy.

Following confirmation of a 'complete' application the owner's consultant team will coordinate and facilitate an informal neighbourhood meeting. In addition to the informal neighbourhood meeting it is recommended that additional meetings with neighbourhood group representatives also occur as needed.

The proposed Official Plan Amendment and Zoning By-law Amendment applications will also follow the Planning Act statutory requirements.

In summary, the following points of public consultation are proposed:

- Notification of the application including a letter from the City to nearby property owners and the posting of a sign on the property;
- An informal neighbourhood meeting and follow up meeting(s) with neighbourhood representatives;
- Newspaper notice and letters sent to those on the notification list to advertise the Statutory Public Meeting;
- A Statutory Public Meeting held at Committee;
- A Council meeting to make a decision.

In addition, direct written responses to comments raised through the public consultation process will be provided to City Staff for their review and consideration in the preparation of a City Staff Report.

The consultation strategy proposed will provide members of the public with opportunities to review, understand, and comment on the proposed Official Plan Amendment and Zoning By-law Amendment applications. The consultation strategy will be coordinated with City Staff and additional opportunities for consultation will be considered and may be warranted based on the input received.

11. ZONING BY-LAW 85-1 & CROZBY

The City of Kitchener Zoning By-law 85-1 was originally passed in 1985, and has since been amended.

11.1 Zoning By-law 85-1

The subject lands are zoned Commercial Residential Three Zone (CR-3), as shown on **Figure 7**. The CR-3 zone permits the following uses:

PERMITTED USES	
<ul style="list-style-type: none">• Convenience Retail• Day Care Facility• Dwelling Unit• Educational Establishment• Financial Establishment• Funeral Home• Health Clinic• Health Office• Home Business• Hospice• Lodging House• Medical Laboratory• Multiple Dwelling• Office	<ul style="list-style-type: none">• Personal Services• Printing Establishment• Private Club or Lodge• Private Home Day Care• Religious Institution• Residential Care Facility• Sale, Rental, or Service of Business Machines and Office Supplies• Security or Janitorial Services• Street Townhouse Dwelling• Studio• Tourist Home• Veterinary Services

As noted in the above listed of permitted uses, Multiple Residential (as proposed) is currently permitted within a free standing residential building with no commercial requirement. The site specific zoning proposed as part of this application includes a minimum ground floor height regulation that would allow for the future conversion of ground floor space to non-residential use.

The following table summarizes the CR-3 zoning regulations and identifies any special provisions that are required as part of the Zoning By-law Amendment application.

REGULATION	REQUIRED	PROPOSED
MINIMUM LOT WIDTH	15.0 m	+/- 27 m
MINIMUM FRONT YARD / SIDE YARD ABUTTING A STREET	3.0 m	0.08 m *
MINIMUM REAR YARD	7.5 m or one half the building height, whichever is greater (23 m)	15.0 m *
MINIMUM SIDE YARD	1.2 m	2.8 m (west side yard) 5.0 m (east side yard)
MINIMUM GROUND FLOOR HEIGHT	No requirement	4.5 metres**
MAXIMUM FLOOR SPACE RATIO	4.0	6.2
MINIMUM LANDSCAPED AREA	10%	8%
OFF – STREET PARKING (RESIDENTIAL)		
RESIDENTIAL RATE (Units larger than 51.0 m ²)	1.25 spaces per unit (112 units x 1.25 = 157)	0.165 spaces per unit * = 21 spaces*
RESIDENTIAL RATE (Units 51.0 m ² or less)	0.165 spaces per unit (can be applied to a maximum of 40% of units) (14 units x 0.165 = 3)	
TOTAL REQUIRED RESIDENTIAL PARKING	160 spaces	21 spaces
VISITOR PARKING	20% of required parking (160 x 20% = 32)	10% of required parking (21 x 10% = 2.1)
BARRIER FREE PARKING	1 + 3% of required parking = 6 spaces	4% of total required parking = 1 space (2 provided)
TOTAL PARKING	160 spaces	24 spaces including 2 BF spaces and 3 Visitor Spaces

* relief required

** additional regulation not currently required

In support of the relief required to the existing zoning we offer the following:

- The proposed minimum front yard setback is consistent with other existing developments along this section of Weber Street West, including St. Andrew's Presbyterian Church which has been developed with a 0 m setback. By minimizing the front yard setback the development is oriented towards to Weber Street, allowing for a 15 metre rear yard setback from low rise properties to the north.

- The proposed rear yard setback is consistent with the Low Rise Residential Transition regulation introduced through CRoZBy and provides sufficient separation, especially given the office conversion area immediately adjacent the subject lands.
- An increase to the maximum Floor Space Ratio is proposed by way of Amendment to the Official Plan and in recognition of the site's proximity to major transit and relative separation from the Low Rise Residential Preservation area of the Civic Centre neighbourhood.
- The minimum landscape area of 8% reflects the current site plan concept. The property is currently developed with an asphalt parking lot and minimal landscaped area save and except for a small grassed area along Weber Street West. New landscaping is proposed along the streetscape, along the western edge of the proposed building and at the rear of the site.
- The reduced parking rate recognizes that the majority of units (98 of the 126 units) will be 55 square metres or smaller in size. The development will be marketed towards those who utilize transit and active transportation as their primary modes of transportation. The inclusion of additional structured or underground parking would significantly increase the cost efficiencies of the development and would no longer allow for units to be sold and/or rented at an attainable price point. A further review of the parking reduction is included in Section 12 of this report.
- It is noted that residential development on the opposite side of Weber Street is permitted at a rate of 0.165 spaces per unit for all units' 51 square metres or smaller. The subject lands enjoy the same access and proximity to transit and public parking facilities as lands on the south side of Weber Street West. The slightly larger unit sizes allow for the inclusion of barrier free units, which require more internal floor area.

11.2 CRoZBy Zoning By-law Review

The City of Kitchener is currently undertaking a Comprehensive Review of their Zoning By-law, known as CRoZBy. On April 29, 2019 council passed Stage 1 of the city's new zoning by-law for Kitchener. Stage 1 is currently under appeal, and as such until appeals are resolved, the City cannot proceed to adopt subsequent phases. The subject lands were not included within Stage 1.

While draft zoning has been prepared for lands within a Major Transit Station Area, such zoning has not yet been considered by Council. Further review and analysis of the Draft Zoning By-law may be required through the processing of the Zoning By-law Amendment application in order to determine the appropriate zoning should the new Zoning By-law come into force, this may include site specific provisions on the new zoning by-law to recognize the development concept.

12. PARKING REDUCTION

The purpose of this Section is to support the Zoning By-law Amendment application for the subject land which includes, alternative parking standards that result in a reduced parking requirement for the proposed redevelopment of this site.

12.1 Provincial Planning Considerations

The 2020 Provincial Policy Statement (PPS) prioritizes transit-supportive development and intensification within areas where transit is available or planned. Section IV of the PPS sets out the Vision for Ontario's land use Planning System and includes the following statement:

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. (Emphasis added)

Section 1.1.1 of the PPS promotes transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

Section 1.1.3.3 of the PPS requires municipalities to identify appropriate locations and to promote opportunities for transit-oriented development, accommodating a significant supply and range of housing options through intensification and redevelopment.

Housing policies in Section 1.4 of the PPS prioritize intensification in proximity to transit and promote densities for new housing which support the use of active transportation and transit in areas where it exists or is to be developed.

Transportation Systems Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicles trips and supports current and future use of transit and active transportation. Transportation Systems Policy 1.6.7.2 directs efficient use of infrastructure through the use of transportation demand management strategies.

The promotion of active transportation and transit use is also included in PPS policies related to Energy Conservation, Air Quality and Climate Change.

The site is located within a Major Transit Station Area, a primary intensification area. The proposed development provides an opportunity for residential intensification along a Regional Road and a planned transit route. The proposed development prioritizes transit and active transportation above other modes of transportation (i.e. single occupancy vehicles) which is consistent with the PPS Vision for Ontario's land use planning system. The site is well located in terms of active transportation opportunities including cycling and walking.

The 2019 Growth Plan builds upon the policy foundation provided by the PPS and provides additional and more specific land use planning policies to address issues facing specific geographic areas in Ontario.

Section 2.2.4 of the Growth Plan includes policies for Station Areas which would apply to the subject site. The policies direct that within all major transit station areas, development will be supported that provides alternative development standards, such as reduced parking standards (Policy 2.2.4.8). Policies also confirm that major transit station areas are intended to be delineated to maximize the number of potential transit users within walking distance of the station.

Climate Change policies in Section 4.2.10 require municipalities to develop policies in their Official Plans to identify actions that will reduce greenhouse gas emissions and address climate change adaptation goals including policies that reduce dependence on the automobile support existing and planned transit and active transportation.

The Site is located within a Major Transit Station Area, an area prioritized for intensification and transit use. The proposed parking reduction is consistent with Station Area policies in the Growth Plan which encourage reduced parking standards where major transit is available. The parking reduction is also aligned with climate change policies that speak to reducing dependence on the automobile.

In our opinion the proposed development and related parking reduction is consistent with transit related policies of the 2020 Provincial Policy Statement and conforms to the 2019 Growth Plan.

12.2 Regional Considerations

The current Region Official Plan (ROP) includes a number of high-level policies related to intensification and transit-oriented development.

Transit Oriented Development policies contained within Section 2.D.2 of the ROP require area municipalities to apply transit oriented development provisions in the review of development applications on sites that are served by rapid transit to ensure that development encourages walking, cycling or the use of transit and supports mixed-use development. These policies promote a more compact urban form that locates the majority of transit supportive uses within a comfortable distance of transit stops.

Major Transit Station Area policy 2.D.7 provides direction towards the development of Station Area Plans including a parking management strategy to maximize reurbanization opportunities, minimize surface parking areas and discourage auto-oriented land uses. Policy 2.D.9 encourages area municipalities to apply flexible zoning and reduced parking requirements to facilitate redevelopment to support Transit Oriented development.

Section 3.B (Walking and Cycling) recognizes that *"a substantial portion of the community does not, or will not, have access to private automobiles either by choice or due to financial, age or physical limitations."* (Emphasis added). Section 3.B also states:

Walking, cycling and transit are forms of transportation that are low cost, relatively low polluting, energy efficient and provide significant health benefits. Walking and cycling can either be a form of recreation

or an individual's primary or secondary means of transportation. Additional benefits of walking, cycling and transit use include reduced requirements for roadway capacity and parking spaces per traveler, reduced traffic congestion, improved air quality and reduced car dependency.

The Transportation Demand Management section of the ROP (Section 3.C) contains policies directed at the reduction in total number of automobile trips by influencing people to adopt more sustainable travel choices when it comes to types of travel. These policies encourage reduced parking standards for development applications where the owner/applicant agrees to incorporate transportation demand strategies as part of the proposed development.

Energy Conservation policies (3.D.1) support energy conservation through the promotion of compact mixed-use development and the promotion of walking, cycling and the use of transit. The Region supports initiatives that reduce car dependence.

The proposed development conforms with the ROP including policies related to transit-oriented development. The proposed development focuses on walking, cycling and transit as the primary modes of transportation, which supports the sustainability vision for the development.

