

**AMENDMENT NO. 64 TO THE MUNICIPAL PLAN  
OF THE CITY OF KITCHENER**

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**SECTION 1 – TITLE AND COMPONENTS**

This Amendment shall be referred to as Amendment No. 64 to the Municipal Plan of the City of Kitchener. Sections 1 to 4 inclusive of this document shall constitute the Amendment.

**SECTION 2 – PURPOSE OF THE AMENDMENT**

The purpose of the proposed Municipal Plan Amendment is to introduce new design policies for Downtown Kitchener, to replace existing Downtown urban design policies, and generic Downtown policies, using a design-based approach to planning.

This amendment does not deal with any changes to Downtown land use designations (which will remain the same), but rather, provides a design framework for new development.

**SECTION 3 – BASIS OF THE AMENDMENT**

**Background**

From May to July of 2006, the City of Kitchener conducted a broad public consultation exercise, entitled ‘Help Design Downtown’. Citizens were asked to comment on how they would like to see the look and feel of Downtown evolve as growth and redevelopment continues. Approximately 1,000 citizens participated, providing a strong basis for identifying a community-based vision, objectives and design policies.

**Proposed Policy Structure**

The proposed policies are intended to reflect the objectives and key areas of focus which the community has identified, and to establish an exciting new vision for Downtown Kitchener’s evolution:

*Vision*

To make Downtown a great people place.

*Primary Objectives*

To make downtown 1) lively, with active street life; and 2) livable, by greening and softening Downtown’s streets and public spaces.

### *Secondary Objectives*

To 1) inspire creative, high quality design of streets, buildings, etc., 2) respect our cultural heritage; 3) embrace art and culture, and 4) embrace our multi-cultural diversity.

### *Downtown Policies*

These policies have been arranged in sections, to implement each of the previous objectives. They provide a more detailed design framework to guide new development and encourage a distinct character for each of Downtown's four districts.

In addition, general transportation policies have been included which reflect the community's preferred approach to Downtown's streets, with an emphasis on improving the pedestrian environment of our streets, even if it results in slower traffic.

### *Strategies for Implementation*

These strategies are intended to scope out the work the City anticipates it will conduct over the next 5 years. This includes the development of urban design guidelines for specific areas of interest, greenscape improvements, cultural heritage initiatives and a review, in conjunction with the Region of Waterloo, of opportunities for improving the Frederick-Benton Corridor.

## **SECTION 4 – THE AMENDMENT**

The Municipal Plan for the City of Kitchener is hereby amended as follows:

- 1) Part 2, Section 6.2 "Downtown Urban Design" is amended by deleting this section in its entirety;
- 2) A new Map 7b "Downtown Design Districts" is added, to be inserted following Part 2, Section 9.
- 3) Part 2, Section 9 "Downtown" is amended by deleted this section in its entirety, and replaced with the following new Part 2, Section 9 "Downtown":

## 9. DOWNTOWN

Historically, downtown Kitchener has been the focal point of the Region. It has been a centre for trade, politics, entertainment, arts and culture. Today, the vision for downtown Kitchener is clear – to make downtown a great place for people.

The community envisions this happening by fostering a downtown with lively street activity for all to enjoy, through great shopping, markets, restaurants, outdoor patios and outdoor events. Downtown should have green, liveable streets combined with a creative, high quality urban design of buildings, storefronts and public places. Downtown's heritage should be conserved and celebrated while embracing new forms of artistic and multi-ethnic culture.

### Primary Objectives

All development, including new construction, renovations, adaptive reuse, façade improvements, streetscape improvements and public space improvements, *must* demonstrate a direct contribution to each of the following primary objectives, where deemed applicable by the City:

- i) To make downtown lively – by creating a great place for people with lively street activity (retailing, restaurants, outdoor patios and entertainment), a wide range of residential housing options, and a safe, attractive public realm featuring places and spaces that provide for diverse and stimulating experiences.
- ii) To make downtown livable – green the downtown by maximizing plant material (such as street tree plantings, flower beds, landscaped gardens, and rooftop gardens) along streetscapes, along pedestrian pathways and throughout public and private spaces.

