# Appendix F – CIVIC CENTRE SECONDARY PLAN

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1.0 Objective

The Civic Centre Secondary Plan was adopted by City Council in May 1994 and was approved by Regional Council in May 1995. Given this secondary plan is nearly 25 years old, City Planning Staff evaluated the existing secondary plan, in conjunction with other municipal documents and consultation to create an updated version. This plan applies new land use designations and zoning regulations which reflects direction from the City, Region, Province and other external agencies.

The Civic Centre review involves the area containing the existing Civic Centre Secondary Plan and a portion of the Central Frederick Secondary Plan (in the area of Lancaster Street West). This new area is proposed to become the new Civic Centre Secondary Plan.

1.1 Location Map
2.0 Considerations

2.1 Planning Around Rapid Transit Stations (PARTS) – Central Study Area

The PARTS Plans were conducted to ensure the City of Kitchener’s station areas are developed in stable ways that support local transit and add value to communities. The studies completed thus far include recommendations for the following: Land use; Engineering infrastructure; Pedestrian and cycling connection enhancements; Transportation demand management measures; Public realm and streetscape improvements in surrounding areas; Road and parking implications; Community infrastructure; and, Public art opportunities.

The PARTS Central Plan was intended to be a guiding document with its goals and strategies to be implemented through an Official Plan Amendment, a Secondary Plan, a Zoning By-law Amendment, and updates to the Urban Design Manual. The Preferred Plan (Land Use Map) developed through this process acted as a guide for the Civic Centre Secondary Plan. Incorporation of new land use designations and zones with updated regulations were considered in conjunction with the existing conditions and uses of properties, and their existing permissions and special policies and regulations. Any deviation between the Preferred Plan and the draft Civic Centre Secondary Plan was done through Staff review and public comment and consultation to achieve the best land use planning suited to the existing and future development of the community.

2.2 Residential Intensification in Established Neighbourhoods Study (RIENS)

The City of Kitchener undertook RIENS in hopes to develop a clear and fair process for approving development projects in established neighbourhoods. Typically development proposals are considered based on the size and impact on the surrounding area, and the zoning by-laws and urban design standards in place. The intent of the recommendations of this study was to further ensure that new development blends and is compatible with the neighbourhood.

2.3 Urban Design Guidelines (UDG)

The Urban Design Manual is a guide for the development community, residents, special-interest groups, city council and staff for details on our city’s urban design guidelines and standards. The recent update of Part A of the Urban Design Manual was approved on September 9, 2019 by council as part of the Community and Infrastructure Services Committee agenda. The guidelines were last updated in 2000 and Kitchener has since seen rapid change and intensification throughout the city, triggering a desire to ensure that the guidelines reflect the evolving expectations for the design of buildings and public spaces.

Urban Design staff held a public design charrette for the Civic Centre neighbourhood on March 6, 2019. The intent of the charrette was to directly speak to and address residents’
concerns and identify opportunities for better design in their community. These
eighbourhood specific guidelines will be brought forward for approval as part of the
Secondary Plans for each neighbourhood. Upon approval of the secondary plan for this
neighbourhood, the neighbourhood specific design guidelines will be added as part of the
area specific guidelines for Central Neighbourhoods.

2.4 Cultural Heritage Landscapes Study

The Civic Centre neighbourhood is a designated heritage district under the Ontario Heritage
Act. The CHL Study was undertaken to determine how to best creatively conserve the
historical integrity and early development pattern of our city, while encouraging new
growth. Identifying historic places that blend the built and natural environment that have
key ties to the events, people and activities that form the shape of our city were accounted
through an inventory detailing these CHLs. A comprehensive summary of the findings and
recommendations of this study for CHLs within the Victoria Park neighbourhood is below.
Civic Centre Neighbourhood Secondary Plan
Cultural Heritage Resources Background Study

Introduction

Our cultural heritage resources provide a link to the past and are an expression of the city’s culture and history. They contribute in a significant way to Kitchener’s identity and unique character, and help instill civic pride, foster a sense of community and sense of place. The conservation of cultural heritage resources also contributes to making our neighbourhoods a more interesting and appealing place to live, work and play.

The Province of Ontario through the Provincial Policy Statement (a planning document that provides policy direction on matters of Provincial interest related to land use planning and development), requires that municipalities conserve significant built heritage resources and significant cultural heritage landscapes (CHLs).

With this in mind, the conservation of cultural heritage resources has been an important consideration in work undertaken by the City as part of the comprehensive planning review of the Civic Centre Neighbourhood. This work, which culminates in updating the policies and land use planning framework of the Civic Centre Neighbourhood Secondary Plan, aims to encourage development and growth in a manner that is respectful of cultural heritage and contributes to making the neighbourhood unique and distinctive.

Built Heritage Resources

Built heritage resources are buildings and structures that may have either design/physical, historic/associative or contextual heritage value. The designation and listing of heritage property on the Municipal Heritage Register is an important tool in the City’s efforts to conserve its built heritage resources.

Designation under the Ontario Heritage Act provides the strongest heritage protection available for conserving heritage resources, and allows a municipality to control proposals for demolition and alteration through a heritage permit system. While a “listed” property is afforded a more limited measure of protection, the City can require studies such as a heritage impact assessment and/or a conservation plan to guide the consideration of new development and identify measures to avoid or mitigate negative impacts to significant cultural heritage resources and attributes.

Of the properties located within the Civic Centre Neighbourhood Secondary Plan boundary, roughly 300 are located within the Civic Centre Neighbourhood Heritage Conservation District and are considered designated under Part V of the Ontario Heritage Act. Of these properties, 7 are also individually designated under Part IV of the Ontario Heritage Act; and 1 property is currently “listed” on the Municipal Heritage Register. Map 1 appended to this report identifies the location and status of built heritage resources located within the Civic Centre Neighbourhood Secondary Plan boundary.
Cultural Heritage Landscapes

While the City has long maintained a heritage register of significant built heritage resources, efforts to identify and conserve significant cultural heritage landscapes (CHLs) is a relatively new undertaking. In 2014, an inventory of 55 significant cultural heritage landscapes in Kitchener was established. Cultural heritage landscapes are defined in the Provincial Policy Statement as a geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples of cultural heritage landscapes include but are not limited to parks, mainstreets, cemeteries, trailways, industrial complexes, and neighbourhoods.

Within a cultural heritage landscape, there are often buildings, structures, landscape features and other attributes that collectively illustrate a historical theme. Themes considered to be significant, are those that are essential to understanding the evolution of a City and that underpin its identity. The Kitchener CHL Study concluded that several established residential neighbourhoods that maintain a high degree of heritage integrity and are representative of the planning concepts and housing styles of the period in which they were developed, are worthy of being conserved.

The 2014 Kitchener CHL Study identifies the Civic Centre Neighbourhood as a significant cultural heritage landscape, and is one of 12 established residential neighbourhoods of considerable value and significance identified in the study. Civic Centre is considered unique among Kitchener neighbourhoods because it is rich in historical, architectural and landscape features that contribute to establishing the heritage character of the community. The Civic Centre Neighbourhood’s heritage attributes are found within its residential architecture, streetscapes, and historical associations; and in particular its association with important business and community leaders during a crucial era of urban growth and development in the City.

The neighbourhood features a wealth of well maintained, finely detailed homes from the late 1880s to the early 1900s that remain largely intact, including a variation of the Queen Anne architectural style locally termed the “attic gable” house, that is more prominent in the Civic Centre Neighbourhood than elsewhere in the City. The area also features a number of unique buildings including churches and commercial buildings which provide distinctive landmarks within and at the edges of the neighbourhood. There is a strong rhythm to most of the streetscapes, with streets framed by mature trees creating a beautiful shaded canopy and comfortable pedestrian environment throughout most of the neighbourhood. The neighbourhood also features a number of linear streets and generally consistent building setbacks combined with both public and private street trees along boulevards. Laneways can also be found threading through the neighbourhood, and reflect more traditional patterns of movement and development.
A Phased Approach to CHL Conservation

Taking stock and identifying the cultural heritage resources that are important to a community is a critical first step in any conservation strategy. For each CHL identified in the 2014 CHL Study, the study provides a description of the landscape; establishes a preliminary boundary of interest; identifies the historical integrity, and cultural and community values associated with the landscape; and finally, describes the character defining features of the CHL.

While the Study does not in itself protect CHLs, it serves as the first of three phases of work involved in establishing appropriate CHL conservation strategies for each landscape, as follows:

**Phase 1** – Establish an Inventory of Significant CHLs and identify priority CHLs for further study and analysis.

**Phase 2** – Conduct fieldwork, analysis and property owner engagement in identifying heritage attributes and a preferred conservation strategy for select CHLs.

**Phase 3** – Implementation and management of a preferred CHL conservation strategy or strategies.

Phase 1 noted above is complete. Priority CHLs have been identified including the Civic Centre Neighbourhood CHL. Phase 2 is in progress for select priority CHLs. This includes work undertaken by City Planning staff in arriving at the cultural heritage policies included in the Secondary Plan. The timing...
associated with the third and final phase the City’s CHL conservation strategy is in part dependent upon the nature and complexity of the strategies recommended for each CHL. Strategies affording the best protections are typically those governed by Provincial legislation such as the Ontario Heritage Act (e.g. heritage designation and listing of heritage property), and the Planning Act (e.g. Secondary Plan policies, assignment of appropriate land use and zoning, implementation of neighbourhood design guidelines through site plan control).

The Civic Centre Neighbourhood Heritage Conservation District & Cultural Heritage Landscape

The Civic Centre Neighbourhood Heritage Conservation District was approved by by-law on February 25, 2008. The by-law serves to designate 300 properties under Part V of the Ontario Heritage Act, and formally adopt the Civic Centre Neighbourhood Heritage Conservation District Plan (CCNHCD Plan). The boundary of the CCNHCD is illustrated on Map 1 attached to this report and generally encompasses the south side of Victoria Street North, the east side of Weber Street West to Queen Street North, the north side of Queen Street North to Ellen Street East, the east side of Ellen Street East to Lancaster Street East, and both sides of Lancaster Street East to Victoria Street North.

The 2014 Kitchener Cultural Heritage Landscape Study identifies the Civic Centre Neighbourhood as a significant cultural heritage landscape (CHL). As a continuing landscape that has evolved over time, heritage conservation districts are considered to be a type of CHL. While the boundary of the Civic Centre Neighbourhood CHL is consistent with that of the Civic Centre Neighbourhood HCD; the area forming the Civic Centre Neighbourhood Secondary Plan boundary is slightly larger in that it encompasses all of the south side Victoria Street North. Certain properties on Victoria Street North are not included in the HCD and CHL boundaries as they were found to be less architecturally significant than those on the interior of the neighbourhood and on Weber Street West. Nonetheless, corner properties located at the interface of Victoria Street North and intersecting streets are included in the HCD and CHL boundary, as they are key gateway and transition areas between the Mixed Use Corridor on Victoria Street North (where redevelopment and intensification may be expected) and the residential neighbourhood. Retaining the corner properties within the HCD boundary at key gateways ensures that the City has greater control over the design of new development, streetscape and landscape features.

The CCNHCD Plan contains policies and guidelines aimed at conserving the significant architecture and landscapes which are unique to the Civic Centre area. Specific guidance is provided on conserving and enhancing the historic buildings in the heritage district, to ensure character defining features and attributes are conserved when changes are proposed. New building construction, alterations, additions and demolition may require issuance of a heritage permit. Guidelines and policies also apply to the conservation of public spaces such as Hibner Park and to streetscape features.
While development has been vigorous around the heritage district given the proximity of the area to the downtown; the district has remained relatively intact with its Victorian architecture and canopied streetscapes. The number, authenticity and condition of the district’s early buildings and landscapes remains significant.

That said, the CCNHCD Plan acknowledges that there are certain properties and areas within the HCD boundary where redevelopment may be expected; either because the property is large in size and vacant (such as on Margaret Avenue), or because the properties are located along a major transit corridor such as the aforementioned Victoria Street North or on Weber Street West. In anticipation, the CCNHCD Plan contains site and area specific policies to help guide redevelopment on such sites, encouraging proposals to work with existing historic buildings, altering, adding to and integrating them into any new development. The HCD Plan also contains guidance on land use and zoning regulations, making recommendations for changes in land use and zoning to properties on Margaret Avenue (since amended through a site specific Official Plan and Zoning By-law amendment); on Queen Street North; and in the Mansion and Lancaster Street areas, all of which have been considered as part of the Secondary Plan review.

**Review of Land Use & Zoning**

City planning staff reviewed and considered preliminary land use designations assigned to property as part of the Secondary Plan review. This included using computer modeling to examine how development permitted within certain land use categories, such as the proposed mixed use areas along Weber Street West, may impact existing low rise areas located within the heritage district (illustrated below). Land use
categories and regulations have been applied to balance opportunities for growth and development where appropriate, while respecting heritage conservation objectives and minimizing potential impacts on designated heritage property.