12.3 City of Kitchener Official Plan

Section 13.C.8 of the 2014 City of Kitchener Official Plan provides the City's policy direction towards the design of off-street parking facilities. Section 13.8.2 states that one objective of parking areas is to: "Reduce parking space demand in support of active transportation and potential redevelopment of surface lots especially in intensification areas".

The development addresses the objective of Section 13.8.2 of the Official Plan in that it will facilitate intensification within a Major Transit Station on lands currently occupied by a surface parking lot. The development also supports the use of active transportation and transit through the provision of secure bicycle parking facilities and a direct pedestrian connection to the public sidewalk system, connecting the site with all the uses and amenities associated with the Civic Centre District and the downtown.

Policy 13.C.8.2 of the Official Plan provides that the City "may consider adjustments to parking requirements for properties within an area or areas, where the City is satisfied that adequate alternative parking facilities are available, where developments adopt transportation demand management (TDM) measures or where sufficient transit exists or is to be provided.

It is noted that the above policy uses the word "or" indicating that the City can consider adjustments to parking when any of the above criteria is met. The following sub-sections analyze the development in the context of alternative parking facilities; transportation demand management measures and the availability of sufficient transit.

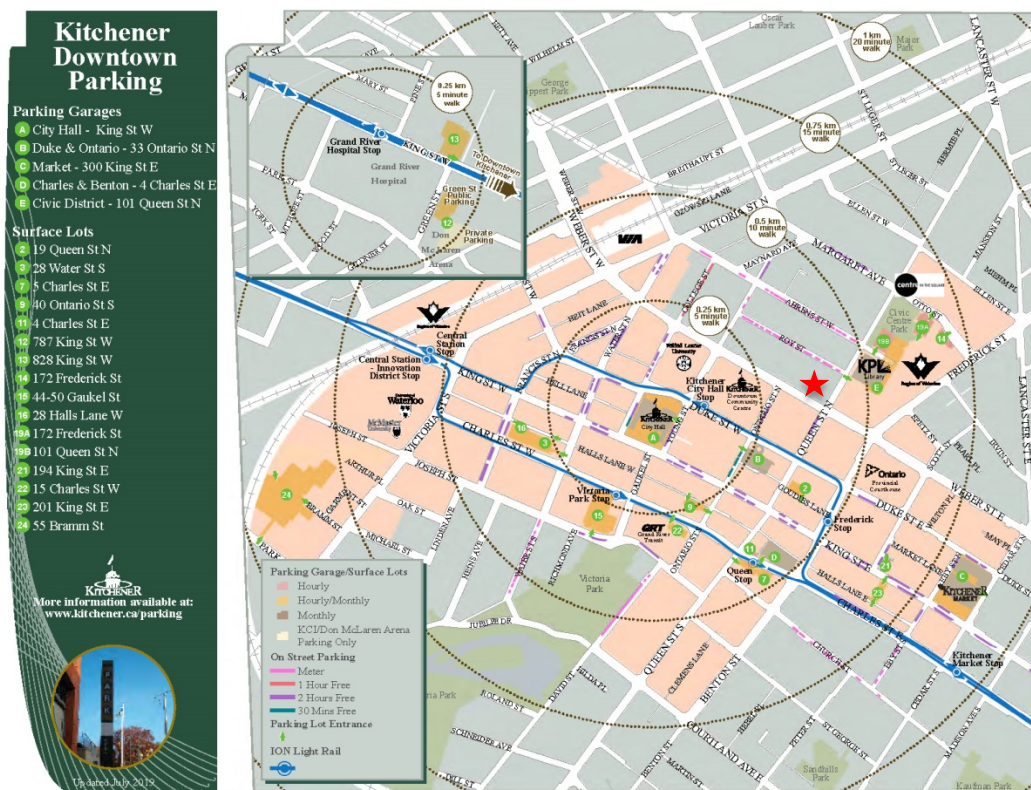
12.3.1 Adequate Alternative

In response to part a) of Policy 13.C.8.2, adequate alternative short, medium and long-term parking facilities are available in close proximity to the subject lands for residents and visitors.

The Kitchener Downtown Parking map, included on the following page, identifies multiple City parking lots and garages within walking distance of the subject lands.

This includes the following City owned parking garages:

- Civic District Parking Garage located approximately X metres from the subject lands and offering hourly, daily and monthly parking options;
- Duke and Ontario Parking Garage located approximately X metres from the subject lands) and offering hourly, daily and monthly parking.
- City Hall Parking Garage located approximately X metres from the subject lands) offering hourly, daily and monthly parking.



★ 22 Weber Street West

12.3.2 Transportation Demand Measures

The primary justification for the reduced parking is the availability of transit and the proximity of the lands to a priority transit corridor. Notwithstanding, the development has also adopted transportation demand management measures including the provision unbundled parking costs, and secured bicycle parking.

12.3.3 Sufficient Transit

As stated throughout this report, the subject lands are located within a Major Transit Station Area and are less than 650 metres from several station stops. The subject lands are also located in close proximity to the Charles Street Terminal, several GRT bus routes and the Region's future multi-modal hub. Sufficient transit exists and continues to be improved in close proximity to the subject lands. This includes planned improvements to both transit and active transportation (i.e. cycling routes and trails).

In addition to satisfying the considerations in Policy13.C.8.2 of the Official Plan, which allow the City to adjust parking requirements, the proposed parking rate is similar to the rate that applies to lands on the south side of Weber Street (which for smaller units require parking at a rate of 0.165 spaces per unit). While the unit sizes in 22 Weber Street are slightly larger (55 m² vs 51 m²), all units are proposed as one bedroom units and all will be marketed towards those who rely on transit and active transportation. Larger units are still proposed as 1 bedroom units, with the increase size relating to building code requirements for barrier free units.

12.4 Application of Zoning By-law 85-1

The City of Kitchener Zoning By-law 85-1 was enacted prior to the approval of the Provincial Policy Statement (2020), the 2019 Growth Plan for the Greater Golden Horseshoe, Region of Waterloo Official Plan and the Council Adopted Official Plan. Together, these documents promote intensification and redevelopment opportunities throughout the City to make the most efficient use of the land, services and infrastructure, including alternative forms of transportation to private automobile. The parking requirements established in the Zoning By-law do not account for the following:

- The implementation of approximately 19 kilometers of Light Rail Transit (LRT) from Conestoga Mall through to Fairview Park Mall. The subject lands are located less than 300 metres from the Kitchener City Hall Station and less than 800 m from a number of other stations.
- Barrier free accessible parking spaces will continue to be provided in accordance with Section 6.7.1 of the City of Kitchener Zoning By-law.
- The unit mix is proposed to be primarily compact, one which tend to result in a lesser dependence on the automobile and lower household auto ownership rates.
- The subject lands are located within a designated Major Transit Station area and are immediately adjacent Kitchener's Urban Growth Centre (downtown). The grid-like urban fabric of the downtown core of Kitchener is walkable and mixed use, providing a variety of employment, shopping, recreational and institutional uses proximate to the subject lands.
- The development will provide secured bicycle storage, which provides an incentive for residents and visitors to use alternative modes of transportation to the private auto.
- That parking for the proposed building is to be 'unbundled' from the cost of the unit. Spaces will be purchased based on owner needs as opposed to being allocated to specific units. Therefore, the maximum number of parking spaces required will be controlled by the owner and the actual cost of parking is made apparent to the tenant.

13. SUMMARY OF SUPPORTING TECHNICAL STUDIES

The following sections summarize the supporting studies submitted in support of the Official Plan Amendment and Zoning By-law Amendment applications.

13.1 Functional Servicing and Stormwater Management Report

MTE was retained to complete a Functional Servicing Report and Stormwater Management Report (FSR), dated July 10, 2020, in support of the proposed redevelopment. The purpose of this report is to document servicing, grading and stormwater management opportunities and constraints for the subject lands. Key findings and conclusions from the FSR are summarized as follows:

- The proposed grading design will respect the natural topography of the Site to achieve a reasonable cut/fill balance where possible and match into existing grades along all property boundaries;
- Existing municipal infrastructure for water, sanitary and storm is available along Weber Street West;
- The SWM criteria can be satisfied with the implementation of on-site controls for water quantity and water quality; and
- The volume retention target can be achieved by infiltrating the runoff generated on the building rooftop via an infiltration gallery on the Site, assuming the existing soil conditions are suitable. The condition of the existing soils will be confirmed upon completion of the geotechnical investigation.

The conclusions of the FSR confirm that the development can be adequately serviced by municipal infrastructure and that there is capacity within existing services. The proposed servicing strategy promotes the efficient use and optimization of existing municipal services and is feasible and financially viable. The proposed servicing strategy is consistent with the policies of the PPS and conforms to the policies of the Growth Plan, the ROP and the Kitchener Official Plan.

13.2 Pedestrian Wind Study

RWDI was retained to prepare a Pedestrian Wind Study, dated July 10, 2020 to assess the pedestrian experience of the development.

The Study concluded the following:

- The proposed project is not expected to have significant impacts on the existing wind conditions off-site.
- No exceedances of the wind safety criterion are anticipated.
- The main entrance off Weber Street East includes an external enclosure that will provide good wind protection. This design feature should be preserved as it will provide appropriate wind conditions (i.e. comfortable for sitting / standing on an annual basis) at these doors.
- The sidewalk along Weber Street East is expected to be comfortable for strolling during the summer and walking in the winter. These conditions are appropriate.

13.3 Archeological Assessment

A Stage 1 Archaeological Assessment was conducted in June 2020 by Archaeological Research Associates Ltd. (ARA). The investigation encompassed the entirety of the application boundary. The Stage 1 assessment determined that the entire study area is extensively disturbed. Specifically, deep land alterations associated with the demolition of the earlier structure(s), the laying of fill, the regrading of the area and the establishment of the parking lot have resulted in the removal of archaeological potential from all surficial and deeply buried contexts. It is recommended that no further assessment be required within the subject property.

13.4 Urban Design Brief

The Urban Design Brief, prepared by MHBC, dated July, 2020 provides an overview of the development and outlines the vision and principles of the design. The Urban Design Brief includes an assessment of the proposal in the context of the urban design policies of the City of Kitchener Official Plan and the City's Urban Design Manual.

The development provides a design and plan for a building that aligns with the Vision and Objectives described in Part 2 of the Urban Design Report. The development also meets the general intent of all related policy documents discussed in Part 4 of the Urban Design Report.

The development will:

- Provide for intensification within a Major Transit Station Area;
- Accommodate dwelling units utilizing existing infrastructure;

- Provide support for existing and planned transit services, thereby minimizing future residents' reliance on the automobile.
- Provide a pedestrian friendly streetscape by connecting proposed identifiable pedestrian entrances to the existing sidewalk system and large ground floor windows fronting onto Weber Street West.
- Provide a development that directs density away from the interior residential neighbourhood.
- Encourage active transportation by providing secure indoor bicycle parking and building entrances in close proximity to existing transit routes/stops.

In our opinion the proposed redevelopment is appropriate for this location and will contribute positively to the character and built form along the Weber Street Corridor.