### Secondary Objectives

All development, including new construction, renovations, adaptive reuse, façade improvements, streetscape improvements and public space improvements, *must* demonstrate a reasonable contribution to the following secondary objectives, where deemed applicable by the City:

- i) Inspire creative, high quality design – the City encourages innovation and architectural excellence in urban development. A high quality of urban design is expected of downtown's buildings, building elevations, building massing, storefronts, store signs, patios, streetscapes and public spaces to enhance street life and create local pride and interest.

- ii) Respect cultural heritage – significant cultural heritage resources (such as buildings, monuments, streetscapes, landmarks, landscapes and possibly views, vistas, trees and intersections) shall be conserved and celebrated.
- iii) Embrace art and culture – through land use, signage, architecture, streetscapes and public art, each downtown district will generate its own authentic flavour of culture, creating a diversity of cultural experiences.
- iv) Embrace multi-culturalism – the physical and visual expression of various ethnic traditions, through elements such as architecture, signage and public art, shall be supported and encouraged.

## **Downtown Policies**

### **1. *Lively Commercial Streets***

Downtown will continue to function as the heart of downtown's social life, home to restaurant and retail storefronts, bustling public spaces and animated sidewalks.

Downtown streets, such as King Street and Queen Street, have historically been the centre of commercial trade and shopping. To enhance, animate and beautify these streets, the City shall:

- i) Ensure a high quality streetscape and public realm;
- ii) Require a built form which is one of comfort to the pedestrian in its proportion, scale and micro-climate. Applicable requirements for massing and micro-climate studies may be further defined through the City's Zoning Bylaw and Urban Design Manual;
- iii) Promote a continuous building edge along the street, with minimal setbacks, to visually define the public streetscape;
- iv) Require active uses at street level which will contribute to street life, activity and vitality;
- v) Maximize the amount of sidewalk width available for outdoor retailing, restaurant patios and informal gathering spaces, where appropriate;
- vi) Require attractive and well designed ground floor facades which enhance pedestrian interest and activity. This could include well-designed outdoor patios, maximizing the use of windows and ground level entrances, and limiting continuous blank facades. Decorative lighting and appropriate building materials should reinforce the character of the street. Applicable requirements may be further defined through the City's Zoning Bylaw and Urban Design Manual;
- vii) Require attractive and well designed public and private sector signage. Applicable requirements may be further defined through the City's Sign Bylaw and Urban Design Manual;
- viii) Encourage the use of canopies and awnings which extend over the sidewalk to provide pedestrian comfort and shelter; and,
- ix) Encourage the incorporation of water features and public art into new site designs.

## 2. *A Livable, Green Downtown*

Creating a more livable downtown with a healthy urban lifestyle requires the softening of the urban landscape with trees, parks and gardens. To enhance the livability of downtown, the City shall:

- i) Identify and establish greenscapes – a system of tree-lined corridors for sitting, walking and cycling – generally along Duke Street, Young Street, Gaukel Street, Charles Street East, Cedar Street, Frederick Street, Benton Street, Francis Street and Joseph Street;
- ii) Continue to enhance and soften parkettes (such as Vogelsang Green, Market Green, etc.) along greenscape corridors, and shall seek out opportunities to develop new parkettes.
- iii) Develop engineering standards and specifications for tree planting along all greenscapes, which support a strong root system, to be implemented during road improvement projects;
- iv) Incorporate facilities for alternative modes of transit (such as multi-use pathways or bike racks, etc.) in all road improvement projects and encourage similar facilities for all new development;
- v) For new development which abuts a greenscape, require landscaping of all private lands, to be coordinated with tree plantings in municipal rights-of-way. Minor building setbacks may be considered, subject to providing enhanced landscaping and street tree plantings. Applicable requirements may be further defined through the City's Zoning Bylaw and Urban Design Manual;
- vi) Identify opportunities for, and promote the development of, new pedestrian pathways, trails and walkways within and leading to Downtown - such as along rail corridors, rear laneways and internal to large block developments. This may include identifying coordinated pedestrian pathway routes and landscape requirements for groupings of private lands; and,
- vii) Encourage, incent and support the use of L.E.E.D. (Leadership in Energy and Environmental Design) techniques and roof top gardens.

### 3. *Downtown Design Districts*

Four distinct character areas, or design districts, make up the downtown. These districts are identified on Map 7b “Downtown Design Districts”.