Public Engagement & Comments

Information on resources and attributes of cultural heritage value or interest within the Civic Centre Neighbourhood Secondary Plan study area was made available to property owners and the public both online (on the City’s Neighbourhood Planning Review webpage) and at public information meetings. Specifically, information panels on existing (designated and listed) cultural heritage resources; attributes contributing to the CHL/neighbourhood character; and examples of planning and legislative tools to achieve a level of conservation, were made available for review and discussion. Feedback received on cultural heritage matters primarily centered on concerns regarding compatibility of proposed land use and zoning with existing historic development, and built form transition between possible mid-rise development and existing low-rise areas.

Recommendations to address cultural heritage interests within the Civic Centre Neighbourhood Secondary Plan Area

Having examined the cultural heritage value and attributes of the Civic Centre Neighbourhood Secondary Plan area, and having considered the feedback and input received from property owners and the public through the Secondary Plan process, the following measures are recommended to be applied to address cultural heritage interests and objectives.
Measures to be considered under the Ontario Heritage Act

- Existing built heritage resources designated under the Ontario Heritage Act and listed as non-designated property on the City’s Municipal Heritage Register shall be conserved. This includes most notably, continuing to apply the Civic Centre Neighbourhood Heritage Conservation District Plan policies and guidelines as a means of conserving Part V designated heritage property.

Measure to be considered in the Official Plan

The Civic Centre Neighbourhood CHL should be identified on Map 9 in the Official Plan as a Cultural Heritage Landscape.

Measures to be considered in the Civic Centre Neighbourhood Secondary Plan

- Establish area design guidelines that support cultural heritage conservation objectives.

While most of the Secondary Plan area is afforded a measure of heritage protection through the designation and regulation of property located within the Civic Centre Neighbourhood Heritage Conservation District, the entire secondary plan area would still benefit from establishing separate area design guidelines that would form part of the City’s Urban Design Manual. Such guidelines would serve to complement the existing heritage district policies and guidelines, addressing issues not necessarily regulated in the CCNHC Plan, such as improving pedestrian connectivity and movement.

- Identify Property of Specific CHL Interest, where a Heritage Impact Assessment may be required for CHL conservation

Currently, as part of the assessment of proposed development impact on built heritage resources and as referenced in the Provincial Policy Statement under the Planning Act, the City may require a Heritage Impact Assessment (HIA) for planning applications potentially impacting a cultural heritage resource located on property that is designated or listed under the Ontario Heritage Act, and on property located adjacent protected (designated) heritage property. The City’s Official Plan also states that the City may require the submission of a HIA for development, redevelopment and site alteration that has the potential to impact an identified cultural heritage landscape. Given properties within the Civic Centre Neighbourhood Secondary Plan are either located within the CCNHC or are located adjacent protected (designated) property, the City is already in a position of being able to require a HIA for planning and development applications made within the Secondary Plan boundary. As such, all property within the Secondary Plan boundary shall be identified as being Property of Specific CHL Interest, and no new or additional protection measures are necessary. Property identified as being of Specific CHL Interest are identified on Map 1 and include the following:

- protected heritage property designated under Part IV and/or Part V of the Ontario Heritage Act;
- property “listed” on the City’s Municipal Heritage Register under Section 27 of the Ontario Heritage Act;
- property located adjacent protected and listed heritage property.
Where development is proposed on property that is of specific CHL interest but not designated or listed under the Ontario Heritage Act, then such HIA may be scoped and limited in review to assess visual and contextual impact.
### 3.0 Timeline

<table>
<thead>
<tr>
<th>Date</th>
<th>Staff Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 2016</td>
<td>Staff begins Neighbourhood Planning Reviews and commences the Civic Centre</td>
</tr>
<tr>
<td></td>
<td>Secondary Plan review.</td>
</tr>
<tr>
<td>October 2016 –</td>
<td>Staff prepare material with relation to specific neighbourhood character</td>
</tr>
<tr>
<td>December 2018</td>
<td>topics to present to the public for feedback about what works well within</td>
</tr>
<tr>
<td></td>
<td>their community.</td>
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<tr>
<td></td>
<td>Draft land use and zoning maps are created for this neighbourhood to be</td>
</tr>
<tr>
<td></td>
<td>presented to the public for feedback.</td>
</tr>
<tr>
<td>December 12, 2018</td>
<td><strong>Public Open House #1</strong></td>
</tr>
<tr>
<td></td>
<td>Staff present information in an open house setting with the draft land use</td>
</tr>
<tr>
<td></td>
<td>designations and zones for the neighbourhood. The public have the opportunity</td>
</tr>
<tr>
<td></td>
<td>to ask staff questions and submit any further comments by comment form or</td>
</tr>
<tr>
<td></td>
<td>through e-mail following the meeting.</td>
</tr>
<tr>
<td>November 2018 –</td>
<td>Public comments are received and reviewed by Staff. Updated draft maps for</td>
</tr>
<tr>
<td>December 2019</td>
<td>land use and zoning are finalized. Final recommendations for this secondary</td>
</tr>
<tr>
<td></td>
<td>plan will be brought forward to council in Fall/Winter 2019.</td>
</tr>
<tr>
<td>September – October</td>
<td>Internal City Staff review of all draft secondary plan policies and mapping.</td>
</tr>
<tr>
<td>2019</td>
<td></td>
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<tr>
<td>October 11, 2019</td>
<td>All property owners within the Secondary Plan area are sent notice of a Statutory</td>
</tr>
<tr>
<td></td>
<td>Public Meeting.</td>
</tr>
<tr>
<td>December 9, 2019</td>
<td><strong>Public Information Meeting #2</strong></td>
</tr>
<tr>
<td></td>
<td>Staff present all draft maps for six secondary plans, including land use and</td>
</tr>
<tr>
<td></td>
<td>zoning maps for Civic Centre. The public have the opportunity to as staff</td>
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<tr>
<td></td>
<td>questions and submit final comments by comment form or e-mail following the</td>
</tr>
<tr>
<td></td>
<td>meeting.</td>
</tr>
<tr>
<td>December 2019</td>
<td>Staff conduct a final review of all secondary plan maps with public comments</td>
</tr>
<tr>
<td></td>
<td>received and prepare a report for council. Final draft maps are finalized.</td>
</tr>
<tr>
<td>Spring 2020</td>
<td><strong>Secondary Plans Report to Committee/Council</strong></td>
</tr>
</tbody>
</table>
4.0 Public Consultation Materials

4.1 Open House #1
Notice of Open House
Information Panels/Maps
Scanned Sign In Sheets
Scanned Comment Forms
Public Comments Received by Email
To: Neighbourhood Residents, Property Owners and Interested Community Members

RE: Public Open House – Neighbourhood Planning Review
New Civic Centre Secondary Plan
Process of Updating and Applying Land Use Designations and Zoning Regulations

The City would like to formally invite you to participate in the Neighbourhood Planning Review of the new Civic Centre Secondary Plan and updated zoning. It is scheduled as follows:

Date/Time: Wednesday, December 12th, 2018, 6:30 pm – 8:30 pm (Drop-in)
Location: Lower Level Room A, Kitchener Public Library – 85 Queen Street North

For the boundary of this new secondary plan see map below.

An updated land use framework within the City’s Secondary Plan areas was deferred as part of the review of our new 2014 Official Plan. The Official Plan serves as a roadmap for the City to follow in managing future growth, land uses, and other matters. A ‘Secondary Plan’ is a more detailed land use and policy document that forms part of the Official Plan, and is used by the City to provide more detailed direction pertaining to growth and development in specific areas of the city.
The Secondary Plans were deferred to allow for the completion of other studies that would inform the appropriate land use and policy framework. The completed studies include the Planning Around Rapid Transit Stations (PARTS) Study, Kitchener’s Cultural Heritage Landscape Study, and the Residential Intensification in Established Neighbourhoods (RIENS) Study. The City is now in a position to commence the review of the Secondary Plans.

We are getting into the details of land use, zoning, heritage conservation, and urban design.

We want to canvass your opinions on the preferred land uses, and understand your opinions on the character that you would like to see in your neighbourhood. This will help us determine what regulatory tools should be implemented to protect these features. These tools can include traditional planning tools like zoning regulations and urban design guidelines, and/or other tools such as heritage listings and designations. A portion of the new Secondary Plan is already designated as a Heritage Conservation District and identified as a significant Cultural Heritage Landscape.

The Public Open House will include a number of stations to provide an opportunity to discuss and share your input with the City planners on the land uses proposed for the new Secondary Plan and the character that you would like to see in the secondary plan area.

Your input is important and Planning Staff look forward to hearing from you!

Help guide the implementation of land use, zoning, heritage conservation and urban design in your neighbourhood by attending our public open house on December 12th!

Information shared at the meeting will also be available online (posted on the project website after the meeting). If you are unable to attend this meeting, you are welcome to provide your input through the project website: https://www.kitchener.ca/NPR or to secondaryplans@kitchener.ca.

Please do not hesitate to contact me if you have any questions or comments.

Yours truly,

Tina Malone-Wright, MCIP, RPP
Senior Planner – Policy

Brandon Sloan, Manager, Long Range and Policy Planning
Alain Pinard, Director of Planning
Erin Power, Communications & Marketing Associate
Councillor Debbie Chapman
The Official Plan is a legal document granted authority under the Planning Act that contains goals, objectives and policies to manage and direct physical and land use change, and their effects on the cultural, social, economic and natural environment within the City.

- Official Plan policies:
- Direct growth and development decisions in the City;
- Govern all aspects of community growth and development, community services, movement of goods and people, conservation and protection of the cultural and natural environment, and the preservation of agricultural resources; and,
- Include population and employment forecasts and density and residential intensification level targets.

City Council adopted a new Official Plan in June 2014.
- The Ontario Planning Act requires municipalities to amend Zoning By-laws within three years of a new Official Plan being in effect.
Secondary Plans

Secondary Plans are used to provide more detailed direction pertaining to growth and development in specific areas of the city, indicating the manner in which the goals, objectives, policies and land use designations of the Official Plan will be implemented within respective areas.

In the past Secondary Plans have generally been prepared for existing Built-Up Areas in the city but they may also be prepared in the Designated Greenfield Area.

Once approved, these Plans are incorporated into the Official Plan by formal amendment. Existing secondary plans were created 25-30 years ago.

These were deferred from being incorporated into the new Official Plan (2014) until LRT Station Area Planning was completed (2016-2017).
Neighbourhood Planning Reviews

The City of Kitchener is undertaking a detailed review of the land use and planning framework for many specific neighbourhoods. These are typically locations where there are outdated secondary plans or community plans created 25-30 years ago to help guide the use of land (e.g. where new housing could go, commercial businesses, environmental conservation land, parks, etc.) and policies for new development or redevelopment. To help implement new directions from the Province, Region, City and other agencies, we are evaluating and updating existing plans to create new ones.

• This process involves creating new policies and mapping that will be added to our Official Plan, updating Zoning, considering new Urban Design Guidelines and implementing our Cultural Heritage Landscapes. The locations we will review are primarily in the central neighbourhoods, but there are also several other places in the city where we will be engaging with landowners and the neighbourhood to help update these plans. Through this, we will be implementing the Planning Around Rapid Transit Stations (PARTS) Study/Plans, Kitchener’s Cultural Heritage Landscape Study (CHLS), and the Residential Intensification in Established Neighbourhoods Study (RIENS).
Cultural Heritage Landscapes

Cultural Heritage Landscapes (CHLs) are areas that reflect the interaction of people with the landscape over time, and may include groupings of built heritage, landscape features and archaeological sites that together comprise a significant heritage form.

**CULTURAL HERITAGE LANDSCAPES ARE A COMBINATION OF THREE LAYERS THAT INCLUDE:**
- THE LAND
- STREET & LOT LAYOUT - THE PUBLIC REALM
- BUILDINGS & OTHER BUILT FORM

**CULTURAL HERITAGE LANDSCAPES SHOULD:**
- HAVE HISTORICAL VALUE or INTEREST (TELL A STORY)
- HAVE HISTORIC INTEGRITY (BE AUTHENTIC)
- BE VALUED BY THE COMMUNITY

The Province of Ontario has identified the conservation of cultural heritage resources including CHLs, as an area of Provincial Interest to be considered under the Planning Act and through the Provincial Policy Statement (2014). The Region of Waterloo Official Plan requires that Area Municipalities designate (identify) Cultural Heritage Landscapes in their Official Plans and establish associated policies to conserve CHLs.
Cultural Heritage Landscapes

In 2014, the City of Kitchener embarked on the first phase of a multi-phased effort to identify and conserve the City’s significant Cultural Heritage Landscapes (CHLs). The first phase involved taking an inventory, and led to City Council approving the Kitchener Cultural Heritage Landscape Study which identifies 55 significant Cultural Heritage Landscapes, including several established residential neighbourhoods.