14. SUMMARY & CONCLUSIONS

As outlined in this report, together with the supporting technical reports, the development of the subject lands represents good and sustainable planning. This opinion recognizes the following:

- I. The development is consistent with the Provincial Policy Statement, 2020 and conforms to the policy framework of the Growth Plan for the Greater Golden Horseshoe, 2019 by contributing to the density targets for Major Transit Station Areas on Priority Transit Routes;
- II. The development conforms to the policies of the Region of Waterloo Official Plan, and contributes to the density of a Major Transit Station Area;
- III. The proposal provides for the redevelopment of an underutilized site within a Major Transit Station Area in the City of Kitchener on lands that are well located with respect to a range of uses and transit infrastructure;
- IV. The proposed design is to be compatible with adjacent existing uses and respects the physical character, scale and context of the surrounding neighbourhood;
- V. The proposed design does not include the demolition or alteration of any cultural heritage resources located on-site or adjacent;
- VI. The development does not result in the removal of natural heritage features;
- VII. The site is clear of archaeological resources;
- VIII. The use of available infrastructure and servicing within the City is optimized through connections to existing municipal services;
- IX. The development contributes to the range and mix of uses within the Civic Centre Neighbourhood and adjacent to Downtown Kitchener and supports general economic development objectives;
- X. The proposed high density residential use provides support for the ION rapid transit network through additional residential density; and
- XI. The proposed design provides for an improved streetscape and pedestrian experience along Weber Street West.

Accordingly, it is concluded that the development is appropriate and represents good planning. The requested Official Plan Amendment and Zoning By-law Amendment applications should be

accepted for processing and deemed complete. Details associated with site development will be addressed at the site plan control stage.

Yours Truly,

MHBC



Andrea Sinclair, MUDES, MCIP, RPP
Partner

Appendix **A**



RECORD OF PRE-SUBMISSION CONSULTATION
City of Kitchener
Development Services Department
Planning Division, 6th Floor
200 King Street West
Kitchener, Ontario N2G 4G7
Phone: 519-741-2426
Fax: 519-741-2624

CONFIDENTIAL

This document contains confidential information that is not part of a Planning Act application.

The purpose of the Pre-Submission Consultation is to review a proposed development and identify the need for, and scope of, the *other information and materials* required as part of a complete application under the Planning Act. The City will not accept an application for a Plan of Subdivision, a Plan of Vacant Land Condominium, an Official Plan Amendment, a Zoning By-law Amendment, a Consent and/or Site Plan for processing unless such development application is considered to be a complete application and in accordance with section 17.E.10.1 of the Official Plan.

This Record of Pre-Submission Consultation only applies to the proposal as described and/or as provided for in the attached concept plan (unless otherwise approved by the Director of Planning or his/her delegate), and shall be valid for one year from the date of the Pre-Submission Consultation Meeting.

Date of Pre-Submission Consultation Meeting: November 14th, 2019

Address: 22 Weber Street West

Planning Staff on File: Juliane vonWesterholt

Meeting Attendees: Juliane vonWesterholt, Adam Clark, Steven Ryder, Pegah Fahimian, Victoria Grohn, Denny Cybalski (applicant/owner), Paul Britton (MHBC Planning), Andrea Sinclair (MHBC Planning)

Applicant/ Owner: Denny Cybalski

Type of Application(s): Official Plan Amendment, Zoning By-law Amendment and Site Plan

Pre-Submission Fee in the amount of \$1839.00 has been paid in full. Receipts # 212273 & 212274

PART I. SUMMARY OF PROPOSAL

The applicant is proposing a 15 storey, 104 unit residential building with a Floor Space Ratio of 6.0.

PART II. DEPARTMENT / AGENCY COMMENTS

The following constitutes the minutes of Pre-Submission Consultation Meeting and provides a summary of the comments and concerns raised by City staff and commenting agencies.

A. City Planning Division Comments provided by: Juliane von Westerholt 571-2200 x 7157

Summary of the proposal

- 15 storeys
- 104 units
- FSR of 6
- Backs onto 3 storey Heritage Conservation District and Civic District Secondary Plan
- Transitioning important
- Tall Building Guidelines apply to projects over 8 storeys
- Shadow and overlook potential concerns

Policy Framework

Existing Civic Centre Secondary Plan

- The subject lands are located within the Civic Centre Secondary Plan and are designated High Density Commercial Residential. The aim of this designation is to recognize the proximity of the Civic Centre Neighbourhood to the higher intensity land uses of the Downtown and the location of these lands along a Primary Road. This designation also provides for higher intensity uses adjacent to the Downtown.
- Permitted uses include multiple residential dwelling units that exceed 200 units per hectare and a number of other commercial uses not proposed for this development.
- The maximum FSR for the subject lands in the current designation is 4.0.
- Any redevelopment of these lands must obtain access from Weber Street.
- The policies of the Secondary Plan are currently under review and are subject to change. These will be discussed below.

PARTS Central Plan

The PARTS Central Plan recommended that these lands be redesignated to Medium Density Mixed Use with an FSR ranging from 1.0 to 2.0 through the Secondary Plan Review process.

Proposed Civic Centre Secondary Plan

- The Secondary Plan is also under review and will be going to Council soon with revisions and new policies anticipated in December 2019-early 2020.
- The subject property is proposed to have a new designation of "Medium Density Mixed Use".
- Initially the proposed FSR for these lands was to implement the PARTS recommendation of a maximum FSR of 2.0. However, much discussion and modelling of the potential

- densities envisioned for the area has occurred and the City is now proposing an FSR of a maximum of 4.0 as these lands are also located in a Major Transit Station Area (MTSA).
- Generally, the maximum proposed building height is proposed to be 8 storeys or 26 metres.
 - Section 16.D.9.4 states that the planned function of lands within an MTSA in Secondary Plans is to provide for a range and mix of uses and identify intensification opportunities in appropriate and compatible locations to support ION, while protecting the established character of the existing neighbourhoods.
 - Despite the location of the subject lands in an MTSA, Section 16.D.9.6 of the Official Plan states that notwithstanding the identification of land in a MTSA, the policies and regulations of the applicable land use designation and implementing zoning by-law may be more restrictive to ensure appropriate and compatible development and/or redevelopment adjacent to and within established neighbourhoods.
 - In light of this policy direction, the review of the Secondary Plan will be recommending an FSR of 4 and recommending a zoning of MIX 3, which will also have a cap at 4.0 FSR, due to its location within the Cultural Heritage Landscape.
 - In regards to the OP policies cited, appropriate transition in height will be important to achieve the compatibility with the adjacent Cultural Heritage Neighbourhood within the Civic Centre Secondary Plan area (which permits a maximum height of 3 storeys) and to maintain the pedestrian scale of the development
 - ***The developer is encouraged to submit a design for the site that conforms with the OP with respect to the height and density permissions moving forward, namely with a maximum FSR of 4 and building height with a maximum of 8 storeys or 26 metres.***
 - ***The proposed FSR of 4 is the same as current OP permissions.***

Zoning

- The subject lands at 22 Weber Street West are currently zoned CR-3 in the 85-1 Zoning By-law, which permits multiple residential uses subject to a range in FSR from 1.0 to 4.0 and there are currently no height restrictions in the zoning.
- However, this property backs onto lands that are zoned R-5, and 164 U which also allows multiple residential uses, but are restricted to a max of 3 units and height of 10.5 m.
- The City will be going to committee and council with the new zoning by-law to implement the new Secondary Plan policies, which is the result of the Secondary Plan review in December or early next year 2020.
- A decision on the proposed zoning is expected to align and be concurrent with the Secondary Plan (December 2019/or early 2020)
- ***The proposed zoning for the subject lands is "MIX-3" zone which would permit mixed uses of a medium density within the Major Transit Station Area and a maximum height of 8 storeys and an FSR range of 0.6 to 4.0.***

Tall Building Guidelines

- The Tall building guidelines (TBG) will apply to all buildings should the proposal exceed 8 storeys. The applicant is encouraged to review the TBG and to have these inform the redevelopment of this site with the appropriate setbacks both on site and off site, as well as give consideration to shadow and overlook impacts to neighbouring properties, and

provide appropriate transitions in height in order to meet the intent of the guidelines. An analysis of the TBG and how they have been applied to this development should form part of the Planning Justification Report and Urban Design Brief.

High level comments:

- The proposed density is 1 ½ times higher than that which is envisioned in the Secondary Plan and an Official Plan amendment to the new Secondary Plan policies may not be supportable, so soon after the adoption of the new policies.
- The height of the proposed building is almost 2 times the height of the maximum height in the proposed Secondary Plan and the MIX -3 zone.
- The owner is encouraged to work with the City through the design process to develop a design for the site that is consistent with the direction in the OP and meets the height and FSR envisioned for this area.
- The existing residential neighbourhood in behind this development is restricted to 3 stories and any development of these lands would have to be compatible therewith and provide for appropriate transitions to these lands through appropriately scaled building design.
- A Planning Justification Report is required for this development. This should include any rationale to support the increase in density and height and should provide an evaluation of the design proposal and how it achieves the expectations of the TBG as well as other relevant sections of the Urban Design Manual as well as the policy objectives of the Secondary Plan.

a. **Urban Design Comments** provided by: Pegah Fahimian x 7342

General information

Within the City's approved Official Plan there are numerous sections that are relevant including Part C, Section 11 Urban Design.

www.kitchener.ca/officialplan

A link to the City of Kitchener Urban Design Manual – UDM - is provided. Please be aware that over the next year this document will be updated to reflect Official Plan policies and new standards of best practice. www.kitchener.ca/udm

Part A of the Manual provides further urban design and built form objectives. **Part B** of the Manual contains Design Briefs which outline specific requirements related to particular geographic areas or land uses. **Part C** of the Manual contains City standards for many site development requirements and these should be accurately reflected in the proposal: parking stall dimensions; aisle widths; sidewalk dimensions; planting rates; landscape plan details; dark-sky luminaire compliance and photometric details.

The following sections of the Urban Design Manual must be considered when doing the detailed design of the site:

Contents

City-Wide Design

Residential Infill in Central Neighbourhoods

Structured Parking

Tall Building Urban Design Guidelines

Urban Design Comments:

- Tower will need to meet tall building guidelines, specifically with regard to separation. Tower separation distance is estimated 7.2 m from the side property lines and the tower should step back from its base a minimum of 3m along any street-facing elevation. Proposal will need to respond by reducing building length and/or height until the resulting built form meets its corresponding separation target.
- The proposed residential units are located too close to the side property lines which may lead to overlook and privacy concerns from adjacent properties
- Provide transition to the surrounding low rise building through stepbacks and massing. The massing may be subdivided into smaller, compatible pieces.
- Underground parking is preferred to reduce the massing of the proposal includes above grade structure. Integrate above ground structured parking into the base design and place it behind active uses along street edges. Where visible, screen/clad above-grade structured parking using high quality materials consistent with and complementary to the overall building design.
- Provide floor plans which show access to the structured parking levels from ground level
- Provide materiality and texture shifts at the podium and across the towers and incorporate variations in tower setbacks from the base distinguish the tower form from the podium. Provide natural surveillance by employing high percentages of glazing, active uses at ground level and incorporate more units with windows and balconies on the main facade with views onto the street
- Use of natural or built canopies /cantilever to enhance pedestrian refuge and define public realm is encouraged
- Roof top and podium amenity is to be noted and provided. Place amenity spaces in locations with good natural surveillance from units, public spaces
- Wind assessment and Noise feasibility study required for outdoor amenity and the pedestrian realm on Weber street
- Provide clear, continuous and highly visible pedestrian circulation that connects building entrances, parking areas, and shared spaces to the sidewalk and street.