The City shall promote innovation, architectural excellence and the enhancement of the unique character, form, atmosphere and heritage of each design district through the implementation of the following urban design policies, and through more specific urban design guidelines and standards in the City’s Urban Design Manual. The policies, guidelines and standards may specify design elements such as, but not limited to, architectural style, building height and form, articulation of building mass, streetscape styles, ground floor facades, storefront design and signage.

#### **i) City Centre District**

The City Centre District is evolving into a compact, contemporary urban setting, with taller buildings, lively street activity and a stylish mix of shops, restaurants and bars. New development shall be consistent with the following general design principles:

- 1a. Style (general) – a ‘contemporary’ design style is preferred, characterized by a simplification of form, articulated massing, the use of glass, steel and brick as preferred materials, avoidance of ornament details, and the transparency of buildings.
- 1b. Style (historic buildings) – the City supports the preservation of cultural heritage resources, including upper-storey facades and traditional building columns and façade openings. Contemporary design elements on historic buildings should be limited to commercial signage, storefront windows and ground floor entrances. These contemporary elements, and adjacent buildings, shall be respectful of, and visually compatible with, the historic elements of the building;
- 2a. Building Height & Form (King Street) – for all new buildings, the minimum façade height along King Street shall be 2 storeys, while the maximum façade height shall be 3 storeys. Additional storeys may be permitted provided they are located at street intersections, or stepped back from the front façade generally at a 45 degree angle. The City may require articulation of building facades and rooftops.
- 2b. Building Height & Form (all other streets) – for all new buildings, the maximum building façade height along the street line should be 3 storeys. No maximum building height shall be imposed on additional floors, provided they are set back a minimum of 3 metres from the street level façade. The City may require articulation of building facades and rooftops.
3. Streetscapes – streets should be designed to maximize sidewalk space for outdoor retailing, restaurant patios and informal gathering spaces. Streetscape designs should incorporate contemporary design principles for street furniture, patio

fencing and light posts which reinforce the District's character and style, rather than traditional ornamental features.

4. Storefronts – maximize the use of glass (floor to ceiling, and structural column to structural column) and incorporate wide entry ways to create a transparent, open concept ground level. Minimize non-structural details, such as ornamental columns, window trim and moldings.
5. Signage – creative, artistic and contemporary commercial signs are preferred, both fascia and projecting, which incorporate simplistic lettering and metal finishes. Plastic or fiberglass signs shall be discouraged. Signs should be externally illuminated, preferably with downward lighting. Backlit signs shall be discouraged, except for metallic fascia signs with translucent lettering.

## **ii) Market District**

The Market District is evolving into a traditional village setting, with smaller building heights and a rich blend of culturally-diverse shops, boutiques and restaurants. New development shall be consistent with the following general design principles:

1. Style – a 'traditional' or 'Victorian' design style is preferred, characterized by decorative and ornamental forms, with the use of brick, stone and wood as preferred materials.
- 2a. Building Height & Form (King Street) – for all new buildings, the preferred façade height along King Street shall be 2 storeys. The City may require articulation of building facades and rooftops.
- 2b. Building Height & Form (Weber Street, between Scott Street and Cedar Street) – unless identified as a cultural heritage resource, the removal of the existing single detached dwellings fronting Weber Street shall be permitted, provided new buildings are compatible with surrounding low rise development. 3-storey buildings incorporating sloped or pitched roof lines, such as stacked townhouses, are encouraged. The City may require articulation of building facades and rooftops.
- 2c. Building Height & Form (all other streets) – for all new buildings, the maximum building height should be 3 storeys. Additional storeys may be permitted, but only internal to large block developments or adjacent to Primary Arterial Roads, where additional height can be located away from the street line. Incorporating sloped or pitched roof lines into new building designs helps to reflect the historic built form of the District. The City may require articulation of building facades and rooftops. The retention and conversion of existing single detached dwellings is encouraged.

3. Streetscapes – streets should be designed to maximize the aesthetic value through planter beds, gardens and street trees. Streetscape designs should incorporate traditional elements such as ornamental street furniture and decorative light posts. Intimate settings for outdoor restaurants and seating areas, such as Market Village, should be retained and enhanced, while encouraging similar settings throughout the District.
4. Storefronts – decorative and ornamental cornices and trim are encouraged, provided such detailing accents the store entranceways and window displays.
5. Signage – decorative and artistic fascia signs, projecting signs and awning signs are preferred. This could include channelized lettering. Signs and lettering should be externally illuminated rather than backlit, preferably with downward lighting. Plastic or fiberglass signs are discouraged.