The City is now beginning its second phase of work, aimed at further identifying the attributes which contribute to making certain CHLs significant, and engaging with property owners on appropriate measures to address the conservation of those attributes and CHLs.
### Proposed Residential (RES) Zones

<table>
<thead>
<tr>
<th>Secondary Plan Land Use</th>
<th>Proposed RES ZONE</th>
<th>Purpose of Proposed RES ZONE</th>
<th>Proposed Permitted Residential Uses *</th>
<th>Proposed Permitted Non-Residential Uses</th>
<th>Max. # of Storeys</th>
<th>Min. and Max. Floor Space Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Rise Residential</td>
<td>RES-3</td>
<td>Accommodate a limited range of low density dwelling types in low rise areas.</td>
<td>Home Occupation</td>
<td>3, 4 if fronting onto Regional Rd or City Arterial St.</td>
<td></td>
<td>Max – 0.6</td>
</tr>
<tr>
<td></td>
<td>RES-4</td>
<td>Accommodate a range of low density dwelling types that allow up to four dwelling units on a range of lot sizes in low rise areas.</td>
<td>Home Occupation</td>
<td>The site specific may limit height and FSR depending on property context and heritage attributes (TBD)</td>
<td></td>
<td>Max – 0.6</td>
</tr>
<tr>
<td></td>
<td>RES-5</td>
<td>Accommodate the widest range of low density dwelling types on the widest range of lot sizes in low rise areas.</td>
<td>Home Occupation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medium Rise Residential</td>
<td>RES-6</td>
<td>Accommodate medium density dwelling types and some complementary non-residential uses in medium rise residential areas.</td>
<td>Artisan’s Establishment, Community Facility, Convenience Retail, Day Care Facility, Office, Home Occupation, Studio</td>
<td>8 storeys</td>
<td>Min – 0.6</td>
<td>Max – 2.0</td>
</tr>
<tr>
<td>High Rise Residential</td>
<td>RES-7</td>
<td>Accommodate high density dwelling types and a range of complementary non-residential uses in high rise residential areas.</td>
<td>Artisan’s Establishment, Community Facility, Convenience Retail, Day Care Facility, Financial Establishment, Health Office, Office, Personal Services, Home Occupation, Studio</td>
<td>None</td>
<td>Min – 2.0</td>
<td>Max – 4.0</td>
</tr>
</tbody>
</table>

* Uses/zones subject to additional regulation and site specifics.

- Additional site specific provisions will be drafted and applied to relevant properties to implement urban design and neighbourhood character elements and cultural heritage objectives and other site contextual considerations.
## Proposed Non-Residential Zones

<table>
<thead>
<tr>
<th>Secondary Plan Land Use</th>
<th>Proposed ZONE</th>
<th>Purpose of Proposed ZONE</th>
<th>Proposed Permitted Uses *</th>
<th>Max. # of Storeys</th>
<th>Min. and Max. Floor Space Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mixed Use</strong></td>
<td><strong>MIX-1</strong></td>
<td>Accommodate a variety of uses within mixed use buildings and mixed use developments at a low density residential uses.</td>
<td>Adult Education School, Artisan's Establishment Brewpub, Cluster Townhouse Dwelling, Commercial Entertainment, Commercial School, Community Facility, Computer/Electronic/Data Processing/Server Establishment, Craftsperson Shop, Cultural Facility, Day Care Facility, Dwelling Unit, Financial Establishment, Fitness Centre, Health Clinic, Hospice, Hotel, Light Repair Operation, Lodging House, Multiple Dwelling, Office, Personal Services, Pet Services Establishment, Place of Worship, Print Shop, Research and Development Establishment, Restaurant, Retail, Secondary School, Small Residential Care Facility, Social Service Establishment, Veterinary Services</td>
<td>4 storeys</td>
<td>Min – 0.6 Max – 1.0</td>
</tr>
<tr>
<td></td>
<td><strong>MIX-2</strong></td>
<td>Accommodate a variety of uses within mixed use buildings and mixed use developments at a medium density.</td>
<td>MIX-1 uses plus Large Residential Care Facility, Payday loan Establishment, Post-Secondary School</td>
<td>8 Storeys</td>
<td>Min – 1.0 Max – 2.0</td>
</tr>
<tr>
<td></td>
<td><strong>MIX-3</strong></td>
<td>Accommodate a variety of uses within mixed use buildings and mixed use developments at a medium density.</td>
<td>Adult Education School, Artisan's Establishment, Brewpub, Commercial Entertainment, Commercial School, Community Facility, Computer/Electronic/Data Processing/Server Establishment, Craftsperson Shop, Cultural Facility, Day Care Facility, Dwelling Unit, Financial Establishment, Fitness Centre, Health Clinic, Hospice, Hotel, Large Residential Care Facility, Light Repair Operation, Lodging House, Multiple Dwelling, Office, Payday Loan Establishment, Personal Services, Pet Services Establishment, Place of Worship, Post-Secondary School, Print Shop, Research and Development Establishment, Restaurant, Secondary School, Small Residential Care Facility, Social Service Establishment, Veterinary Services</td>
<td>10 storeys</td>
<td>Min – 1.0 Max – 2.0</td>
</tr>
<tr>
<td></td>
<td><strong>MIX-4</strong></td>
<td>Accommodate a variety of uses within mixed use buildings at a high density within the City’s Major Transit Station Areas.</td>
<td>Same as MIX-3</td>
<td>No Limit</td>
<td>Min – 2.0 Max – 4.0</td>
</tr>
<tr>
<td><strong>Open Space</strong></td>
<td><strong>OSR-1</strong></td>
<td>To provide a comprehensive and connected parkland and open space system.</td>
<td>Outdoor Active Recreation, Outdoor Passive Recreation and Community Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>OSR-2</strong></td>
<td>To provide a comprehensive and connected parkland and open space system.</td>
<td>Outdoor Active Recreation, Outdoor Passive Recreation and Cemeteries</td>
<td></td>
<td></td>
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</tbody>
</table>

* Uses/zones subject to additional regulation and site specifics.

- Additional site specific provisions will be drafted and applied to relevant properties to implement urban design and neighbourhood character elements and cultural heritage objectives and other site contextual considerations.
Civic Centre Secondary Plan – Land Uses

Low Rise Residential
with specific policy area

Description: Same as Low Rise Residential land use, however specific policy area will limit the number of units in a multiple dwelling to three units. Consideration will also be given to further regulating building height and density. Analysis to be completed to confirm the properties to which the specific policy area will apply.

Description / Range of Permitted Uses: Low density housing types, including single detached dwellings, duplex dwellings, semi-detached dwellings, street townhouse dwellings, cluster townhouse dwellings, low-rise multiple dwellings and special needs housing.

FSR: Maximum of 0.6

Maximum Building Height: 3 storeys or 11 metres

Low Rise Residential

Low Rise Residential Office

Description / Range of Permitted Uses: Permitted uses are restricted to single detached dwellings, a second dwelling unit, the conversion of existing buildings to multiple dwellings up to a maximum of three units, professional home occupations, private home day care, and small residential care facilities. Residential and non-residential uses may be permitted to locate within the same building.

Medium Rise Residential

Description / Range of Permitted Uses: Medium density housing types including Cluster Townhouse Dwellings, Multiple Dwellings, and Special Needs Housing.

FSR: Minimum of 0.6 / Maximum of 2.0

Maximum Building Height: 8 storeys

High Rise Residential

Description / Range of Permitted Uses: High density multiple dwellings and special needs housing to achieve a high intensity of residential use.

FSR: Minimum of 1.0 / Maximum of 4.0

Maximum Building Height: None

Open Space

Description: These areas provide for a comprehensive and connected open space system of parks and trails, a buffer between land uses, and increase the opportunities for recreation and general enjoyment in an active or passive manner.

Range of Permitted Uses: Outdoor Active Recreation, Outdoor Passive Recreation, Community Facility and Cemeteries.

Mixed Use

Description / Range of Permitted Uses: Retail, Office Uses, Day Care, Health Office/Clinic, Personal Services, Religious Institution, Commercial Entertainment, Restaurant, Studio, Artisan-related uses, and the same residential uses permitted in Medium and High Rise Residential.

FSR: Minimum of 2.0 / Maximum of 4.0

Maximum Building Height: None

Mixed Use with specific policy area

Description / Range of Permitted Uses: Permits a broad range and compatible mix of commercial, retail, institutional, personal services, restaurants, studio, artisan-related uses and residential uses.

FSR: Minimum of 0.6 / Maximum of 2.0

Maximum Building Height: 8 storeys
Zoning is used to regulate:
- Use of land;
- Location of buildings and structures;
- Types of buildings permitted and their associated uses; and
- Lot dimensions, parking requirements, building heights and setbacks from the street/lot lines.

WHAT IS A SITE SPECIFIC PROVISION?
Site specific provisions are added to the base zone to provide additional regulations. Some examples are as follows:
- Garage permissions and location
- Size and location requirements for front porches
- Height limits

WHAT IS AN URBAN DESIGN GUIDELINE:
Urban Design Guidelines establish the objectives, priorities and expectations for urban design in Kitchener. The guidelines apply to projects across the City and address such things as building types, streetscapes and the public realm. The manual is used by City staff and the development industry in the review and approval of specific types of development applications, such as official plan amendments, zone by-law, site plan control and minor variance applications. The guidelines are inherently flexible and negotiable and do not have the same regulatory power as other tools such as the Zoning By-law.
Examples of Zoning Regulations

Achieving a Consistent Building Setback

Any new (or additions to) single detached, semi-detached or street townhouse dwellings required to have a setback from a street that is based on the average setback of the two neighbouring properties.

A tolerance of 1 metre from the average setback has been incorporated into the regulation to provide flexibility. This regulation is in place already in Central Neighbourhoods (REINS Areas).

Garage Projections & Permission

Garage projections & permissions can be implemented using of zoning regulations and/or urban design guidelines

Sample Urban Design Guideline: Where the existing streetscape does not contain street facing garages, only detached recessed garages should be permitted.
# Neighbourhood Planning Review

## Neighbourhood Character

### How Important is it that the City Regulate...

<table>
<thead>
<tr>
<th>Entry Features / Focal Points</th>
<th>Very Important</th>
<th>Important</th>
<th>Indifferent</th>
<th>Not Important</th>
<th>Do not Regulate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Question: How important is it that the City regulates this feature? (i.e. protect the built form contributing to significant views within and into the neighbourhood)</td>
<td></td>
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<table>
<thead>
<tr>
<th>Building Design, Materials &amp; Colours</th>
<th>Very Important</th>
<th>Important</th>
<th>Indifferent</th>
<th>Not Important</th>
<th>Do not Regulate</th>
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</thead>
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### Potential Conservation Tools Identified:

<table>
<thead>
<tr>
<th>Neighbourhood Character Element</th>
<th>Potential Conservation Tools</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Secondary Plan Policy</td>
</tr>
<tr>
<td>Front Porches</td>
<td>✓</td>
</tr>
<tr>
<td>Garages</td>
<td>✓</td>
</tr>
<tr>
<td>Built Form Transitions</td>
<td>✓</td>
</tr>
<tr>
<td>Building Design, Materials, Colours</td>
<td>✓</td>
</tr>
<tr>
<td>Setbacks</td>
<td>✓</td>
</tr>
<tr>
<td>Entry Features / Focal Points</td>
<td>✓</td>
</tr>
<tr>
<td>Front Porches</td>
<td>Very Important</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Question: How important is it that the City regulates this feature? (i.e.: requires front porches on all new low-rise infill developments?)</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Garages</th>
<th>Very Important</th>
<th>Important</th>
<th>Indifferent</th>
<th>Not Important</th>
<th>Should not Regulate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Question: How important is it that the City regulates garages (i.e.: setback, location on lot etc.)</td>
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<table>
<thead>
<tr>
<th>Built Form Transition</th>
<th>Very Important</th>
<th>Important</th>
<th>Indifferent</th>
<th>Not Important</th>
<th>Do not regulate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Question: How important is it that the City regulates this feature? (i.e.: requires new development to respect existing built form?)</td>
<td></td>
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</tbody>
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<table>
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<tr>
<th>Setbacks</th>
<th>Very Important</th>
<th>Important</th>
<th>Indifferent</th>
<th>Not Important</th>
<th>Do not regulate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Question: How important is it that the City regulates this feature? (i.e.: requires that buildings form a consistent street edge?)</td>
<td></td>
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</tbody>
</table>
Tools To Protect Neighbourhood Character

Built Heritage Resources
means a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

Cultural Heritage Landscapes
means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

Heritage Act Tools
• Heritage Conservation Easement Agreements
• Designation of Individual Properties (Part IV)
• Designation of Groups of Properties (Part V – Heritage Conservation District)
• Listing of Individual Properties
• Heritage Funding (Grants and Tax Refunds)

Planning Act Tools
• Official Plan/Secondary Plan Policies
• Community Improvement Plans
• Zoning By-law Regulations
• Subdivision Agreements
• Demolition Control
• Site Plan Control
• Urban Design Guidelines

Other Tools
• Corridor Management Plans
• Park Management Plans
• Stewardship Activities
• Public Education
• Commemoration and Interpretation
Listed Non-Designated Properties versus Designated Properties

Listed Non-Designated Properties

Under the Ontario Heritage Act, the City can list non-designated properties of cultural heritage value or interest on the Municipal Heritage Register. Listing is the first step the City should take to identify properties that may warrant some form of recognition, conservation and/or protection. Listing provides interim protection from demolition by increasing the amount of time the City has to process a demolition permit under the Ontario Building Code (generally from 10 to 60 business days) to provide an opportunity to evaluate whether the property merits formal designation. Listing also enables the City to ask for Heritage Impact Assessments and/or Conservation Plans with the submission of a complete Planning Act application.