The following items are to be provided as part of the Zoning By Law/ Official Plan amendment

- Urban design brief
- Win and Noise study
- 3D Massing model

The following items are to be provided as part a full site plan application:

- Preliminary floor plans and 3D massing model (update if required)
- Building elevations (color)
- Urban Design Report that addresses compliance with the Urban Design Manual, Including the Tall Building Design Guidelines (update as needed) (e.g., confirmation of how tower separation and overlook conformity has been achieved and justification if has not been met, as per TBDG),
- Landscape plan in combination with a tree management plan,

- Grading plan
- Wind study (update as needed)
- Truck turn template

The following items are to be provided and approved after Approval in Principle to clear conditions of site plan approval

- Building elevations
- Lighting plan
- CPTED report will be required
- Sustainability statement
- Cost estimate
- Letter of credit
- 5% plan review fee

Urban Design Brief:

An Urban Design Brief should be submitted as part of a complete application. An Urban Design Brief should address how the site achieves the objectives detailed in the City's Official Plan as well as the design direction and standards outlined in the City's Urban Design Manual including the City-wide design, Residential infill in Central neighbourhoods, structured parking and City's Tall Building Guidelines. *A Detailed Terms of Reference will be provided upon request*

Generally, this Brief will include:

- A full Wind Study and sun/shadow analysis is required to demonstrate development is designed to mitigate unwanted microclimate impact
- A Tall Building Analysis
- A 3D massing model including preliminary building elevations and anticipated building materials
- A discussion and assessment of compatibility and contextual fit of the proposal into the existing and planned neighbourhood including a discussion of overlook/privacy concerns, transition to low rise buildings, contribution to city skyline and impacts to views and sightlines;
- A discussion of the proposed massing, scale, design and character including distinction of the base/middle/top portions of the building, articulation, stepbacks/projections and property setbacks;
- Assessment of functional considerations such as private and common amenity space, pedestrian connectivity, vehicle movement, fire access and garbage collection
- A neighbourhood character analysis including: architectural style and building features such as cornices, gable heights, porch elevations and roof pitches, building materials, Lot fabric and dimensions, the placement of the dwelling on the lot as it relates to the lot lines
- Functional considerations such as private and common amenity space, pedestrian connectivity, fire access, garbage and on street parking should be included

A Tree Management is required – please see UDM Part C, Section 13 and www.kitchener.ca/treemanagement

- The tree management plan should identify all existing trees to be retained, relocated and removed and the tree management methods to be employed to protect any existing trees

during construction in accordance with the City's Tree Management Policy. This plan should also identify all trees located on adjacent properties, where the dripline encroaches on to the subject property, in order to ensure that these trees are not directly impacted by any proposed grading

- The tree management plan should accurately show the driplines of the trees; identify the species, condition of the tree, impact of development on the tree and show the existing and proposed grades.
- Written permission for removal of or impact to trees in joint ownership along property lines is required

A Landscape Plan is required - please see UDM Part C, Section 15

- Landscape plantings to City standards are required along all property lines, surrounding the Building and in parking lot islands
- Provide minimum 1.5m landscape buffer between parking areas and side and rear property lines
- A visual barrier of 1.8m will be required where parking is adjacent to residential land uses
- Pedestrian crossings of drive aisles should be in an alternate material. Painted lines are not acceptable
- Advice on how the garbage and loading space will be handled on the site and adequate on-site truck circulation should be provided for garbage pick-up. A full, roofed enclosure or deep well storage system is required
- Demonstrate how snow storage will be handled across sites.
- Required bicycle parking should be shown. Indoor/Outdoor bicycle parking should be provided on a hard surface and in an area with good oversight. Floor plans demonstrating adequate indoor, secure bike parking should be provided.
- Please show all fencing, bollards, access control gates and site furniture on the landscape plan and provide appropriate details
- Please see City of Kitchener fence and sign bylaws for requirements

A copy of the Grading Plan must be submitted with the Landscape Plan

A Lighting Plan is required - please see UDM Part C, Section 4

- provide site lighting, scoped to the surface parking areas, to the standard in Part C of Urban Design Manual
- All site lighting must be full cut-off and dark-sky compliant
- In accordance with current best practices, all fixtures should have a CCT of 3000K or less
- Information regarding timing controls, lighting/dimming schedule as well as any motion detection sensors should be included
- The garage interior shall be painted white.
- The standard City of Kitchener Lighting Designer declaration should be included on final submission.

Building Elevations and a 3D Model are required

- Please provide materials specifications indicating manufacturer, product, and colour specifications.

- Please ensure that all publically visible facades are well articulated and detailed
- All Utilities, building-mounted or ground-based AC units should be should be located away from public view and fully screened.

Cost Estimate and Letter of Credit (LOC)

- A cost estimate for all required on-site development works will be required in standard City format
- A Letter of Credit for 50% of the approved Cost Estimate will be required
- The developer should contact City Legal Services 519.741.2200 x 7858 **in advance of obtaining their Letter of Credit**, in order to have the DBRS rating checked and pre-cleared.
- Certification of the completed site works will be required

Plan Review Fees

- Plan review fees will be required at the rate of 5% of the approved cost estimate.

A Fire Route Plan may be required

Contact Jeff Wildfang jeff.wildfang@kitchener.ca 519.741.2200 x 5515 **or** Greg Reitzel for information and approval greg.reitzel@kitchener.ca 519.741.2200 x 5510

b. Cultural Heritage Comments Provided by: Victoria Grohn x 7839

Heritage Planning staff provides the following comments in relation to the proposed development of a 15 storey, multiple residential building on the parcel of land located at 22 Weber Street West, to be discussed at a Pre-Submission Consultation meeting on November 14, 2019.

The subject property at 22 Weber Street West is located within the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD). As such, it is designated under Part V of the Ontario Heritage Act and is subject to the policies and guidelines contained within the CCNHCD Plan. A copy of the CCNHCD Plan is available on the City's website.

Section 2 of the Planning Act identifies matters of provincial interest, which includes the conservation of significant features of architectural, cultural, historical, archaeological or scientific interest. Section 3 of the Planning Act requires that decisions of Council be consistent with the Provincial Policy Statement (PPS). Policy 2.6.1 of the PPS states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. Section 2.6.3 of the PPS states that Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Regional and municipal policies and guidelines also address the conservation of cultural heritage resources. The Regional Official Plan contains policies that require the conservation of cultural heritage resources. These policies also establish the requirement for the submission of studies, such as Heritage Impact Assessments (HIA), as part of complete planning applications.

The CCNHCD Plan contains area specific policies to guide development on Weber Street West and establishes that a Heritage Impact Assessment may be required for any redevelopment proposals within or adjacent to the CCNHCD. The CCNHCD Plan also contains area specific design guidelines for Weber Street West.

Heritage Planning staff will require that **a scoped HIA be submitted as part of complete Planning applications**. The scoped HIA will need to assess the potential impact of the subject applications (OPA/ZBA and Site Plan) and the proposed development, and if an impact is identified, then recommend mitigative measures to avoid or reduce those impacts.

The scoped HIA will need to address the potential impact of height, built form, setbacks and massing of the proposed development on the Weber Street West streetscape and on the integrity of the CCNHCD in general. As part of this assessment, staff will expect an angular plane analysis and a 3D massing model, to scale, showing the front and side elevations from both approaches on Weber Street West. The HIA will also need to speak to how the details of the proposed design (architecture, materials, colours, etc.) address the CCNHCD Plan guidelines for New Buildings, and in particular the guidelines contained in the CCNHCD Plan for infill development on Weber Street West.

Heritage Planning staff note that the proposed new construction will also require the submission and approval of a Heritage Permit Application. The final approval of a Heritage Permit Application rests with City Council. Heritage Planning staff encourage the applicant to submit a complete Heritage Permit Application following consideration of the Site Plan for Approval in Principle. Issuance of a Heritage Permit will be made a condition of final Site Plan approval.

Approval of the scoped HIA will be required prior to the Site Plan being considered for Approval in Principle. The terms of reference for the scoped HIA will be provided as part of the Record of the Pre-Submission Consultation meeting.

In summary, Heritage Planning staff will require the following information to be submitted as part of complete OPA/ZBA and Site Plan applications:

- Three (3) hard copies and one (1) electronic copy of the scoped Heritage Impact Assessment (with a "DRAFT" watermark background). Following the review of the HIA by City staff, five (5) hard copies and one (1) electronic copy of the final scoped HIA (with "DRAFT" watermark background removed) will be required.
- c. Environmental Planning Comment** provided by: Barabara Steiner x 7293
 - There are no natural heritage features or functions of local, Regional, Provincial or national significance on, or adjacent to, the subject property.
 - **However**, trees subject to the City's *Tree Management Policy* exist on the property, particularly at the property boundaries, and in shared ownership with adjacent lands. As required by the City's Council-adopted *Tree Management Policy* (rev. 2001), a study that fulfils the requirements for **BOTH** a General Vegetation Overview (Section 3.2, Appendix A) **AND** a Tree Preservation / Enhancement Plan (Section 3.4, Appendix C) must be submitted **as part of a complete application (OPA / ZBA). This study will be circulated**

to, and reviewed and approved by, both Environmental Planning and Urban Design staff.

- The reason for this level of detail (survey, inventory of individual trees) is to assist in evaluating the appropriateness of the OPA / ZBA and the potential impact on trees subject to the policy. The study will also assist in answering questions from citizens during both Neighbourhood Information (NIM) and Statutory Public Meetings.
- **Advice:** No portion of the subject property is regulated by the GRCA.

B. City Department Comments

- a. **Transportation Services Comments** provided by: Steven Ryder x 7152

Zoning By-law Amendment comments:

1. NOTE: If any changes to the design occur that would increase the required parking (ie. unit size), and if there is a reduction in parking sought, a parking justification study would be required as part of the complete zoning by-law amendment application.
 - a. The property falls within the PARTS study area and is eligible for parking reductions through the TDM checklist process. I can provide more details, if desired.