### **iii) Warehouse District**

The Warehouse District is evolving into a dense, contemporary urban setting, with former factories converting into trendy loft space and new development re-creating the traditional urban fabric. New development shall be consistent with the following general design principles:

1. Style – a ‘contemporary’ Busy Berlin design style is preferred which respects the form and architecture (early industrial modernism) of the historic factories while adding a contemporary urban flair. The early industrial modernism is characterized by rhythmic concrete columns that frame large windows, accented by brick materials.
- 2a. Building Height & Form (new development) – for all new development, façade heights should range between 3 to 6 storeys. Wide building mass should frame the street and reflect the traditional perimeter block pattern. The City may require articulation of building facades and rooftops. Rhythmic columns should frame large, multi-paned windows.

New buildings should be sensitive to the scale and features of the surrounding residential streets, particularly where new development interfaces with adjoining neighbourhoods. Façade heights directly abutting Linden Avenue, Oak Street, Michael Street and Breithaupt Street should be limited to 3 storeys. Where possible, access points, service areas and mechanical equipment should be located away from adjacent residential areas.

Reduced or additional building height may be considered for lands not abutting Victoria Street, subject to an approved Design Brief.

- 2b. Building Height & Form (adaptive reuse) – former industrial buildings, such as the Lang Tannery and Huck Glove Factory, should be adaptively reused while conserving historic elements of the building architecture. New additions should accent, rather than replicate, the existing architecture, by using contemporary design styles.
3. Streetscapes – streets should be designed to soften the District’s bold building edges, by maximizing street trees and incorporating decorative landscaping. The City may require buildings to be set back from the street line to accommodate continuous landscaped promenades for sitting and walking.
4. Storefronts – stores should exist between prominent vertical columns, rather than cover or mask the columns. Large windows with steel accents and articulated building entrances are encouraged along the ground floor to create a transparent façade.
5. Signage – minimal signage is preferred so as to enhance the architectural columns. Fascia signs should be limited in height and width, and should not mask structural columns. Creative and contemporary signs are preferred, which utilize materials that will enhance the District’s character, such as steel or metallic signs.

#### **iv) Civic District**

The Civic District, also referred to as Mackenzie King Square, was planned in 1965 as a contemporary urban square with architecturally bold buildings situated in a park-like setting. New development shall be consistent with the following general design principles:

1. Style – all new development should strive to make bold architectural statements, situated in a high quality park setting. It is intended that this district look like and function as one coordinated urban square.
2. Building Height & Form – while bold building forms are encouraged, new development should be sensitive to the historic scale and features of the surrounding streets, in particular, where new development interfaces with adjoining neighbourhoods and historically significant buildings, such as the Sonneck House and the Governor’s House and County Gaol. New buildings should be surrounded by high quality landscaping which create a variety of seating areas.
3. Streetscapes – streetscape elements internal to the District, not including those along Queen Street and Ellen Street, such as light poles and benches, should celebrate arts and culture. To this extent, outdoor public art should be incorporated into each development.

#### 4. *Cultural Heritage*

The City shall conserve its cultural heritage in the following ways:

- i) Through the conservation of significant cultural heritage resources, to include individual properties as well as clusters of buildings and/or storefronts having architectural or historic value or significance. Conservation measures include designation under the Ontario Heritage Act and the listing of properties on the Municipal Heritage Register;
- ii) Through the designation of heritage conservation districts and the implementation of heritage conservation district plans;
- iii) Through the celebration of the intersection of King Street and Queen Street as “The Royal Crossroads” – the historical apex of Berlin;
- iv) Through the incorporation of industrial artifacts within civic buildings and into the urban landscape, predominantly in the Warehouse District; and,
- v) Through the preservation of the following vistas:
  - Gaukel Street from King Street to Victoria Park;
  - Ontario Street from Duke Street to Victoria School;
  - Queen Street South from Duke Street to St. George Street;
  - Queen Street from Ellen Street to King Street; and,
  - Frederick Street from Duke Street to Weber Street.
- vi) By creating greater public appreciation and understanding of the significance of our cultural heritage resources through the use and installation of interpretive signage, plaques, markers, artifacts and walking tours.