Designated Properties

Under the Ontario Heritage Act, the City can pass by-laws to formally designate properties of cultural heritage value or interest. Formal designation is one way of publicly acknowledging a property’s heritage value to the community. Designation also helps conserve important properties for the enjoyment of present and future generations by ensuring that changes are managed in a way that respects the heritage values. This includes protection from demolition. The City has designated approximately 85 individual properties and 4 heritage conservation districts.
## SIGN-IN SHEET

**Civic Centre Secondary Plan Review - Public Open House #1**

**December 12, 2018**

Please sign in below:

<table>
<thead>
<tr>
<th>Name</th>
<th>Mailing Address</th>
<th>Postal Code</th>
<th>Phone Number*</th>
<th>E-mail Address*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>52 Stanwood Ave</td>
<td>N2B 5W2</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>15 Lancaster St E</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>55 Margaret Ave</td>
<td>N2H 4H3</td>
<td></td>
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<tr>
<td></td>
<td>58 Ahrens St W</td>
<td>N2H 4B7</td>
<td></td>
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<tr>
<td></td>
<td>911-57 Queen St. N.</td>
<td>N2H 6T7</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>911-57 Queen St. N.</td>
<td>N2H 6T7</td>
<td></td>
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<tr>
<td></td>
<td>88 Fountain St</td>
<td>N2L 3N1</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>38 Ahrens St. W.</td>
<td>N2H 4B7</td>
<td></td>
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</tr>
</tbody>
</table>

* optional
<table>
<thead>
<tr>
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<th>Phone Number*</th>
<th>E-mail Address*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1165 Doon Village, Kitchener</td>
<td>N2P 1A7</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>38 Ahrens St W.</td>
<td>N2H 4B7</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>83 Ahrens St W</td>
<td>N2H 4B8</td>
<td></td>
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<tr>
<td></td>
<td>47 Ellen St W.</td>
<td>N2H 4K1</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>43 Margaret, Unit 101</td>
<td>N2H 4H1</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>14 Martin St.</td>
<td>N2G 2X2</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* optional
# Sign-in Sheet

**Civic Centre Secondary Plan Review - Public Open House #1**  
**December 12, 2018**

Please sign in below:

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<tr>
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<th>Phone Number*</th>
<th>E-mail Address*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>45 Strange St., Kitchener, ON</td>
<td>N2G 1P8</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>45 Strange St., Kitchener, ON</td>
<td>N2G 1P8</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6 Oak St. K.</td>
<td>N2G 2X8</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>6 Oak St. K.</td>
<td>N2G 2X8</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>170 Queen St N</td>
<td>N2H 2S2</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>104 Water St.</td>
<td>N2H 5X1</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>11 Ellen St., Kitchener</td>
<td>N2H 4X1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* optional
Civic Centre Secondary Plan Review
Public Open House #1 Comment Form

Thank you for attending the Civic Centre Plan Review Public Open House #1. Please answer the following 3 questions and provide your feedback using this comment sheet. Please return the form to staff via e-mail to secondaryplans@kitchener.ca or alternatively mail this comment letter to City Hall at 200 King Street West, P.O. Box 1118 before January 18, 2019.

1. What are your comments about the land use designations?
   I would like churches to remain community institutional

2. What are your comments about the zoning?
   Why is Water St out of the plan boundaries?

3. What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?
   Keep the ideas of the existing special policies
   Keep 54 Margaret as low rise residential
   Special policy for Hornie Lane
   Designate on Victoria Buildings on part of cultural heritage resources
Write your additional comments here:

Like the decreased density in the eastern part along Lancaster.

Thank you for taking the time to fill out this form. To ensure that we receive only one set of comments from each individual, staff can only consider comments if they include a name and address.

Name: 

Mailing Address: 55 Margaret Ave

Email: 
Civic Centre Secondary Plan Review
Public Open House #1 Comment Form

Thank you for attending the Civic Centre Plan Review Public Open House #1. Please answer the following 3 questions and provide your feedback using this comment sheet. Please return the form to staff via e-mail to secondaryplans@kitchener.ca or alternatively mail this comment letter to City Hall at 200 King Street West, P.O. Box 1118 before January 18, 2019.

1. What are your comments about the land use designations?
   - Some of the proposed buildings are allowed to go be too tall. I'm concerned about traffic and parking issues.

2. What are your comments about the zoning?
   - not enough green space in this district

3. What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?
   - I'm concerned any development will decrease diversity within the community. The 3+ Bedroom apartments/co-ops (currently the case with much developments)
   - Are these going to be affordable for middle class? My guess is not without the city stepping in
   - This is a community we want it to be family friendly and accessible to people, not just the rich.
Civic Centre Secondary Plan Review
Public Open House #1 Comment Form

Write your additional comments here:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Thank you for taking the time to fill out this form. To ensure that we receive only one set of comments from each individual, staff can only consider comments if they include a name and address.

Name:  
Mailing Address:  83 Ahrens St W  
Email:  

Civic Centre Secondary Plan Review
Thank you for attending the Civic Centre Plan Review Public Open House #1. Please answer the following 3 questions and provide your feedback using this comment sheet. Please return the form to staff via e-mail to secondaryplans@kitchener.ca or alternatively mail this comment letter to City Hall at 200 King Street West, P.O. Box 1118 before January 18, 2019.

1. What are your comments about the land use designations?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

2. What are your comments about the zoning?

A very brief overview of the plan makes me very happy to see some attempts especially by down zoning to protect the heritage neighbourhood. CTH

3. What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?

I didn’t look at specific areas – so there are no doubt problem juxtapositions e.g. mixed use 8 storeys backing on to Hermes Place.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

________________________________________________________________________
Civic Centre Secondary Plan Review
Public Open House #1 Comment Form

Write your additional comments here:

Also very happy to see steps to implement the Cultural Heritage landscape to go beyond simply naming/identifying it.

Thank you for taking the time to fill out this form. To ensure that we receive only one set of comments from each individual, staff can only consider comments if they include a name and address.

Name: [Redacted]
Mailing Address: 88 Feuchterin St, Waterloo ON N2L 3N1
Email: [Redacted]
Hello,

Thank you for your comments and feedback on the new Civic Centre Secondary Plan, particularly the property at 54 Margaret Avenue.

The land use designation and zone category for this property that is proposed and was shown at the Open House was to reflect the existing land use and zoning permissions that the property currently enjoys in the Civic Centre Secondary Plan and Zoning By-law 85-1. The reason for not including this property in the site-specific policy area for 30-40 Margaret Avenue, was again to reflect that none exist now and the one adjacent and applicable to the property at 30-40 Margaret Street is to reflect the site-specifics that were approved by the Ontario Municipal Board for these lands. The exclusion of these lands from any site-specific policies does not reflect any less heritage protection.

We are open to reviewing and revising the proposed land use designation and zone category to reflect the current built form and existing use, rather than maintaining current land use and zoning permissions.

We have your contact information and have added it to our notification list to keep you informed of the project and upcoming meetings.

Thank you again for your feedback and participation in this process.

If you have any additional questions or comments, please do not hesitate to contact us.

Regards,
Tina

Tina Malone-Wright, MCIP, RPP
Senior Planner - Policy | Planning | City of Kitchener
519-741-2200 Ext. 7765 | TTY 1-866-969-9994 | tina.malonewright@kitchener

-----Original Message-----
From:  
Sent: Wednesday, April 17, 2019 8:42 PM
To: Secondary Plans <SecondaryPlans@kitchener.ca>
Cc: bradon.sloan@kitchener.ca; julianevonwesterholt@kitchener.ca
Subject: Zoning concerns from residents

Hello to All Concerned,

Please find the aforementioned concerns outlined in the attached letter for your perusal.
April 16, 2019

To Whom it May Concern,

My name is [Name], and my partner/co-owner’s name is [Name]. We are the new owners of 54 Margaret Avenue as of June of 2018. We are contacting you today in order to open discussions surrounding the proposed secondary plan for our neighbourhood and identify some changes to our house’s proposed zoning that are a cause for concern on our part.

54 MARGARET - ZONING

Firstly, as communicated in the OBTNHA consultation (on March 30, 2019), the current zoning for 54 Margaret is R-8 and the proposed new zoning is RES-6, which does not seem to fit the property as well as a RES-3 zoning would. Since the house is a single detached family home, and is a protected Class A heritage home, we feel the RES-6 zoning does not reflect the heritage importance of this house and the character of the neighbourhood and may encourage inappropriate development on the property in the future. We feel a “RES-3" designation may be a more appropriate.

We realize the land has potentially more value zoned as RES-6 since there are more options to develop, however we are now the custodians of this amazing house and feel its long-term protection is paramount. Further, we are hoping that a RES-3 designation would afford us better protections against inappropriate transitions from our neighbouring properties.

Our property falls outside the black dotted zone on the maps shown at the consultation identified as the “specific policy zone.” We are not clear on why our property was left outside the proposed zone, and what that means for 54 Margaret’s inclusion with respect to heritage protections. Was this an oversight? Was it purposely left out of the specific policy zone, and if so, why?

Many thanks in advance for your response and explanation of these issues. If it would be easier to discuss in person, please let us know. We would be more than happy to meet with you at your convenience.

Sincerely,

[Name]
Thank you, again, Brandon, for listening to our neighbourhood comments and concerns. Attached is a copy of the sign-in sheet and the notes.

Thank you,

Hal

Hal Jaeger
Notes from March 30, 2019 consultation with Brandon Sloan Regarding Proposed Re-Zoning of Civic Centre (Olde Berlin)

The comments are numbered in the order they were recorded by the neighbourhood association. Due to time limitations, only a few of the comments were discussed. The ordering of the comments for discussion was determined by the OBTNA Heritage and Development Committee.

_The following opinions do not reflect the views of the Olde Berlin Town Neighbourhood Association. The opinions belong to individuals who attended the consultation. No request for registration from local residents, property or business owners was denied._

17. Can we zone 54 Margaret Ave RES-3 as opposed to RES-6? It is a Class A heritage building inside the Heritage District.
- Detached houses of this significance have been identified for RES-3 zoning.
- Would re-zoning ensure a more appropriate transition?
- RES-3 zoning would better ensure the house and its context are preserved than would RES-6.
- As the last Class A house on the north side of Margaret, it plays an important role in providing context to the neighbours on the south side of Margaret.
- It’s a problem when the heritage plan recommendations are at odds with the zoning. Let’s not tempt the arsonists and those that wish to demolish via neglect.

30. What is the definition of an “appropriate transition”, as required by the Official Plan Objective 3.2.5.?
- Objective 3.2.5. of Kitchener’s Official Plan: “To maintain a _compatible interface_ between Intensification Areas and surrounding areas and achieve an _appropriate transition_ of built form”
- How will planning documents ensure an appropriate transition, from the low-rise residential interior of Civic Centre across Queen, Victoria, Water and Weber into more intensified zones?
- Precedent A) Special Regulation 565 (applies to 103-125 Water St N, which have a rear yard neighbour inside the Heritage District): a) the minimum rear yard setback shall be 15.0 metres; and b) the maximum building height shall be 16.5 metres; however, the building height may be increased to a maximum of 24.0 metres provided that for each additional metre of building height beyond 16.5 metres a minimum of 1.5 metres of additional setback from the rear lot line is provided for those portions of the building with a height in excess of 16.5 metres.
- Precedent B) Page 60 of Civic Centre Heritage district Conservation Plan regarding 30-40 Margaret Ave: 15m rear yard setback, 3 storey height at street and maximum 5 storey height mid-block. Step back at 45 degrees above third floor.
- Example from the Victoria Park Area Heritage district. The properties within this district on Joseph Street are currently zoned R-5 with a maximum height of 10.5 m. On the opposing side of Joseph Street, the land is proposed to be zoned UGC-1 which allows a height only limited by maximum floor space ratio. If you use this as a guide, then the zoning on Queen, Victoria, Water and Weber should allow for higher maximum heights.
- Example from Hamilton. Lots of 35+ m frontage and 45+ m depth, allow for a point tower of 13+ stories or 50+ m. Lot depths on Queen are approximately 34 m, Victoria 47m, Water 51m and Weber 30-50m. Hamilton would allow considerable more height than what Kitchener is allowing.