Site Plan Comments:

- a. Adequate on-site truck circulation is to be provided for garbage removal and loading spaces. As part of a complete site plan application, separate plans are to be submitted illustrating truck movements on the proposed site plan (This can be done using AutoTURN software). Note that trucks are to enter and exit in a forward motion.
- b. The applicant is to confirm whether there are any existing shared access agreements and or easements with the adjacent property for the main drive aisle.
 - a. The existing concept plan is not clear enough regarding the layout and width of the main drive aisle. For proper two-way ingress and egress from the site, the applicant must demonstrate that the proper width of the drive aisle can be achieved, and whether or not a shared access agreement is required (if one does not currently exist).
- c. The parking area is to be paved and curbed as per City of Kitchener standards.
- d. More detailed dimensions are to be shown on the site plan, including:
 - a. Drive aisle widths
 - b. Typical parking space
 - c. Hammerheads
 - d. Barrier-free spaces, if provided.
- e. Non-parking areas are to be hatched with pavement markings to discourage vehicles from parking in these areas.
- f. Parking spaces cannot overlap between two properties.
- g. Bicycle storage is required.
- h. Garbage and snow storage will need to be addressed.

a. **Engineering Comments** provided by: Niall Melanson x7133

Zoning By-law Amendment Specific Comments:

A Functional Servicing plan showing outlets to the municipal servicing system along with the storm and sanitary design sheets are required to the satisfaction of Engineering Services. The sanitary zoned and actual peak flow must also be submitted to run the sanitary capacity modeling. The City of Kitchener will use this information to determine if there are any downstream issues. If the capacity analysis determines that the pipes will need to be upgraded to support the development, then these upgrades will be rolled into the development costs. Further studies will be required at the time of development to determine the approximate amount of sanitary sewers that will need to be upgraded to accommodate the above developments.

A Water Distribution Report is required to the satisfaction of Engineering Services in consultation with Kitchener Utilities and the Region of Waterloo.

b. **Site Plan Specific Comments:**

- Stormwater Management: To address Stormwater **quantity** concerns, the post-development flows are to be attenuated to the 5 and 100 year pre-development levels. A Stormwater Management Scheme is required for quantity control prior to site plan approval.
- Stormwater Management: To address Stormwater **quality** concerns, the owner may either contribute payment in accordance with the City's Master Stormwater Management Policy in the amount of **\$100,575.00/ha** (2019 rate) for that part of the cost of the City's stormwater quality management system attributable to the site in accordance with the aforementioned policy **OR** provide Enhanced level (formerly Level 1) water quality control to the satisfaction of Engineering Services prior to site plan approval.
- Stormwater Management: Based on the SWM Policy (MUN-UTI-2003) approved by Council, the SWM design must allow for retention of the runoff that is generated from the first 12.5mm of rainfall from all surfaces on the entire site. If the full retention cannot be achieved a fee would be implemented in the amount of \$100,575.00/ha for the difference. **As part of a complete application, a functional SWM Brief and a Geotechnical Report are required to illustrate how retention will be accomplished within the site.**
- Stormwater Management: The City of Kitchener has implemented a Stormwater Management Credit Program. Property owners must enroll in the credit program prior to certification sign off. Approved credits are applied to the stormwater portion of the property's utility bill. To learn more about the approved stormwater best management practices and the information you need for the application, visit www.kitchener.ca/stormwatercredits. Any further enquiries in this regard should be directed to Chris Nechacov, Stormwater Utility – Engineering (519-741-2200, ext. 7148).
- Servicing: A Site Servicing plan showing the existing and proposed services on the property as well as the outlets to the municipal servicing system along with the sanitary and storm sewer design sheets will be required to the satisfaction of Engineering Services prior to site

plan approval. Sanitary peak flows are also required to ensure sanitary capacity within the municipal sanitary sewers.

- Servicing: The owner is required to make satisfactory financial arrangements with Engineering Services for the removal of any redundant service connections and the installation of new ones that may be required to service this property, all prior to site plan approval. Our records indicate municipal services are currently available to service this property.
- Servicing - Off-Site Works Soil Condition: If Off-Site servicing works are required it is recommended that the owner take the necessary steps to determine if soils in the right-of-way where proposed servicing is to take place will be suitable to be re-used as trench backfill.
- Development Asset Drawing: A Development Asset Drawing (digital AutoCAD) is required for the site (servicing, SWM etc.) with corresponding layer names and asset information to the satisfaction of the City's Director of Engineering Services.
- Erosion and Sedimentation Control: An Erosion and Sedimentation Control plan is required to the satisfaction of Engineering Services prior to site plan approval.
- Grading: A Grading and Drainage control plan is required to the satisfaction of Engineering Services prior to site plan approval.
- Design Coordination: Please note that the Grading Control Plan and the Erosion and Sedimentation Control Plan for site plan developments require coordination between the engineering consultant and the landscaping consultant. Accordingly, prior to acceptance of the Grading Control Plan and the Erosion and Sedimentation Control Plan please ensure that each of the respective design professionals have duly signed these plans.
- Letter of Permission: If it is shown on the plans that construction activity as a result of site servicing or grading works will encroach onto neighbouring lands, the City of Kitchener will require a letter of permission from each property owner affected by the proposed works. The letters of permission must be received by Engineering Services prior to acceptance of grading control plan, erosion and sedimentation control plan, site servicing plan, stormwater management plan and the stormwater management report.
- Driveways: Any redundant driveways are to be closed with new curb and gutter and boulevard landscaping, all to City of Kitchener standards and any new driveways are to be built to City of Kitchener standards at grade with the existing sidewalk. All works are at the owner's expense.
- Snow Storage: Snow storage areas are to be shown on the Site Plan and Grading Plan. If snow is to be hauled off site, this will form part of the development agreement conditions.

b. Building, Fire & Utilities Comments provided by: Jasmina Catana x7831

Contacts:

Building: Jasmina Catana (519-741-2200 ext. 7831)

Fire Prevention: Greg Reitzel (519-741-2200 ext. 5510); Richard Brooks (519-741-2200 ext. 5516)

Utilities: Angela Mick (519-741-2600 ext. 4408)

Specific Site Comments:				
Fire Route Design (OBC Division B - 3.2.5.)	Yes	No	N/A	
Fire Hydrant	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Flow Demand Analysis to be approved by Utilities (see link below for details) https://www.kitchener.ca/en/building-and-development/development-manual.aspx#	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Access Route to be approved by Fire Prevention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Principle entrance; Siamese and/or FACP to be shown on plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Emergency Turn around, if required	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Multiple Unit Identification Sign	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
General Comments				
Demolition Permit(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Record of Site Condition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15% of the Residential units are required to be barrier free accessible	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
City of Kitchener Engineering Division approved site servicing/grading plans to be submitted prior to building permit issuance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Unit numbering	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
No comments/concerns regarding this application				
Number of Res Units: 104		Number of Storeys: 15	Total Floor Area: 88,863SF	Approx. start Date: unknown

Addition of floor area &/or dwelling units may be subject to development charges. For more information visit www.kitchener.ca/developmentcharges

Disclaimer:

These comments are provided on the site plan submitted October 17, 2019. Comments are subject to change dependent on discussions/comments arising at the Site Plan Review Committee meeting.

For more specific Building Code comments/concerns please contact Building to set up a pre-application meeting.

c. Community Services Comments provided by: Karen Leasa x 4176

1.0 Parkland Dedication

- .1 Parkland dedication will be required for the proposed development at the time of Site Plan Application in the form of cash-in-lieu.
- .2 Should any further revisions be made to the site plan, a revised parkland dedication may be required.
- .3 Dedication requirements are subject to the Parkland Dedication Policy current at the time of application.
- .4 In the event of a discrepancy between the parkland dedication calculation form and this memo, contact the above-noted Parks & Cemeteries staff for clarification.

Multiple Residential (Apartment)

- .1 Parkland dedication will be required for the application taken as cash-in-lieu of land at the policy standard rate of 1ha per 500 units, at a value of \$1,359,000.00 per hectare as per the Multiple Residential (Apartment) land class.
- .2 With its proposed residential unit count of 104, the estimated parkland dedication cash-in-lieu of land amount is calculated at **\$282,672.**
Calculation: $([104] / 500 \text{ units}) \times \$1,359,000.00 = \$282,672.00$

2.0 Street Trees

1. As 22 Weber St. W. is situated along a Regional Right-of-Way, the City defers to the Region of Waterloo for comment on any street tree plantings.

C. Other Agency Comments

a. Grand River Conservation Authority Comments provided by: Andrew Herreman 519-621-2763 x2228

There are no features regulated by the GRCA therefore the GRCA will not be commenting.

b. Region of Waterloo Comments provided by: David Welwood (519-575-4400 x3120)

Summary:

The owner/applicant is proposing a zoning by-law amendment to allow for a 15-storey residential building (rental) with 104 residential units. The purpose of the official plan amendment is to request additional density (floor space ratio) for the subject lands. The subject lands are currently used as a surface parking lot.

The subject lands are located in the Built-Up area as shown on Map 3a of the Regional Official Plan (ROP) and are within a Major Transit Station Area (MTSA).

Regional Municipality of Waterloo

Community Planning

Fee

Pursuant to Region Fee By-law 19-016, the applicant will be required to submit the following fees:

- Zoning By-Law Amendment Fee: \$1,500.00
- Official Plan Amendment Fee: \$5,750 (upon adoption)
- Noise Study Review Fee: \$250
- Site Plan Review Fee: \$850
- Region Access Permit Fee: \$230

Planning Justification Report

A Planning Justification Report (PJR) will be required and must be submitted as part of a complete application. The Report must address the policies of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe (P2G) 2019, the Regional Official Plan (ROP) and the City of Kitchener Official Plan.

Affordable Housing

The Region supports the provision of a full range of housing including affordable housing. Staff recommends that the applicant consider providing a variety of bedroom types, as well as increasing the number of affordable housing units proposed and dispersing them throughout the building. Staff further recommends that the applicant meet with Housing Services to discuss the proposal in more detail and to explore opportunities for providing a range of affordable units through partnerships or programs.

The development proposes 104 residential units and 29 parking spaces. For the purposes of evaluating the affordability of an ownership unit, based on the definition in the Regional Official Plan, the purchase price is compared to the least expensive of:

Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households	\$448,679
Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area	\$306,094

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$306,094.

For the purposes of evaluating the affordability of a rental unit, based on the definition of affordable housing in the ROP, the average rent is compared to the least expensive of:

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income households	\$1,310
A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$796 1-Bedroom: \$1,021 2-Bedroom: \$1,210 3-Bedroom: \$1,247 4+ Bedroom: \$1,254

In order for a unit to be deemed affordable, the average unit rent for the property must be at or under the average market rent in the regional market area, as listed above.

Corridor Planning

Dedicated Road Widening:

At the site plan stage, a dedicated road widening of approximately 3.0m will be required along entire property frontage on Regional Road 8 (Weber Street West) to comply with the Regional Official Plan (ROP) designated road width of 26.213m. An Ontario Land surveyor (OLA) would determine the exact amount of widening to be conveyed.

The draft reference plan, prepared by an OLS must be submitted for review and approval prior to submitting the site plan to Lands Registry office.

All costs associated with the road widening would be owner's responsibility and the lands must be dedicated to the Region free of any contamination and encumbrances.

Access Permit / Access Regulation:

The access should be located at the easterly property limits to keep it farthest possible from the intersection. The access must be 7.6m-9.0m throat width at the future property line with a 6.0m minimum curb radii. An Access Permit with applicable fee (currently \$230) will be required for any access on Weber Street West. Any redundant access will be closed and will also require an access permit for closure (no application fee). Application permit application is available at: [https://www.regionofwaterloo.ca/en/resources/Access Permits-access.pdf](https://www.regionofwaterloo.ca/en/resources/Access_Permits-access.pdf)

It should also be confirmed if there is an existing shared access with the adjacent property owner to the southeast; and/or if there is a desire to do so with the proposed development.