#### 5. *Public Art, Culture & Multi-Culturalism*

The City is committed to leadership in the cultural sector. The design of spaces and buildings, linked with special events, public art and cultural programming can celebrate and enhance the cultural experience in each district, while creating vibrant people activity. The City shall support the growth of cultural experiences Downtown in the following ways:

- i) By fostering the emerging and unique cultural experiences of each Design District:
  - The City Centre District is characterized as the centre of the City’s pedestrian social life, and characterized by community celebrations, counter/pop-culture and night-time entertainment;

- The Market District is characterized as a centre of cultural diversity and ethnic, inter-cultural experiences;
  - The Warehouse District is characterized as a centre of creative spaces and loft living, as well as a future centre for artistic and technical creativity, including the future centre of medical education and research; and
  - The Civic District is characterized as a centre of visual and performing arts.
- ii) Through the development of a public art master plan and streetscape master plans, to identify potential locations for new public art, preferred themes for each location, and methods for funding public art, such as a private sector percent-for-art policy, financial incentives, road reconstruction projects, special design studies, or bonusing provisions; and,
- iii) By supporting live-work developments, such as those which include studio or office space within a self contained multiple residential unit, through flexible zoning provisions and consideration of financial incentives.

#### 6. *Transportation Planning*

- i) The City shall encourage a mixture of people friendly streets and car friendly streets. Street designs should make walking easy and enjoyable, even if it results in slower vehicular traffic. Closing off streets for pedestrian only traffic may be considered on a temporary or permanent basis;
- ii) The City shall encourage and promote the use of sidewalks for people activity, such as outdoor retailing, restaurants, performance spaces, etc.;
- iii) The City shall support alternative modes of transit, such as rapid transit, bus transit, cycling and walking, as Downtown's preferred form of transportation. To accommodate vehicular traffic, the City shall encourage the use of parking structures, while discouraging new surface parking lots;
- iv) The City shall consider accepting cash-in-lieu of required parking in the Downtown; and,
- v) The City shall encourage outdoor events, such as markets and celebrations, to occur on the street.

## Strategies for Implementation

The following section identifies key areas of focus to implement the preceding policies.

### 1. *King Street*

- i) The City shall prepare a streetscape master plan for King Street, to identify the preferred configuration and design of the public right-of-way;
- ii) The City shall prepare urban design guidelines for King Street, to establish guidelines and standards for new buildings, new storefronts, storefront modifications, new signs and new outdoor patios;
- iii) The City shall conduct a review of all administrative functions pertaining to all types of permits issued for King Street, including building permits, business licensing, sign permits and financial incentives, to ensure coordination of all development activity and adherence to the policies of this section and any guidelines and standards of the City's Urban Design Manual;

### 2. *Greenscapes*

- i) The City shall develop engineering standards for accommodating new tree plantings within the municipal right-of-way for streets identified as greenscapes, and develop a strategy for implementing new tree plantings;
- ii) The City shall develop urban design guidelines and standards pertaining to landscaping of private property which abut greenscapes.

### 3. *Warehouse District*

The City shall develop comprehensive urban design guidelines and standards, pertaining to all new development within the Warehouse District, to address such elements as the massing of buildings, architecture, heritage conservation, signage, etc.

### 4. *Frederick-Benton Corridor*

In cooperation with the Regional Municipality of Waterloo, the City shall develop a business case for the long-term reconstruction of the Frederick-Benton Corridor, from Lancaster Street to Courtland Avenue, for the potential establishment of a grand central median to accommodate such activities as walking, cycling, special events and outdoor markets. This concept may provide an opportunity to celebrate our German and Bavarian heritage, and act as a staging ground for Oktobefest programming.

### 5. *Heritage Conservation*

The City shall undertake an evaluation of the Downtown to identify significant cultural heritage resources worthy of being added to the Municipal Heritage Register, as well as those worthy of being designated under the Ontario Heritage Act. Such evaluation shall include the identification of specific heritage attributes which shall be referenced and guide the review and approval of plans for conservation, adaptive reuse, new development and public works. This could include the evaluation of the

vistas identified in policy 9.4 (iv) to determine the cultural heritage importance of each vista, and the attributes worthy of conservation.

6. *Site Specific Design Briefs*

For major redevelopments, the City, in cooperation with land owners and stakeholders, may develop design briefs specific to individual projects, sites or buildings.