- Hamilton’s building guidelines state, “To ensure the new development is sensitive and compatible with the existing or planned open space areas buildings should be designed to: I) transition to the height of the existing residential development. The portion of the building base or what our zoning calls the podium that is adjacent to the low-rise residential building should not exceed the height of the adjacent development and ii) the tower portion of the building should be set back 12.5m from the property line adjacent to the residential neighbourhood to mitigate shadow impact and protect privacy and overlook. The setbacks required on Water St N are more restrictive than what is required in Hamilton.

- Properties with these lot sizes are scarce, and Water and Victoria streets are primary corridors within the Major Transition Station Area.

- Likely the biggest single general issue to be resolved.

- Need to ensure that the benefits that come from putting limitations on a property are guaranteed to the owner as well as the neighbours.

- Need to ensure that benefits currently enjoyed are not stripped away without consent or appropriate compensation.

- Need to recognize that the surrounding context of a property is inherent to its value.

- Must not engage in expropriation of value.

- Need to recognize that we are not planning on a blank canvas; that we have made many decisions in the past and that people have made life-changing commitments on the basis of these past decisions.

3. Can we include a statement in the Secondary Plans clarifying that RES-3 is the zoning for all lands within the Heritage District, except for a. 103 Ahrens St W, 94 Ahrens/151&153 Victoria St N, 277 Victoria St N and 33 St Leger, b. all properties fronting Weber St W, and c. churches, and that d. the lands zoned more intensively are exceptions, so zoned to reflect existing conditions pre-dating this Secondary Plan?

- Point 3.a. may be redundant.

- Important to ensure that no one mistakes the existing, more intensive zoning as a precedent for what may be built in the future.

- Important to recognize the legally accrued benefits currently enjoyed by property owners.

5. Can we ensure that no property is subjected to more shadowing than its height and setback limits permit it to throw onto its neighbours? Can we also have a city-wide rule on shadowing, using Mississauga’s plan as a starting point?


- This would safeguard existing uses such as the collection of solar energy and gardening.

- Page 3.10 of the CCHDCP states “Any buildings proposed over 5 storeys in height may be required to undertake shadow studies where they abut existing residential uses, to
demonstrate that they will not unreasonably impact on access to sunlight in rear yard amenity areas.”

-What is a reasonable and satisfactory target for sunlight?
-Mississauga’s guidelines regarding shadowing on private and public streets and spaces are very specific. How do other cities evaluate shadowing?
-Other factors to evaluate shadowing include: no net new shadows, number of hours in a defined period of time, and percentage of sun coverage all the time.
-Whichever factors we adopt, we must consider the balancing of sunlight access with growth, development and achieving density targets.
-An issue of moving from one zone to another and is one necessary condition of an appropriate transition.
-Rule should apply to the zoned limits as opposed to the existing builds.
-Not advocating to reduce FSRs or height permitted under present zoning – without the owners’ consent
-Don’t want to see new zoning infringe upon the benefits to which another zone is entitled.

7. Why does the proposed zoning recommend a maximum of two units in the RES-3 zones instead of the currently permitted maximum of three units as per the Secondary Plan provision 13.1.2.1?

-13.1.2 Land Use Designations

1. Low Rise Residential - Preservation

The Low Rise Residential - Preservation designation has been applied to areas where it is the aim of this Plan to retain the existing single detached residential character of the Neighbourhood. Existing houses and streetscapes are to be preserved wherever possible. Permitted residential uses are restricted to single detached dwellings and the conversion of those structures which existed as of the date of the adoption of this Plan to duplexes or multiple dwellings to a maximum of 3 units. Residential conversions will be permitted only where there is sufficient floor area for the conversion, where the site is capable of providing adequate off-street parking in accordance with by-law requirements, and where no structural alterations are required to the exterior of the building. Any exterior stairs or fire escapes are to be enclosed, and kept away from the facade of the structure. Minor exterior alterations and additions to single detached dwellings shall be permitted provided such alterations are not within any front or side yard.

-If change not made, could a developer apply for a variance or zone change anyway?

-Would buildings with more than 3 units be grandfathered?

-Would RES-1 and RES-2 zoning be applied?

-What is the definition of “sufficient floor area” to permit conversion to up to 3 units?

-Concerned this could de-stabilize neighbourhood.

-Permitting three units, within the RES-3 houses, could allow intensification while preserving the exterior built form and without compromising the neighbourhood.

-A maximum of 3 units is the status quo, and the neighbourhood has not suffered.

56. Can we have 30-40 Margaret Ave zoned RES-5 as opposed to RES-6?

-RES-6 only permits cluster townhouses and multi-residential buildings.
RES-5 permits detached houses, semi-detached houses, street townhouses, cluster townhouses and multi-residential buildings.

If RES-5 zoning was approved, the ownership could retain the right to avail itself of the Ontario Municipal Board ruling as a site specific regulation, but could also choose to build other forms.

Affords flexibility

Would allow Margaret Ave to be restored.

Would create the possibility of neighbours on the south side of Margaret to have their built form mirrored across the street.

Would not limit the interests of the 30-40 Margaret ownership.

12. Can we increase the minimum lot width (frontage on street) for MIXED 2 zones to 25 metres? Do MIXED 3 and 4 zones need even wider widths?

Would prevent the situation at 122 Courtland Ave E, where a property breaks the cadence of the street.

Ensures that the front, animated face of the building can be facing the street.

Builders may be forced to assemble multiple properties to meet the requirements which might stifle development.

The current minimum lot width for MIX-2 zoning is 15 m. Only 2 properties just outside the Civic Centre Heritage District have frontages that exceed 25 meters.

Builders may favour buying one property over trying to assemble multiple properties. May inadvertently cause a negative impact on where development occurs.

Smaller parcels of land could be stranded and end up losing value.

May lead to larger-sized buildings.

If the minimum lot width for the MIX zones is to be increased, then the minimum lot widths for the UGC zones should also be increased to reflect a unified, cohesive policy.

8. Can we allocate required additional green space within a 10-minute walk of the development which generates the requirement?

Civic Centre Secondary Plan General Policy 13.1.1.7.

“Any redevelopment will take into account the limited amount of park space available within the Civic Centre Neighbourhood. All redevelopment proposals will be evaluated to determine their ability to provide parkland dedication or cash payment for park purposes under the provisions of the Planning Act. The possibility of using monies from the Park Trust Fund for the purchase and development of properties for park purposes may be explored in cooperation with the Civic Centre Neighbourhood Association.”

Would we allow a builder to destroy a home within the heritage neighbourhood to fulfil this requirement?

The neighbourhood has been using 30-40 Margaret as a dog walking area. When it is redeveloped, there will be a significant loss of open usable green space and a simultaneous increase in number of residents needing green space.

Could the allotted green space requirement be provided within the development?

Expecting a 200-300% increase in population with no increase in space for kids to play.
10. Can we ensure that “as of right” zoning is interpreted to reflect all legislation, including heritage, shadowing, transition, wind tunnels, etc., and not simply the zoned Floor Space Ratio, setback and height limits?
- The more rigid we are with our regulations the less likely we are to see development and change.
- Need to jettison idea of certain laws “trumping” others. Need to adhere to all laws and regulations.
- Without clarity, the Committee of Adjustment could grant relief of zoning regulations at the expense of other legislation to the contrary.

15. Can we ensure that the churches are zoned to retain a primary use that serves all society – community facility, cultural facility, place of worship, etc.?
- The request that the churches remain under Institutional zoning was suggested by several people.
- Concern regarding demolition of the churches.
- Preserves cultural and community hub, anchor for community
- If the Church of Good Shepherd is to be assigned MIX-2 zoning, want lower height limit
- Each church should be evaluated on its location and the surrounding uses of the area properties. The Church of the Good Shephard should keep its I-2 zoning whereas, St. Andrews Presbyterian Church could be zoned to allow commercial or residential uses.
- The policies and guidelines of the CCHCDP should apply.
- Focus should be on primary use. Ancillary uses could also be permitted so as to re-purpose the existing buildings according to current needs.

Individual Closing Comments and Questions
- Is city trying to meet UN sustainable development goals?
- Looking forward to seeing the complete draft of the Secondary Plan
- Why are we asking property owners to provide the community with an architectural museum without preserving the context that makes the houses sensible?
- Should we continue to invest in our properties?
- Enjoyment of a residential property hinges, in part, upon context, and may include the capacity to garden, collect solar energy, and interact with neighbours and the community. Compromising the context is expropriation of value. If owners cannot derive enjoyment, they may not invest in their properties or the community, which may lead to the sort of neighbourhood neglect from which we have only recently emerged.
- Can a height limit matching the existing building height be applied to 108 Queen St N (Sonneck House) given that it is a Part IV designated property inside the CCHDCP, so as not to mislead owners as to its potential use? Its proposed zoning is MIX-2, which allows up to 24 metres of height.
- Can the properties currently zoned CR-1 along Queen between Weber and Ahrens be zoned MIX-1? MIX-2 would impose on Queen St and on the low-rise residential interior of the neighbourhood.
- Concern re: urban sprawl
- Do these consultations have any impact?
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Thank you for providing this opportunity to respond to the initial public presentation of Civic Centre Secondary Plan on December 12, 2018. Some comments are below.

Email to: secondaryplans@kitchener.ca

March 31, 2019

1. **CHANGE the name of the Secondary Plan**

Please change the name of the Civic Centre Secondary Plan to Olde Berlin Town Secondary Plan. The use of the words “civic centre” is detrimental to our predominantly residential neighbourhood. This term in the title of our Secondary Plan is misleading and is totally inappropriate.

This is a residential area. The buildings on the lands in the Civic Centre Secondary Plan are mainly single dwelling units and they cover the majority of the actual acreage. This is an extensive Heritage Conservation District where people live. People have lived here for over 150 years.

Here are some definitions of ‘Civic Centre’.

The NORTH AMERICAN dictionary definition of ‘civic centre’ is:

- a municipal building or building complex, often publicly financed, with space for conventions, sports events, and theatrical entertainment.

The COLLINS ENGLISH dictionary defines ‘civic centre’ as

- “the public buildings of a town, including recreational facilities and offices of local administration”

The CAMBRIDGE ENGLISH dictionary defines ‘civic centre’ as

- “a large building or group of buildings used for entertainment, social, and business events”

Wikipedia defines ‘civic centre’ as

- “A civic center or civic centre is a prominent land area within a community that is constructed to be its focal point or center. It usually contains one or more dominant public buildings, which may also include a government building. Recently, the term "civic center" has been used in reference to an entire central business district of a community or a major shopping center in the middle of a community. In this type of civic center, special attention is paid to the way public structures are grouped and landscaped.”

An on-line dictionary [https://www.dictionary.com/browse/civic-center](https://www.dictionary.com/browse/civic-center) defines ‘civic centre’ as

**noun**

- a building complex housing a theater or theaters for the performing arts and sometimes exhibition halls, a museum, etc., and usually constructed or maintained by municipal funds.
- a building or building complex containing a municipality's administrative offices, various departmental headquarters, courts, etc., and sometimes an auditorium, libraries, or other
community or cultural facilities.
- a theater, meeting hall, or the like for community or public use.

You must notice that in ALL of these definitions there is no mentioned of residences or private home. Therefore, there must a change in the name of this Secondary plan.

2. **Preservations**
- A ‘preservation’ designation continues to be very important for this historical area
- Will the transition requirements between new developments/buildings and the older homes be strong enough protection?
- Will quality of life be preserved for the people and their homes?

3. **HEIGHT LIMITS**
- The lack of a height limit on some Mixed Use buildings and the limited number of parking spaces allowed is worrisome. This will lead to parking issues in the interior.
- An excessive number of highrise buildings ringing around the edges of the Civic Centre will overwhelm the neighbourhood and can cause destabilization.
- There is very limited greenspace in the area; Hibner Park is a small gem, but it is ‘handkerchief-sized’! The projected additional residents in the new developments will only make this problem more difficult to solve
- Why is bonusing, a hidden strategy in zoning? this can mean that extra storeys can be added and exceed the actual legal zoning height
- Buffer zones are critical to manage the space between highrises and low rise buildings

Donna Kuehl
Just making sure we’re keeping the official lines of communication in the loop. My apologies for any duplication.