Stormwater Management Report:

Storm sewers within the Regional road right-of-way are generally sized and designed to only accommodate stormwater from the right-of-way and in some instances off road surface drainage under existing conditions. A private stormwater connection to any storm sewer on Weber Street West will be discouraged where an alternate stormwater connection is available, including infiltration, or if it is determined that the Weber Street storm sewer does not have the sufficiency (condition and capacity) to accommodate private stormwater flows from this site. It is the responsibility of the applicant's engineering consultant to determine an appropriate stormwater outlet from this site and the sufficiency of the receiving storm system if there is no other option available and to include this information in the stormwater management report.

The applicant or their consultant should contact Mr. Malcolm Lister, manager, Technical Services for the Region of Waterloo at 519-575-4432 or MLister@regionofwaterloo.ca to determine if any engineering plans and/or further technical information for Weber Street West is available which may be of assistance.

At the site plan stage, the applicant must submit electronic copies of detailed Site Grading & Drainage Control Plan(s) and Site Servicing Plan(s) along with a Stormwater Management (SWM) report for Regional review and approval. This should include drainage details for the subject property, abutting properties and the public road allowance so as to ensure compatible drainage and to show thereon all existing and proposed connections to the municipal storm sewers, sanitary sewers and water mains and all detailed erosion and siltation control features, all to the satisfaction of the Regional Municipality of Waterloo.

The site must be graded in accordance with the approved plan and the Regional Road allowance must be restored to the satisfaction of the Regional Municipality of Waterloo

Transit Planning:

There is not any existing or planned transit route along this section of Weber Street and the development is located within walking distance of Kitchener City Hall Station as well as bus stops at Weber/Queen.

If a TDM report is required by the City of Kitchener, a copy of the report should be provided to Regional staff at site plan stage. There is no transit requirement for the proposed development.

Site Servicing / Work Permit / Municipal Consent:

No servicing plan has been received with the above application.

A Municipal Consent will be required at site plan control for the installation of any proposed/required service connections. Also, a Region of Waterloo Work Permit must be obtained from the Region of Waterloo prior to commencing construction within the Region's right of way. In this regard, please visit <https://rmowroadpermits.mirasan.ca/> for further guidance.

Environmental Noise:

The proposed residential development will be impacted by environmental noise from traffic on Weber Street West. Although, an environmental noise study would normally not be a Regional condition for a Site Plan application, it is strongly recommended that the proponent undertake a detailed Environmental Noise Study to assess the impacts of environmental noise, well in advance of the planning stage; to avoid any retrofit to the building at a future application stage, keeping in view the following comments. At minimum, a noise feasibility report will be required as part of a complete application for the zone change to assess the impacts of road noise on Weber Street West and to demonstrate that the proposed residential development can feasibly be constructed.

No noise attenuation barriers will be allowed within Weber Street right-of-way. Any Outdoor Living Areas (OLAs) or amenity space should be located accordingly.

The noise level criteria and guidelines for the preparation of the study are included in the Region of Waterloo Implementation Guideline for Noise Policies.

The implementation of a more detailed environmental noise study through a registered agreement with the Region of Waterloo would be a condition for a future Plan of Condominium/Consent application(s) for the proposed development.

The noise consultant must be pre-approved by the Region of Waterloo. The noise consultant is responsible for obtaining current information, applying professional expertise in performing calculations, making detailed and justified recommendations, submitting the Consultant Noise

Study Declaration and Owner/Authorized Agent Statement along with one electronic copy of the report to the Region of Waterloo.

The noise consultant preparing the Environmental Noise Study must contact Region of Waterloo staff for transportation data including traffic forecasts and truck percentages for Regional roads. The application for Noise Assessment Application is available at:

<https://www.regionofwaterloo.ca/en/living-here/resources/Design-Standards/Noise-Assessment-Application--Fee-Form.pdf>

Stationary Noise

Regional Staff advises that the noise study must also address any potential stationary noise impacts. The Assessment must address the possible impact generated by the proposed development on all noise-sensitive uses in the vicinity and on the development itself, as well as any off-site noise sources identified by the noise consultant that may have an impact on the proposed development.

Please ensure that a signed Owner/Authorized Agent Statement and Consultant Statutory Declaration accompanies the noise assessment(s) submitted to the Region.

Water Services:

The Region's Water Services staff has no concerns regarding the proposed development.

Archaeological:

The subject property is located within the Civic Centre Neighbourhood Heritage Conservation District and is adjacent to several built cultural heritage resources; 18 Weber St. W. (c. 1895), 28 Weber St. W. (c. 1911), Zion United Church – 32 Weber St. W. (C. 1915), 31 Roy St. (c. 1902) and 27 Roy St. (c. 1898). The subject property is in very close proximity and may have impacts on several other built cultural heritage resources including; St. Andrews Presbyterian Church – 54 Queen St. N. (c. 1907).

The subject property retains the potential for the recovery of archaeological resources due to its location within an historic core and on a land form associated with the habitation of early peoples as well as its proximity to known archaeological resources, a historic road and historically mapped structures.

Therefore, and as per ROP policy 3.G.9, the applicant is required to have a licensed Archaeologist complete an Archeological Assessment for the entire property, and any adverse impacts to significant archaeological resources found shall be mitigated, through preservation or resource removal and documentation, at the expense of the owner.

The applicant must submit the Archaeological Assessment report to the Ministry of Culture, Tourism and Sport, and once reviewed and accepted, provide a copy of the Acknowledgement letter and Assessment report to the Region of Waterloo's Planning, Development and Legislative Services Department.

The completed Archaeological Assessment and Ministry Acknowledgement will be required prior to final approval of the Zoning By-law Amendment and the applicant should be made aware that if mitigation or conservation measures are recommended as part of the Ministry accepted Archeological Assessment, these recommendations will also need to be implemented, to the satisfaction of the Region of Waterloo, prior to final approval of the Zoning By-law Amendment.

Application Requirements

- Zoning By-law Amendment Fee - \$1,150.00
- Archaeological Assessment and Ministry Acknowledgement
- Environmental/Stationary Noise Assessment
- Planning Justification Report

Regional Development Charges

Any future development on the subject lands will be subject to provisions of Regional Development Charges By-law 19-037 or any successor thereof.

Contact

Community Planning

David Welwood
Principal Planner
519-575-4500 ext.3120
DWelwood@regionofwaterloo.ca

Corridor Planning

Joginder Bhatia
Corridor Planner
519-575-4500 ext.3867
JBhatia@regionofwaterloo.ca

Please note: Comments and requirements are based on the information provided by the applicant during the pre-submission process. Should new details and/or information become available through the application process, the above-noted requirements are subject to change.

- c. Other Comments-** Kitchener Utilities comments attached in Appendix "B"

PART IV – SIGNATURES

This Record of Pre-Submission Consultation only applies to the proposal as described and/or as provided for in the attached concept plan. This Record of Pre-Submission Consultation documents the required *other information and materials* that must be submitted in support of a complete Application made under the Planning Act.

If you have any concern with this Record of Pre-Submission Consultation please contact the Planner immediately.

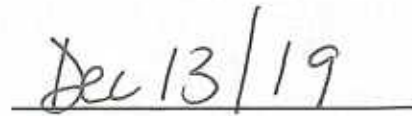
Please note that the feedback provided at this Pre-Submission Consultation Meeting does not constitute a detailed review of the development application(s). Following the acceptance of an application as “complete” additional information and materials may be required as a result of the detailed review, or changes to the proposal, City policies, the zoning by-law, or standard City conditions of development.

OPTION A. Approval of the Record of Pre-Submission Consultation

These minutes shall be considered valid until 11/16/2020



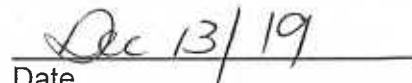
Juliane von Westerholt, MCIP, RPP
Senior Planner



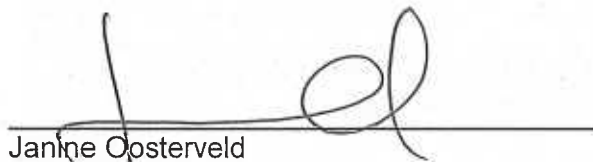
Date



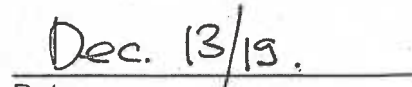
Della Ross
Manager of Development Review



Date



Janine Oosterveld
Manager of Site Development



Date

Appendix 'A'

The following is a list of likely conditions of approval. The plans, studies and reported noted below should **not** be submitted with the application.

Plans, Studies, Reports and other likely Conditions for Site Plan Approval	
<input checked="" type="checkbox"/>	Zone Change
<input checked="" type="checkbox"/>	Official Plan Amendment
<input checked="" type="checkbox"/>	CPTED Report
<input checked="" type="checkbox"/>	Landscape Plan
<input checked="" type="checkbox"/>	Pavement Markings
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Parking and Stall delineation
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Traffic control Signs
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Truck Access and Circulation
<input checked="" type="checkbox"/>	Interior / Outdoor Garbage Storage Facilities
<input checked="" type="checkbox"/>	Final Shadow and Wind Analysis
<input checked="" type="checkbox"/>	Streetscape works
<input checked="" type="checkbox"/>	Site Lighting (including underground/structured parking if applicable)
<input checked="" type="checkbox"/>	Cost Estimate
<input checked="" type="checkbox"/>	Site securities (e.g. Letter of Credit)
<input checked="" type="checkbox"/>	Elevation Drawings (Including HVAC)
<input checked="" type="checkbox"/>	Tree Management
<input type="checkbox"/>	Road Widening for City right-of-way
<input checked="" type="checkbox"/>	Traffic Control Signs
<input type="checkbox"/>	Cash-in-lieu of Parking
<input checked="" type="checkbox"/>	Erosion and Siltation Control Plan
<input type="checkbox"/>	Utility Easements
<input checked="" type="checkbox"/>	Grading and Drainage Control
<input checked="" type="checkbox"/>	Storm Water Management Design
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Retention
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Quantity
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Quality
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Fee
<input checked="" type="checkbox"/>	On Site Servicing Approvals
<input checked="" type="checkbox"/>	Off Site Works by City
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Removal of redundant service connections and installation of new ones
<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Closure of redundant driveways and installation of new ones
<input type="checkbox"/>	<ul style="list-style-type: none"> • City sidewalk installation
<input type="checkbox"/>	<ul style="list-style-type: none"> • Installation of new curb and gutter
<input checked="" type="checkbox"/>	Record of Site Condition
<input checked="" type="checkbox"/>	Composite Utilities Plan
<input checked="" type="checkbox"/>	Fire Hydrant
<input checked="" type="checkbox"/>	Fire Flow Demand Analysis
<input checked="" type="checkbox"/>	Emergency turn around
<input checked="" type="checkbox"/>	Emergency/Fire Route Plan
<input checked="" type="checkbox"/>	Multiple Unit Identification Sign
<input checked="" type="checkbox"/>	Cash-in-lieu of Park or Park Dedication
<input checked="" type="checkbox"/>	Road Widening for Regional right-of-way
<input checked="" type="checkbox"/>	Regional Access Permit
<input checked="" type="checkbox"/>	Water Distribution Report

PART III. OTHER INFORMATION AND MATERIALS

The following is a list of other information and materials that will be required in order to process the subject applications. Please note that following the acceptance of an application as “complete” additional information and materials may be required as a result of the detailed review, due to changes to the proposal, or changes to policy.