Thank you,

Hal

---

Here’s a copy of our “registration information” to the twelve people who have registered for Saturday’s meeting, Brandon.

I will need a projector and flip chart with a full set of paper for the meeting. Can you have a flip chart made available, or should I bring one?

Melissa Bowman, Chair of Victoria Park NA, will facilitate, to help keep us all on track.

Please note late addition comment #56, “Can we have 30-40 Margaret Ave zoned RES-5 as opposed to RES-6?”. All others have been previously submitted.

Please be in touch with any questions. Thank you,
Thank you for your interest in the OBTNA consultation on the proposed neighbourhood re-zoning (Secondary Plan review) with the Planning Department.

Our consultation will be held from 1-3pm on Saturday, March 30, 2019 in the Conestoga Room on the main floor of Kitchener City Hall. Please arrive on time, as we will all need to sign in -- with name and an address of residency or property ownership within the Olde Berlin neighbourhood -- and hear the opening remarks in order to participate. The consultation is only for those who have already reserved a seat at the table.

**How will this consultation work?**

Our neighbourhood association received more than 55 individual comments in response to the proposed new zoning. We will only address a few of the comments, included below my signature, as our time is limited. Our goal is to have the Planning Department understand our perspectives and for us to understand the Planning Department’s intent. We are not aiming to achieve agreed-upon decisions at this time. We will:

1) Display one comment at a time. Questions/comments may be accompanied by explanatory PowerPoint slides.
2) Offer Brandon Sloan, Manager of Long Range & Policy Planning, opportunity for an initial comment and/or to ask for additional information.
3) Record key points on the flipchart.
4) Allow each participant opportunity, in clockwise turn, to offer clarification and express his or her perspective on the issue. The first speaker position will rotate.
5) Record key points on flipchart.
6) Hear any additional comment that Brandon may share.
7) Record key points on flipchart.
8) Proceed to the next question/comment and repeat.

We will cover as many questions and comments as possible until 2:45m, at which time we will allow each participant opportunity for a brief comment (likely 1 minute) of their own choosing.

**Ground Rules**

We will each need to be disciplined, if we are to cover much ground. Please:
- Come prepared with notes on the questions/comments you wish to address
- Keep your comments short and to the point. No anecdotes!
- If you don’t have anything that needs to be said, please say nothing at all. If your comment
was already covered by someone else, just indicate so and we will move to the next person.

-Unlike the study sessions, this will not be a forum to ask about the meaning of a comment – unless your name is Brandon Sloan! If you have questions about the meaning of a comment, record your question and ask at the next study session.

We are each likely to have additional comments/questions about the proposed re-zoning. In addition to the brief, personal comment at the end of the meeting, we can all submit comments in writing to the Planning Department (by March 31, 2019) and can request an appointment. We have been informed that a second draft of the re-zoning proposal will be released in June 2019, and we may choose to comment on the second draft or to delegate before Council.

If you have questions about the form of our March 30th neighbourhood consultation, please be in touch.

Thank you,

Hal

Hal Jaeger

The following questions/comments are numbered in the order they were recorded by the neighbourhood association. The order of the questions/comments has been determined by the OBTNA Heritage and Development Committee and may be altered.

17. Can we zone 54 Margaret Ave RES-3 as opposed to RES-6? It is a Class A heritage building like its neighbours across the street.

30. What is the definition of an “appropriate transition”? How will planning documents ensure an appropriate transition, as required by the Official Plan, from the low-rise residential interior of Civic Centre across Queen, Victoria, Water and Weber into more intensified zones?

3. Can we include a statement in the Secondary Plans clarifying that RES-3 is the zoning for all lands within the Heritage District, except for
   a. 103 Ahrens St W, 94 Ahrens/151&153 Victoria St N, 277 Victoria St N and 33 St Leger,
   b. all properties fronting Weber St W, and
   c. churches
   d. and that the lands zoned more intensively are exceptions, so zoned to reflect existing conditions pre-dating this Secondary Plan?

5. Can we ensure that no property is subjected to more shadowing than its height and
setback limits permit it to throw onto its neighbours? This would safeguard existing uses such as the collection of solar energy and gardening. Can we also have a city-wide rule on shadowing, using Mississauga’s plan as a starting point?

7. Why does the proposed zoning recommend a maximum of two units in the RES-3 zones instead of the currently permitted maximum of three units as per the Secondary Plan provision 13.1.2.1?

56. Can we have 30-40 Margaret Ave zoned RES-5 as opposed to RES-6?

12. Can we increase the minimum lot width (frontage on street) for MIXED 2 zones to 25 metres? Do MIXED 3 and 4 zones need even wider widths?

8. Can we allocate required additional green space within a 10-minute walk of the development which generates the requirement? See Civic Centre Secondary Plan General Policy 13.1.1.7.

10. Can we ensure that “as of right” zoning is interpreted to reflect all legislation, including heritage, shadowing, transition, wind tunnels, etc., and not simply the zoned Floor Space Ratio, setback and height limits?

15. Can we ensure that the churches are zoned to retain a primary use that serves all society – community facility, cultural facility, place of worship, etc.? The request that the churches remain under I-2 zoning was one of the most frequent comments.

11. Can we ensure that no properties are stranded in intensified zones (i.e. single house surrounded by developed, consolidated lots)? Do we need holding provisions to do so?

13. Can we institute a 15 metre setback on MIX-2 properties abutting a Low-Rise Residential zone in the CCHDCP?

24. Can we include 64 Margaret and 33 St Leger among the list of properties subject to Special Policies 13.1.3.? As the properties are already consolidated with frontage on Victoria St N, can we note that the provisions are to be effected through the Site Plan process? In general, how can we ensure that re-developed properties do not direct their servicing and traffic into the interior of the Civic Centre neighbourhood?

25. Can the CR-1 properties along Queen between Weber and Ahrens be zoned MIX-1? MIX-2 would impose on Queen St.

14. Why are we proposing to prohibit semi-detached dwellings in the RES-3 zones? We already have a few heritage semis.

4. Can we define maximum height in terms of meters? Can we ensure that meters be used as the units of physical measurement? This might be best applied city-wide.

23. Why is a MIX-2 designation being applied to a portion of the 64 Margaret lands, which are within the Heritage District with current zoning MU-1 167U 561R? Can that portion of 64 Margaret be zoned MIX-1?

33. Do we want to encourage more lane houses/coach houses? What criteria could be required for coach houses? Is any change necessary to the proposed regulations? This issue was controversial in the neighbourhood.

2. Can we include a statement in the Secondary Plans that the recommendations in sections 4.0-4.5 and 6.9.0-6.9.4, inclusive, of the Heritage District Conservation Plan are to be
read as requirements, with the words “recommended/recommend/recommends” and other such variants to be read as “shall”, etc.? Doing so would eliminate misunderstandings and ensure the value of the public consultations and commissioned reports.

1. Can we have all the land-use documents (Secondary Plan, Urban Design Manual, Heritage Conservation District Plan, Self-guided tour information, etc.) refer to the neighbourhood as “Olde Berlin Town” as opposed to “Civic Centre” so as to eliminate confusion?

6. Can we designate all properties with frontage on Victoria not planned for MIX-2 zoning as Low Rise Residential Office RES-3?

9. Can we ensure that properties are capable of storing snow on their own land or appropriate sized boulevards?

26. Can a height limit matching the existing building height be applied to 108 Queen St N (Sonneck House) given that it is a Part IV designated property inside the CCHDCP, so as not to mislead owners as to its potential use?

28. Can we have, within the flanking UGC zones, height limits and/or stepback requirements, so that undue shadowing and inappropriate transitions are not created inside Civic Centre?

31. Can we have a height limit on the block encircled by Weber-Water-Victoria that affords the properties on the south-eastern side of Water St N an appropriate transition?

20. Why is 277 Victoria St N proposed to receive a MIX-2 designation? It is land included in the Heritage District Plan with existing zoning MU-1 162U 401U 562R. It is part of the gateway to St Leger from Victoria, as per the CCHCDP. Can it be designated MIX-1?

21. Why is the portion of 33 St Leger included in the Heritage District being proposed to receive a MIX-2 designation? It currently zoned MU-1 162U 559R. Can it be designated MIX-1?

29. Along Queen St N and Ellen St E, in the UGC, can we have a minimum 6m front and exterior sideyard setback, as opposed to the proposed 3m?

55. How can we ensure that the Committee of Adjustment and Zone Change applications processes do not undermine these communally-achieved Secondary Plans?
Hon Dayna & Tina

From: Dave Galbraith <dave.galbraith@ibigroup.com>
Sent: Tuesday, March 26, 2019 8:58 AM
To: Crozby <Crozby@kitchener.ca>; Alain Pinard <Alain.Pinard@kitchener.ca>; Brandon Sloan <Brandon.Sloan@kitchener.ca>
Cc:
Subject: 88-90 Weber Street - Submission on Zoning By-Law Review (FANZ)

Good morning Alain and Brandon -

On behalf of our client, [REDACTED], please accept this letter relating to the on-going Comprehensive Review of the City’s Zoning By-Law (CROZBY) as it applies to our client’s property, municipally known as 88-90 Weber Street West, Kitchener.

We have reviewed the new Zoning proposed for our client’s lands and offer the attached comments on their behalf. For your ease of review, comments and recommendations begin on page 4.

Should you have any questions, I'm more than happy to discuss. We kindly ask that we be notified of any decision on the by-law and be added to the circulation list for the FANZ exercise.

Thank you.

Dave Galbraith
Planner

IBI GROUP
410 Albert Street, Suite 101
Waterloo ON N2L 3V3 Canada
tel +1 519 585 2255 ext 63209
March 21, 2019

Mr. Alain Pinard, MCIP RPP
Director of Planning
City of Kitchener
200 King Street W., Kitchener,
ON N2G 4G7

Dear Mr. Pinard:

COMMENTS ON COMPREHENSIVE REVIEW OF ZONING BY-LAW
FURTHER APPLICATION OF NEW ZONING BY-LAW
88-90 WEBER STREET, KITCHENER

On behalf of our client, [REDACTED], please accept this letter relating to the on-going Comprehensive Review of the City’s Zoning By-Law (CROZBY) as it applies to our client's property, municipally known as 88-90 Weber Street West, Kitchener. We have reviewed the new Zoning proposed for our client's lands and offer the following comments on their behalf.

Subject Property

The Subject Property is municipally known as 88-90 Weber Street W., Kitchener, which is located south of the intersection of Water Street and Weber Street W. In total, the site has an area of 1,159 sq. m. The Subject Property is shown on Figures 1 and 2.

Figure 1: Subject Property (Source: Google Earth)
Our client purchased the subject property in 2018 to use the existing buildings for office/commercial uses associated with his business, with the intention to develop the property in the future.

**Existing Land Use Planning Controls**

The use and development of the Subject property is guided by a range of Provincial, Regional and City policies, plans and legislative controls. This includes the Planning Act, Growth Plan for the Greater Golden Horseshoe, Region of Waterloo Official Plan, City of Kitchener Official Plan, the Secondary Plan for the Civic Centre Neighbourhood, and Zoning By-Law. The following provides a brief overview of the existing municipal (City planning controls) that apply to the site.

**City of Kitchener Official Plan / Secondary Plan for the Civic Centre Neighbourhood**

The subject property is designated by the City of Kitchener Official Plan as being within the boundaries of the Secondary Plan for the Civic Centre Neighbourhood and is subject to the policies and designations of the plan.

The Secondary Plan for the Civic Centre Neighbourhood currently designates the property “Mixed Use Corridor” as shown on Figure 3. In accordance with the Secondary Plan:

> "Mixed Use Corridors are linear in form and recognize the evolution of uses along major corridors in the inner city. These corridors are primarily intended to serve the adjacent residential neighbourhoods and employment areas and allow for intensive, transit supportive development. Mixed Use Corridors provide residential redevelopment opportunities together with appropriate commercial and institutional uses that primarily serve adjacent residential neighbourhoods. Over time it is intended that the Mixed Use Corridors shall intensify and provide a balanced distribution of commercial, multiple residential and institutional uses. Individual properties within Mixed Use Corridors shall be zoned to achieve this distribution of uses.”
The Secondary Plan provides where properties abut arterial or major collector roads – such as Weber Street - the City of Kitchener may impose a minimum Floor Space Ratio of 1.0 and a maximum Floor Space Ratio of 4.0. We note that this is the current standard in the City’s existing Zoning By-Law.

Figure 3: Secondary Plan Land Use Designations

Existing Zoning By-Law 2008-154

The City of Kitchener’s existing Zoning By-Law (By-law 2008-154) zones the Subject Property “Medium Intensity Mixed Use Corridor Zone” (MU-2). This Zone permits a broad range of residential, commercial and institutional uses including: Artisan’s Establishments, Commercial Entertainment/Recreation, Day Care Facility, Duplex Dwellings, Financial Establishment, Multiples and Retail.