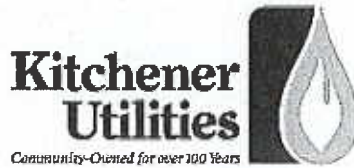
For complete OPA/ZBA submission:

Other Information and Materials	# of Copies	To the Satisfaction Of:	Notes:
Planning			
Completed Application Form and Fee(s)	1	Planning	OPA/ZBA
Urban Design Brief including Wind Study / Tall Building Guidelines (TBG) analysis	5	Planning	OPA/ZBA
Planning Justification Report	5	Planning/ Region	OPA/ZBA
Parking Justification Study	5	Transportation	OPA/ZBA
Digital Plans			
3D Massing Model	1	Planning	OPA/ZBA
Cultural/Heritage			
Archaeological Assessment	5	Region	
Heritage Impact Assessment (scoped)	5	Planning	OP/ZBA
Environmental/Natural Heritage/Natural Hazards			
Studies and/or Plans required by Kitchener’s Tree Management Policy (General Vegetation Overview, Tree Preservation)	5	Planning	OPA/ZBA
Environmental/Servicing and Infrastructure			
Functional Servicing Study/ Plan	5	Engineering	OPA/ZBA copies to Region
Water Distribution Report	5	Engineering	OPA/ZBA
Building Elevation Drawings (colour)	5	Planning	SPA
Noise Study	5	Region	OPA/ZBA
Wind Study	1	Planning	OPA/ZBA
Transportation			
Parking analysis	5	Transportation	OPA/ZBA

Site Plan Complete Application

Other Information and Materials	# of Copies	To the Satisfaction of:	Notes:
Standard Requirements			
Completed Application Form and Fee(s)	1	Planning	
Existing Conditions Plan (including documentation regarding easements/rights of way)	5	Planning	
Site Plan (including structured parking)	30	Planning	
Digital Plans			
Site Plan in accordance with City Digital Submission Standards	1	Planning	AutoCAD and pdf
Parkland Dedication Plan	1	Planning	
PDF of all submission material	1	Planning	
3D Massing Model in SketchUp	1	Planning	
Other Required Plans and Studies			
Urban Design Report (updated)	5	Planning	Updated as required
HIA (updated)	5	Planning	
Preliminary Floor Plans	5	Planning	
Sustainability Statement	5	Planning	
Wind Study (updated)	3	Planning	
Noise study (updated)	5	Region	
Preliminary Grading Plan	5	Planning	
Building Elevation Drawings (colour)	5	Planning	
Truck Movement Plan	5	Transportation	
Functional SWM Brief and Geotechnical Report	5	Engineering	
Preliminary Floor Plans	5	Planning	

Appendix B- Utilities Comments



PRE-SUBMISSION APPLICATION COMMENTS – 22 WEBER ST W

The process to design and install gas piping, meters and related appurtenances can take several months, especially if the installation is not standard. To accommodate a smoother installation process we encourage the proponent for the development to contact Kitchener Utilities (KU) as early as possible. Please note a design fee will be required for this development. In addition since the service will be required off a Regional Road, the municipal consent (if required) process can take up to 6 months to receive approval for gas servicing. The Region does not allow road cuts on Regional roads between December and April.

Information related to gas infrastructure in the area must be requested from the City of Kitchener via this online form at <https://form.kitchener.ca/INS/KU/Gas-Mapping-Request>. A copy of our Conditions of Service for gas servicing is provided at https://www.kitchenerutilities.ca/en/resources/1551896169-INS_KU_6Mar19_ConditionsOfService_Final.pdf. Please review this document to understand the requirements for servicing as well as any costs that may apply. Once, ready for gas servicing, an application can be submitted at <https://www.kitchenerutilities.ca/en/programsservices/Builder-s-Corner.asp>

The property will be serviced with only one water service and one gas service. There is currently no existing gas service to this property.

This property will be serviced from the 100mm steel gas main located within the roadway of Weber St W. The property cannot be serviced from Charles. The new gas service line needs at least 0.9m of

cover. The gas service piping can't go in an area that will impede access to our gas service pipe, for example, below retaining walls or concrete structures such as stairs, retaining walls etc. In addition, the service line needs 10m clearance from other utilities (including shallow utilities) and structures.

The owner needs to determine the number of meters required and as such ensure adequate space for the meters and the required clearances from the regulator are met. If the total load of the gas appliances on one regulator is greater than 500 cfh, then greater clearances from the regulator will be required. If the meter set(s) is within 1.2m of a driven path, bollards will be required, at the expense of the developer. Since it is likely that this development will require a 5 lb meter set, a cage is required to be built around the meter set. The cage as well as the meter set are to be all on private property. Generally, a 5 lb set with one meter requires the cage to be approximately 1.2m x 2.5m. If the load requirements are not met for the 5lb meter set there will be charge for the meter set. There will also be a charge for the cage.

Since, the service will be required off of a Regional Road a Composite Utility Plan will be required for this development showing all existing and proposed utility locations including shallow utilities.

Additional information related to servicing requirements is provided below.

Design

1. Architectural and landscape plans in AutoCad and PDF will be required to design the running line.
2. In order to determine if the site is suitable for natural gas distribution, a site servicing plan in AutoCad will be required, including but not limited to:
 - a. Water Main distribution layout
 - i. Water shut off locations
 - ii. Hydrant locations
 - b. Storm and Sanitary distribution layout
 - i. Manhole locations
 - c. Hydro distribution layout
 - i. Transformer locations
 - ii. Pole location including down guys
 - d. Molok or other waste deposal systems
 - e. Excessive grade changes and retaining walls
 - f. Any other underground feature that may impede the installation of the gas piping.
3. Mechanical drawing and building elevations to evaluate meter clearances.
4. All existing gas services will have to abandon at the main, at the owner's expense.

5. The site will be allocated one gas service and one water service per property.
6. It is Kitchener Utilities' recent experience that boulevards with a width of 3.75m (16m Right-of-way) or more in width can accommodate installation of the shallow utilities, and minimize potential for field changes and redesign of the proposed network, during installation.
7. Landscape features that may limit the ability of access the gas piping in the future, should be avoided over the proposed gas layout locations.
8. The owner will ensure that all required legal agreements are produced and signed for house piping (internal or external gas piping downstream of the meter) which crosses or goes through one unit to get to another.
9. Prior to construction commencing, sign-off on the proposed gas installation design is required and a Kitchener Utilities agreement must be completed and signed.
10. The proponent shall contact Kitchener Utilities with additional gas flow requirements to determine if the meter set and service are adequately sized.
11. If the additional natural gas flow is sufficient to require an increase in regulator size, then clearance from vents, building opening, etc. will have to be re-evaluated and the meter location may have to be modified to meet current requirements. If the total load is less than 500 cfh, 1m clearance is required from all building openings and sources of ignition (including hydro boxes)

Gas Meter Locations

12. If more than 1 meter is requested, all meter location shall comply with TSSA's code adoption document for the CSA - Oil and Gas Pipeline Standard - Z662 and the CSA B149.1.
13. Meters will not be allowed to be installed on the roof tops. Alternate grade level locations are required.
14. The preference is to have a single meter for the building. If it is determined that multiple meters are allowed, they are to be built into a manifold together in one location.
15. Meter shall not be located under any balconies, overhangs, etc.... that are less than 2.1m (7 ft) high, above final grade.
16. Housing gas meter in niches is not preferred, any proposed niche location will have to be reviewed and approved for adequate size and configuration to accommodate the gas meter and equipment, and provides adequate protection to the meter set.
17. If any portion of the meter set is to be within 1.2m of a surface where vehicle may travel, then impact barriers will be required to be installed, at the owner's expense.
18. The installation of the gas meters cannot proceed unless proper access to the meter location is provided, this means that scaffolding and bricking activities have to be completed and removed from the area prior to the meters being installed.

Gas Pipe Installation

19. Construction of the underground gas pipelines cannot commence for 2-3 weeks following the completion of the Hydro installation to allow for locates to be completed, and when the final grade is within 150mm (6") of final grade.
20. The underground gas header mains shall be no closer than 1.0m from Hydro and/or other shallow utilities such as Bell, Rogers, etc... and 1.0m from water shutoffs.
21. The gas header mains shall be no closer than 2.5m from any proposed building foundation. If a suitable clearance cannot be established then foundation must be installed prior to the installation of the gas main.
22. Any asphalt or concrete removed to facilitate the installation of the gas pipe will be the owner's responsibility to restore. Any proposed gas main road crossings shall be installed, when the road is in a granular state, before asphalt and concrete is installed. If the crossing cannot be placed before the asphalt or concrete is installed, it will be the owner's responsibility to restore.
23. If it is determined that an underground valve is required at the property line for the gas or water service, the builder/developer/owner is required to ensure that the valve(s) are accessible at all times and that the valve(s) and road box(s) are free from damage during the development of the site. Failure to do so will result in costs to be paid by the owner for re-instatement of the valve.
24. It is expected that the development proponent (developer/builder) will instruct all subcontractor doing work on the premise are to take care working around any of the gas piping, meters or appurtenances. Once these facilities have been installed they are activated and contain natural gas. Therefore for the safety of the worker and property, extreme care is necessary.

Comments Prepared By:

Parmi Takk, P.Eng

Utilities Engineer | Kitchener Utilities | City of Kitchener

519-741-2600 x 4245 | TTY 1-866-969-9994 | parmi.takk@kitchener.ca

Appendix **B**

22 WEBER STREET WEST



NEIGHBOURHOOD CHARACTER STUDY

22 WEBER STREET WEST

CITY OF KITCHENER

30 DUKE STREET LIMITED

PREPARED BY:

MHBC PLANNING

July 2020

1. INTRODUCTION

The subject lands are located at the edge of the Civic Centre Neighbourhood Secondary Plan Area and have an immediate interface with the downtown core of the City of Kitchener. The Civic Centre area helps to tell the story of Kitchener's phenomenal growth at the turn of the 19th century and of the development of its extensive industrial sector. Almost two-thirds of the existing houses in this area were built between 1880 and 1917 and in most cases were occupied by owners, managers or workers for some of the key industries that defined the community at the turn of the century. The Lang and Breithaupt families for example, whose enterprises and extensive public service did so much to promote and develop the City, are represented by surviving homes in the district. Other businessmen, industrialists and public servants including the City's first reeve, Dr. Scott, Mayors Eden and Greb, and Engineer and County Clerk Herbert Bowman also came to the neighbourhood.

The Civic Centre neighbourhood is one of Kitchener's oldest neighbourhoods and retains a large number of original buildings that are well crafted and maintained. In addition to the residential building stock, there are a number of other prominent and well preserved buildings within the Civic Centre neighbourhood including churches and early commercial buildings. While the majority of the neighbourhood was constructed for, and remains as residential, conversions to commercial and office uses have occurred with little negative impact on the quality of the streetscape.