This Zoning permits development up to a maximum FSR of 4.0 and includes regulations to site buildings within close proximity to the street-line (1.5 m setback). The MU-2 Zone also restricts the height of buildings to a minimum height of 6 m (approximately 2 storeys) and a maximum of 24 m (approximately 8 storeys).

Assessment of Proposed New Zoning By-Law – Further Application of New Zoning (FANZ)

The City of Kitchener is undertaking a review of its Comprehensive Zoning By-Law, which is being implemented through a multi-stage process.

As part of this Comprehensive Review, the City is proposing to re-zone the property “Mixed Use 2” (MIX-2). The intention of the proposed MIX-2 Zone as set out in the Draft By-Law is “to accommodate a variety of uses within mixed use buildings and mixed use developments at a medium density on certain lands within the Urban Growth Centre, Major Transit Station Areas, and Urban Corridors.” Based on our review, the MIX-2 Zone will permit a similar quantum of land uses as the existing MU-2 Zone, which includes residential, commercial and institutional land uses typically found in a downtown area.
To assess the impact of the proposed MIX-2 Zoning of the Subject Property, the following table summarizes regulations of the existing MU-2 Zone and the proposed MIX-2 Zone for multiple dwellings.

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<td>Minimum exterior side yard setback</td>
<td>1.5 m</td>
<td>1.5 m</td>
</tr>
<tr>
<td>Minimum rear yard setback</td>
<td>7.5 m</td>
<td>7.5 m</td>
</tr>
<tr>
<td>Minimum building height</td>
<td>6 m</td>
<td>11 m</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>24 m</td>
<td>24 m</td>
</tr>
<tr>
<td>Maximum number of storeys</td>
<td>NA</td>
<td>8 storeys</td>
</tr>
<tr>
<td>Minimum number of storeys in the base of a building</td>
<td>NA</td>
<td>3 storeys</td>
</tr>
<tr>
<td>Maximum number of storeys in the base of a building</td>
<td>NA</td>
<td>6 storeys</td>
</tr>
<tr>
<td>Minimum step-back for mid-rise buildings and tall buildings</td>
<td>NA</td>
<td>3 m</td>
</tr>
<tr>
<td>Minimum FSR</td>
<td>1</td>
<td>0.6</td>
</tr>
<tr>
<td>Maximum FSR</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>Maximum non-residential GFA</td>
<td>1,000 sq. m (retail)</td>
<td>7,500 sq. m</td>
</tr>
<tr>
<td>Minimum façade width as a percent of the width of the abutting street line</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>Minimum Percent of Ground Floor Façade Openings</td>
<td>NA</td>
<td>50%</td>
</tr>
<tr>
<td>Maximum Distance between ground floor façade openings</td>
<td>NA</td>
<td>4 m</td>
</tr>
<tr>
<td>Landscaped Area</td>
<td>10%</td>
<td>15%</td>
</tr>
</tbody>
</table>

Based on the analysis above, and our understanding of the underlying direction set out in the Secondary Plan for the Civic Centre Neighbourhood, we offer the following comments:

Comment 1: The MIX-2 Zone proposes to limit the FSR to 2.0, whereas the existing MU-2 Zone permits an FSR of up to 4.0. The Secondary Plan for the Civic Centre Neighbourhood currently permits an FSR of up to 4.0 in areas “which abut arterial or major collector roads, are well separated from low rise residential development and have adequate municipal infrastructure.”

Given the location of the Subject Property within the downtown core, its proximity to the future ION LRT Hub, location along Weber Street (a major arterial road), and that the site is buffered from lands designated for low density residential purposes, it is our opinion that the existing FSR of 4.0 is appropriate.
for this site, and the proposed reduced FSR standard is premature and not in conformity with the Secondary Plan’s policy direction for the area.

Based on email correspondence from my client’s realtor with City staff (Garett Stevenson, Development Planner), it is understood that the City intends on applying a Site-Specific Regulation to the Subject Property which will allow for an FSR of 4.0. This would appear to be an acceptable solution, reflective of the Secondary Plan policy direction for sites located along major roads.

Comment 2: The MIX-2 Zone will require buildings to have a taller minimum height (11 m) than the existing MU-2 Zone (6 m). We support this proposed change as it will support the development of mid-rise buildings within the area, but note that this seems to conflict with the changes the MIX-2 Zone proposes which will only allow for half of the FSR of the existing MU-2 Zone.

In order to foster the development of mixed use buildings and to provide flexibility for the conversion of uses to commercial purposes in the future, the City may wish to consider establishing a minimum ground floor height for the MIX-2 Zone of 4.5 metres or a similar standard.

Comment 3: The proposed MIX-2 Zone will require an increased percentage of landscaped area (15% proposed, whereas 10% is currently required). Given the location of the property within the Downtown Area, we question whether a portion of this landscaped area could be provided as rooftop gardens. We note that the proposed definition of “landscaped area” (means any portion of a lot which has no building, that is accessible from a building or street on which the lot is located, and is used for the purpose of landscaping and/or an outdoor swimming pool area) seems to preclude this.

Comment 4: The proposed MIX-2 Zone regulations establish requirements for 50% ground floor façade openings and a maximum distance of 4 m between openings. These standards will help to ensure visibility into buildings and onto the street, the creation of a vibrant public realm, and support the design principles of CPTED.

Comment 5: The MIX-2 Zone proposes to increase the permitted maximum GFA of non-residential uses. We are supportive of this proposed change as it will provide additional flexibility for mixed use developments.

**Recommendations and Conclusions**

On behalf of our client, [client's name], we are pleased to contribute to the City's ongoing review of its Comprehensive Zoning By-Law and offer the following recommendations in conclusion:

1. That the MIX-2 Zone maintain the existing maximum FSR of 4.0 as currently permitted by the MU-2 Zone;

   **OR**

2. That a Site-Specific Regulation be applied to the Subject Property to allow for its development up to an FSR of 4.0.

3. That within the MIX Zones, particularly within the downtown area, landscaped area calculations include landscaped areas provided on rooftops / terraces.
4. That the City consider implementing a minimum ground floor height of 4.5 metres to provide flexibility in the conversion of uses in the future.

Should you have any questions about the foregoing or should you wish to discuss, please do not hesitate to contact the undersigned.

Sincerely,

IBI GROUP

[Signature]

David Galbraith, Planner
Hi Katie,

Thank you for your email and comments on the Civic Centre Secondary Plan Review.

They will be considered in the process moving forward.

We have added your contact information to our email distribution list.

The timelines for further community engagement have not been set but it is anticipated the new Secondary Plans and Zoning will be brought to a Committee/Council meeting later this year for their consideration.

Thank you for your interest and participation in the Secondary Plan Review process.

Regards,

Tina Malone-Wright, MCIP, RPP
Senior Planner - Policy | Planning | City of Kitchener
519-741-2200 Ext. 7765 | TTY 1-866-969-9994 | tina.malonewright@kitchener.ca

From: Katie Anderl
Sent: Monday, March 18, 2019 1:54 PM
To: Tina MaloneWright <Tina.MaloneWright@kitchener.ca>
Subject: Civic Centre District Secondary Plan Comments

Thank you for providing the opportunity to review the proposed changes to Land Use in the Civic Centre District. Based on the information provided on the Civic Centre Information Panels I would like to offer the following feedback:

1. The split designation and zoning approach for the block bound by Weber St, Young St, Roy St and Queen St is positive.
   a. The proposed Low Rise Residential Office designation and zoning along the south side of Roy Street will help to ensure that the existing built form, heritage and neighbourhood characteristics are maintained and preserved, while allowing for conversions to uses that are compatible within a residential neighbourhood. The
The proposed maximum height of 3 storeys or 11 metres (max FSR of 0.6) is consistent with a low rise neighbourhood and helps to provide a transition between the proposed Mixed Use area fronting Weber Street and the adjacent low rise residential uses.

b. The proposed Medium Density Mixed Use designation and the MIX-2 regulations, are appropriate for those properties fronting onto Weber Street West. The proposed maximum height of 8 storeys and a maximum FSR of 2.0 will help to ensure an appropriate density and built form along the periphery of the Civic District, and is more compatible with the low rise heritage neighbourhood than the existing designation and zoning regulations which permit an unlimited height and maximum density of 4.0. The proposed 8 storey building height will likely still cast shadows onto nearby residential properties located north of Weber Street and microclimate considerations (wind and shadow) should be considered through Urban Design guidelines.

c. There is concern with a number of the uses which would be added to the lands by the proposed MIX2 zone. Several new uses (which are currently not permitted by the CR-3 zone) such as restaurant, commercial entertainment and brewpub are of concern as there may be nuisance types of impacts associated with these which are not compatible with residential dwellings. Such nuisance activities include noise and music from restaurants/bars, entertainment venues and any associated outdoor spaces such as patios, as well as appropriate management of garbage and food waste, food and drink deliveries etc. This is of special concern given the very large size of a number of the existing buildings which may seek adaptive reuse in the future (e.g. sites of large institutional buildings such as Zion Church at 32 Weber Street West). Should significant portions of such building be redeveloped for some of these uses, there would be concerns to surrounding residential property owners. However, such uses at a smaller scale could potentially be appropriate and compatible within a mixed use area.

2. The proposed Low Rise Residential (with Specific Policy Area 1) designation and RES-3 zone proposed for the north side of Roy Street is appropriate for the existing low rise residential areas of the heritage conservation district.

3. With respect to the current Civic District Secondary Plan designation, Special Policy Area 1 applies to the property at 32 Weber St W. It appears that many elements of this policy are proposed to be carried forward in some form through the proposed designations and zoning. I suggest that the policy stating that “no vehicular access to Roy Street will be permitted from 32 Weber Street West” be carried forward. Should this site be redeveloped it would likely be most appropriate for the development to be designed to front onto and have primary access to Weber Street rather than from the local road.

4. In the context of the new CRoZBy regulations and lot line definitions, I suggest that further consideration be given to how a front lot line is determined for “through lots” located in the Secondary Plan Areas. While in some cases it may make sense for the shortest lot line abutting a street to be the front lot line, for many ‘through lots’ it may be preferable for the City to be able to deem a certain lot line the front lot line, for example to deem the high order street the front lot line (i.e. Weber Street or Victoria Street) and not the local street. This is the approach taken in By-law 85-1. Depending on the zoning of the site, there will be
implications for setbacks, patio regulations etc. where the property has frontage on an arterial as well as a local road. This comment has been made to the Zoning By-law review team for general consideration, and is not necessarily specific to the Civic Centre district, although this scenario is observed to occur at the property at 32 Weber St.

Please let me know if you require any further comment or clarification,
Katie Anderl
Hi Jenna,

This should go to Secondary Plans email: SecondaryPlans@kitchener.ca.

Thanks,

Preet

---

From: Jenna Daum <Jenna.Daum@kitchener.ca>
On Behalf Of Internet - Planning
Sent: Friday, March 8, 2019 1:34 PM
To: Crozby <Crozby@kitchener.ca>
Subject: FW: Proposed Civic Centre Secondary Plans - 32 Weber Street

Hi there,

I think the below is for you. I am not exactly sure what they are asking, are we changing the Secondary Plans? The letter sounds more like an objection to the zone but not entirely sure.

Thanks!

Jenna Daum
Technical Assistant (Planning & Zoning) | Planning Division | City of Kitchener
519-741-2200 ext. 7760 | TTY 1-866-969-9994 | jenna.daum@kitchener.ca

---

From: Mathew Glowacki <mpg@govedaris.com>
Sent: Friday, March 08, 2019 1:05 PM
To: Internet - Planning <planning@kitchener.ca>
Cc: ‘Gregory Govedaris’ <gg@govedaris.com>; cs@govedaris.com
Subject: RE: Proposed Civic Centre Secondary Plans - 32 Weber Street

Good Afternoon:

Please see attached letter concerning the Proposed Civic Centre Secondary Plans.

Thanks,

Mathew Glowacki, B.A. (Hons), LL.B., LL.M.
Student-at-Law
GOVEDARIS PROFESSIONAL CORPORATION
Barrister(s) & Solicitor(s)
44 Upjohn Road
Toronto, ON CANADA M3B 2W1

Tel.: (416) 384-1333 ext. 304
Fax.: (416) 384-0333
Toll Free #: 1-866-737-4775
email: mpg@govedaris.com
VIA FAX, EMAIL and REGULAR MAIL

8 March 2019

To: City of Kitchener
Planning Division
200 King Street West
Kitchener, Ontario
N2G 4G7

Dear Planning Division:

RE: 32 Weber Street West, Kitchener, Ontario
Proposed Civic Centre Secondary Plans

We are lawyers, acting on behalf of the registered owner of 32 Weber Street West, Kitchener, Ontario ("client’s property").