This Neighbourhood Character Study illustrates the existing character throughout the Civic Centre Neighbourhood including the interior portions of the Civic Centre Neighbourhood and the edges of the Neighbourhood, including Weber Street West with consideration given to streetscapes, road right-of-ways, built form and planned function.

2. INTERIOR RESIDENTIAL NEIGHBOURHOOD

The Civic Centre Secondary Plan and the Civic Centre Neighbourhood Heritage Conservation District Plan recognize that the Civic Centre Neighbourhood is made-up of different areas which have their own unique character.

The interior portions of the Civic Centre Neighbourhood contain attractive and consistent streetscapes linked by mature trees, grassed boulevards and laneways. Hibner Park, Kitchener's second oldest city park, is located in the interior of the Civic Centre Neighbourhood and in close proximity to the subject lands.

The residential interiors are designated Low Rise Residential Preservation in the Civic Centre Secondary Plan in order to retain the existing single detached residential character of the Neighbourhood. Within this designation existing houses and streetscapes are to be preserved wherever possible.

Streets within the interior neighbourhood generally have narrower road right-of-ways and are characterized by mature trees along boulevards and linear streets with consistent building setbacks. Laneways are found also found throughout the Neighbourhood, which reflect the historic pattern of movement. Yards are well maintained and often display plantings, trees, fences, and hedges.

The interior neighbourhood contains a range of architectural styles, reflecting the development of the area beginning in the mid. 19th century. The neighbourhood includes buildings in the vernacular style of architecture, reflecting local influences and materials.

The following images illustrate the character of the interior residential enclaves that are intended to remain stable:



The following images along Ahrens Street illustrate the narrower road width, mature trees, grassed boulevards and consistent building setbacks found within the interior of the neighbourhood.



The north side of Roy Street (illustrated in the four images above) also exhibits the typical characteristics of the interior residential neighbourhood including similar building setbacks, mature trees and single detached residential dwellings.



Looking north on Young Street at the intersection of Roy Street and Young.

3. OFFICE RESIDENTIAL CONVERSION AREA

Section 2 of this report illustrated the residential character along the north side of Roy Street and within the interior of the Civic Centre District. The south side of Roy Street (including lands immediately adjacent the subject lands) differs in character and land use with a number of buildings having been converted to non-residential use.

Properties along the south side of Roy Street between Young Street and Queen Street North are generally designated *Office Residential Conversion* (with the exception of a few properties which are designated *Medium Density Commercial Residential*, *High Density Commercial Residential* and *Community Institutional*).

The intent of the Office Residential Conversion designation was to preserve the existing structures in this while providing a transition area between the higher intensity uses along Weber Street and Queen Street and the Low Rise Residential – Preservation designation of the interior of the neighbourhood. The following images illustrate the character of the south side of Roy Street.



A number of properties along the south side of Roy Street have been converted to non-residential uses resulting in a character that differs greatly from the residential streetscape on the opposite side of Roy.



The Zion Church property is a thru lot extending from Weber Street West to Roy Street. The massing and style of the church contributes further to the variety along this side of Roy Street.



There are two properties located immediately north of the subject lands, one of which has already been converted to non-residential use. The other dwelling remains residential in use but has office permissions.

4. WEBER STREET WEST

The existing built form of Weber Street West (within proximity to the subject lands) is a result of its evolution over time. Weber Street West includes 19th century residential buildings as well as 20th century developments. The 19th century buildings were formerly surrounded by landscaped open space, which has, in some cases, been converted to large areas of surface parking. Weber Street has been widened and as a result, does not reflect the same intimate streetscape as that of the residential streets at the interior of the district. The addition of 20th century buildings with a range of uses from residential, institutional and commercial transformed this area from primarily residential to that of mixed-use. As a result, the existing built form of Weber Street West includes a range of architectural styles, materials, colours, and setbacks and there is no consistent built form.

The south side of Weber Street West is designated as part of Downtown Kitchener and as a result, includes higher density contemporary developments. The north side of Weber Street (along which the subject lands are located) is recognized in both the Civic Centre Secondary Plan and the Civic Centre Neighbourhood Heritage Conservation District Plan as being distinctly different than that of the interior of the neighbourhood. While the subject lands are located within the Civic Centre Neighbourhood, it is important to note that the lands directly interface with the Weber Street West corridor and the boundary of downtown Kitchener as opposed to the interior residential area.



The south side of Weber Street West is located within the Downtown and features a mix of uses in buildings generally set close to the street. Landscaping is minimal across this side of the street.



The north side of Weber Street West features a range of uses including non-residential uses and apartments. Setbacks vary but typically buildings are located close to the street. Street trees are limited along the Weber Street corridor in stark contrast to the interior of the neighbourhood.



Parking for non-residential uses along Weber Street West is typically accommodated through surface parking lots, such as the parking lots pictured above which are located west and east of the subject lands respectively.



The Zion Church (left) and St. Andrew's Presbyterian (right) contribute to the range of uses within this block of Weber Street and the variety of built form. These images also illustrate the range of setbacks along this corridor with St. Andrew's Presbyterian located at the property line and Zion Church setback.

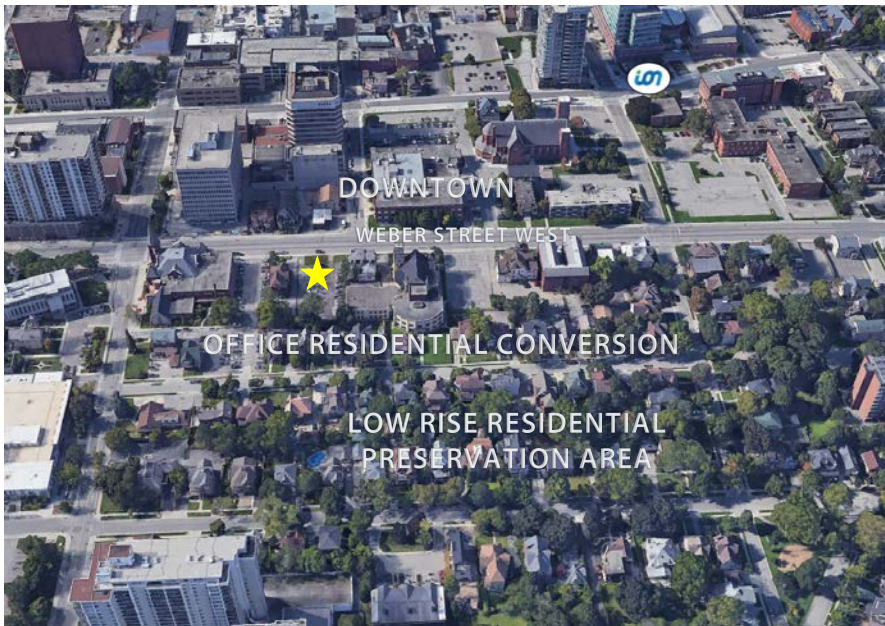


The above image, looking east along Weber Street North illustrates the streetscape of this corridor which is in contrast to the residential enclaves internal to the neighbourhood. Weber Street West has been widened to four lanes, and is generally developed with buildings that are constructed at the front property line. The streetscape is varied with a range of land uses, buliding heights and massing. (Photo taken standing just west of the subject lands).

5. CONCLUSIONS

The Civic Centre neighbourhood is one of Kitchener’s oldest neighbourhoods and retains a large number of original buildings that are well crafted and maintained. In addition to the residential building stock, there are a number of other prominent and well preserved buildings within the Civic Centre neighbourhood including churches and early commercial buildings. While the majority of the neighbourhood was constructed for, and remains as residential, conversions to commercial and office uses have occurred with little negative impact on the quality of the interior streetscapes.

Further, certain areas of the neighbourhood have been recognized as having a different character altogether and have been designated and zoned to allow for intensification. This Study illustrates that unlike the interior of the neighbourhood, Weber Street West has a variety of built forms, setbacks and building heights recognizing the change and redevelopment that has occurred over time. The subject lands have been identified as an intensification area given their location within a Major Transit Station Area and are buffered from the interior neighbourhood by the Office Residential conversion area.



Looking south towards downtown Kitchener it is clear that the Weber Street West Corridor is far more consistent with the character of the Downtown than the residential enclaves of the Civic Centre Neighbourhood.

Roy Street serves as the transition between the higher density uses permitted along Weber and the stable residential area internal to the neighbourhood.

 SUBJECT LANDS

 KITCHENER CITY HALL LRT STATION

The subject lands represent one of the only vacant properties in the Civic Centre Neighbourhood and are designated as High Density Commercial Residential, allowing for multiple residential and non-residential uses with a maximum Floor Space Ratio (FSR) of 4.0. The Secondary Plan policies balance the protection of internal lower density residential enclaves with redevelopment opportunities along Weber Street West and Queen Street through the introduction of the Office-Residential Conversion which serves as the transition between the higher intensity uses along Weber Street and Queen Street and the Low Rise Residential Preservation designated of the interior of the neighbourhood. The subject lands abut this transition area and as such are sufficiently separated from the interior of the neighbourhood and are appropriately located for higher density development.

The development of the subject lands represents an opportunity for a transit-supportive, high density residential development consistent with the planned function as designated in the Civic Centre Secondary Plan.

Appendix C

PROPOSED BY – LAW

July 21, 2020

BY-LAW NUMBER ____

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 85-1, as amended, known as
the Zoning By-law for the City of Kitchener)
22 Weber Street West

WHEREAS it is deemed expedient to amend By-law 85-1 for the lands specified above;

NOW THEREFORE the Council of the Corporation of the City of Kitchener enacts as follows:

1. Schedule Number 121 of Appendix “A” to By-law Number 85-1 are hereby amended by changing the zoning applicable to 22 Weber Street West, in the City of Kitchener, from Commercial Residential Three Zone (CR-3) to Commercial Residential Three Zone (CR-3) with with Special Regulation Provision XXXR.
2. Appendix “D” to By-law 85-1 is hereby amended by adding Section XXXR thereto as follows:

XXXR

Notwithstanding Section 46.3, Section 6.1.2a), and 6.1.2b)vi) of this By-law, within the lands zoned Commercial Residential Three Zone (CR-3), shown as affected by this subsection, on Schedule 121 of Appendix “A”, a Multiple Dwelling shall be permitted in accordance with the following:

Design Standards & Parking

- a. The maximum Floor Space Ratio shall be 6.2.
 - b. The minimum front yard shall be 0.8 metres.
 - c. The minimum rear yard shall be 15 metres.
 - d. The minimum ground floor height shall be 4.5 metres.
 - e. The minimum parking shall be required at a rate of 0.165 spaces per residential unit or 21 parking spaces.
 - f. The minimum visitor parking rate shall be 10% of the total required residential parking or 3 parking spaces.
3. This By-law shall come into effect only upon approval by the City of Kitchener, of Official Plan Amendment No. XX, for 22 Weber Street West, but upon such approval, the provisions hereof affecting such lands shall be deemed to have come into force on the date of passing hereof.

PASSED at the Council Chambers in the City of Kitchener this ____day of _____, 2020

Mayor

Clerk

DRAFT