We have been advised that the City of Kitchener (the "City") has provided a schedule for putting the revised Zoning to Council in April and are currently holding a comment period.

Our client formally puts forth their objection to the Proposed Civic Centre Secondary Plans ("Secondary Plans").

Impact on Property

The following are ways in which the Secondary Plans will dramatically impact our client’s property:

1. Property to be re-zoned as “Mixed-Use”;
2. FSR to be reduced to 2.0; and
3. Limited to a height of 8 storeys;

Notwithstanding the above noted, our client was unaware of any Secondary Plans when the property was purchased. The Secondary Plans will dramatically jeopardize our client’s intentions for the property and will significantly decrease any future profit potentials.

The height restriction is particularly critical to our client’s property given that there is very little area to develop on because of an existing church on our client’s property.

Our client’s property is currently zoned as “High Density Commercial Residential” and a re-zoning of “Mixed Use” would dramatically limit our client’s future plans for the property.
Our client fully intends on attending the council meeting where the Secondary Plans are expected to be presented.

Please notify the writer of any scheduled dates concerning this matter.

If you have any questions or concerns, feel free to contact the writer.

We look forward to your reply.

Yours very truly,
GOVEDARIS PROFESSIONAL CORPORATION

[Signature]

Gregory Govedaris
Good afternoon,

Please find the attached correspondence sent on behalf of Paul Britton.

Kind regards,
Catherine Elliott  |  Executive Assistant to Paul Britton

MHBC  Planning, Urban Design & Landscape Architecture
540 Bingemans Centre Drive, Suite 200  |  Kitchener  |  ON  |  N2B 3X9  |  T 519 576 3650 X 703  |  F 519 576 0121  |  celliott@mhbcplan.com

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March 2, 2019

Ms. Tina Malone-Wright
City of Kitchener
200 King Street West
Kitchener, ON N2G 4G7

Dear Ms. Malone-Wright:

RE: 22 Weber Street West, Kitchener and Proposed Revisions to the Civic Centre Secondary Plan
OUR FILE: 1961A

We act on behalf of the owners of lands municipally addressed as 22 Weber Street West, Kitchener and identified on the attached plan. Our clients have asked that we review the proposed amendments to the Civic Centre Secondary Plan and provide input to the process on their behalf.

As you are aware, land use planning for the Civic Centre Secondary planning area has a lengthy history. The land use designation and related policies that are now in effect are outcomes of a hearing and related determinations by what was then referred to as the Ontario Municipal Board (OMB).

The subject lands are now designated as “High Density Commercial Residential.” This designation recognizes the proximity of the subject lands to downtown Kitchener (Urban Growth Centre) as well as the property’s frontage on Weber Street. Weber Street is a Regional Arterial Road and has been designated as a Planned Transit Corridor.

The “High Density Commercial Residential” designation permits a range of residential, commercial and retail uses within free standing buildings or mixed use buildings. Official Plan policies provide for a maximum floor space ratio of 4.0 and permit high density residential development. Approved Official Plan policies have been implemented by the Commercial Residential 3 Zone (CR-3) of By-law 85-1.

The subject lands back onto lands fronting the southerly side of Roy Street and that are now designated Office Residential Conversion. The intent of the Office Residential Conversion designation and related built form is to buffer high density development fronting Weber Street from Low-Rise Residential uses located internal to the Civic Centre Neighbourhood.

The existing land use designation and zoning have been in place for a considerable period of time. Our client’s acquired the subject lands with an awareness of existing permissions. We understand staff are proposing to amend the secondary plan to redesignate our clients lands from “High Density Commercial Residential”. 

We would be pleased to discuss the matters described above with you or your designate at your earliest convenience.
Residential” to “Medium Density Mixed Use.” We also understand the Medium Density Mixed Use designation is proposed to be implemented by the MIX-2 Zone as set-out in the City’s draft zoning by-law (CRoZBy). The MIX-2 zoning category would have the effect of reducing the maximum permitted floor space ratio from 4.0 to 2.0 (50% reduction), impose a maximum height restriction of 8 storeys (currently there is no restriction), limit the range of permitted uses and impose more restrictive zoning regulations (multiple dwelling is proposed to be restricted to a mixed use building). Needless to say, our clients are concerned with the proposed restrictions, particularly given the locational and planning context of the subject lands, including proximity to downtown amenities, proximity to LRT and adjacency to a Planned Transit Corridor.

We would appreciate the opportunity to meet with you together with our clients and thank you in advance for your consideration.

Yours truly,

MHBC

[Signature]

Paul R. Britton, M.C.I.P., R.P.P
PRBce

Attach

Cc: [Redacted]
Hi Tina,

I’m attending the Civic Centre Neighbourhood urban design charrette this Wednesday with Dayna. I suspect Hal from the NA will be there.
Hal sent me the email below a few weeks ago.
I’d like to prepare a response before the meeting on Wednesday and wanted to touch base with you first.
Will try to come by your office sometime today to discuss.
Thanks

Leon

---

Leon Bensason, MCIP, RPP, CAHP
Coordinator, Cultural Heritage Planning | Planning Division | City of Kitchener
P.519-741-2200 Ext. 7306 | TTY. 1-866-969-9994 | leon.bensason@kitchener.ca

---

Good day, Leon. I hope this message finds you well.

We have many general questions about the proposed new zoning, but I’ll ask just three specific questions of you at this time:

1. Should the Secondary Plans note that the recommendations of the Heritage District Conservation Plans are to be read as requirements, with the words “recommended/recommend/recommends” and other such variants to be read as “shall”? Would we want to only address sections 4.0-4.5 and 6.9.0-6.9.4, inclusive, for such treatment? Is there another means by which Council’s acceptance of the Heritage District Plan is to be converted to legislation?
2. Do we want 54 Margaret Avenue to be zoned RES-3 as opposed to RES-6?
3. Do we want 277 Victoria St N and the portion of 33 St Leger included in the Heritage District to receive a MIX-2 designation?

Are there any issues with which you would like the neighbourhood’s assistance?
Thank you,

Hal

Hal Jaeger

From: H Jaeger
Sent: January 11, 2019 9:39 AM
To: Leon.Bensason@kitchener.ca
Subject: RE: Secondary Plans

Thank you, Leon.

We are trying to understand at what points we need to perform a comprehensive comparison of the recommendations of the HDP against the Secondary Plan proposal. I wonder if it is a duplication of effort to have the community pore over the documents at the same time you/your staff are doing so. It is also my understanding that details of the Secondary Plans were not yet available with the information presented at the Open House on Dec 12th. Do you advise awaiting these details?

Thank you,

Hal

Hal Jaeger

From: Leon.Bensason@kitchener.ca
Sent: January 11, 2019 9:17 AM
To: Hal Jaeger
Subject: RE: Secondary Plans

Hi Hal,

Our work on the Secondary Plan is ongoing.
If there is a specific section or recommendation you are inquiring about, please let me know.

Leon

Leon Bensason, MCIP, RPP, CAHP
Good day, Leon.

Are you satisfied that the Civic Centre Heritage District Conservation Plan’s recommendations are adequately integrated into the new Secondary Plan proposal? Are you reviewing this matter?

Thank you,

Hal

Hal Jaeger
See attached
Civic Centre Secondary Plan Review
Public Open House #1 Comment Form

Thank you for attending the Civic Centre Plan Review Public Open House #1. Please answer the following 3 questions and provide your feedback using this comment sheet. Please return the form to staff via e-mail to secondaryplans@kitchener.ca or alternatively mail this comment letter to City Hall at 200 King Street West, P.O. Box 1118 before February 01st, 2019.

1. What are your comments about the land use designations?

   Look at farm property in zone classified.
   Surrounding other properties or being put into another
   LAND USE

2. What are your comments about the zoning?

   MIX-3 AN FSR OF 2? HOW CAN YOU BUILD 8 STOREYS WITH A FSR OF 2?
   MAKE IT 8 STOREYS AND A FSR OF 4.
   THIS WILL AFFECT PROPERTY VALUES ALONG WEBER AND
   PANTS OR VICTORIA. (SEE NEXT PAGE)

3. What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?

   LAND VALUES WITH YOUR PROPOSED CHANGES.
   WEBER STREET NOW IS A MAJOR ARTERY TO WATCH.
   MORE THOUGHT ON YOUR PART.

Civic Centre Secondary Plan Review
Write your additional comments here:

Mix-3 This is a HUGE change for the Webb St

Corridor

What happened to the City's Intention to Intensify?

Red3 How nice Residential office - Some houses are large

Enough to accommodate 4 units why limit it to 3? We are

back to the city's desire to intensify the downtown why

the change?

With the City taking up King St, Webb is now a major

path to Waterloo and should be used for high density

urban growth.

Thank you for taking the time to fill out this form. To ensure that we receive only one set of
comments from each individual, staff can only consider comments if they include a name and
address.

Name: 

Mailing Address: 99 College St. Kitchener.

Email: 

Civic Centre Secondary Plan Review
Good morning Sandra,

Thank you for your comments with respect to the new Civic Centre Secondary Plan.

We are in receipt of your comments. They will be considered in the process moving forward.

Thanks again for your interest and participation in the Secondary Plan Review process.

Regards,
Preet

Preet Kohli, B. Arch., MES., PMP
Technical Assistant (Policy) | Planning Division | City of Kitchener
519-741-2200 ext. 7041 | TTY 1-866-969-9994

Hi there,

Happy New Year and I hope you had a wonderful holiday. I attended the Civic Centre Secondary Plan Review Public Open House back in December and I have only one suggestion on proposed land use, so I didn't want to complete/scan the entire comment form; I hope that's okay.

I'd like to suggest that that the site of Church of the Good Shepherd, located at the corner of Margaret Ave and Queen St N, be designated as Institutional, vs. Mixed Use as proposed.

If I can clarify further, please don't hesitate to let me know.

With thanks and best wishes for a Happy 2019,

Sandra
Thank you, Tina.

Are the following comparisons of current and proposed use and regulations charts up to date? Any changes I should note?


Is there a chart comparing the regulations for current and proposed mixed used zones?

Is the proposed Res-3 Low-Rise Residential Office zone subject to the same regulations as the proposed Res-3 Residential zone -- aside from the broader business uses?

Have a good holiday,

Hal

-----Original Message-----
From: Tina.MaloneWright@kitchener.ca [mailto:Tina.MaloneWright@kitchener.ca]
Sent: December 20, 2018 12:11 PM
To: [redacted]
Subject: RE: Neighbourhood Planning Review

Sent: Monday, December 17, 2018 10:39 AM
To: Secondary Plans <SecondaryPlans@kitchener.ca>
Cc: Brandon Sloan <Brandon.Sloan@kitchener.ca>; Dayna Edwards <Dayna.Edwards@kitchener.ca>
Subject: Neighbourhood Planning Review

Greetings,

I just wanted to let you know that I will compile the comments received from the open house with the comments that will be coming in response to the posting of the files on the internet.

We will provide our neighbourhood — most of which did not attend the open house — with links to the planning website and will request feedback. We will hold a neighbourhood meeting on the planning review, and will try to offer an organized submission as soon as possible.

Thank you,

Hal

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This email has been checked for viruses by AVG.
https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avg.com&d=DwIFaQ&c=fMYCMpvyrCeAgEEhg2KwUA&r=CunMMvt9Jnd0fM8VvkV4z_Fe5hKI_EiwXY1s5vTvAebE&u=ZYPuiPCUZ4s8CLsANNAAGuh4XFzYDKGtIKZDBmtXYCtQ&c=84
## 5.0 Public Comments and Staff Responses

<table>
<thead>
<tr>
<th>#</th>
<th>Commenter Details</th>
<th>Individual Comment Submission or Comment Sheet</th>
<th>Staff Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>55 Margaret Avenue Written: December 12, 2018</td>
<td>1. Would like churches to remain community institutional. 2. Why is Water Street out of the plan boundaries? 3. Keep the ideas of the existing special policies. Keep 54 Margaret as low rise residential. Special policy for Hermie Lane. Designate on Victoria Buildings on Part 4 cultural heritage resources. 4. Like the decreased density in the eastern part along Lancaster.</td>
<td>The PARTS Plan and study recommended that we designate the lands to MIX-2. The boundary of the secondary plan was amended in 2014 to include Water Street within the Urban Growth Centre boundary which was determined by the Province. 54 Margaret is not low rise residential, the current zoning is R-8 (Medium Rise Residential) and is retaining that designation in accordance with the Ontario Municipal Board decision. Staff are unsure about when is meant by a special policy on Hermie Lane. The buildings on Victoria Street were reviewed as part of the Civic Centre Heritage District Plan and were not warranted designation.</td>
</tr>
<tr>
<td>2</td>
<td>83 Ahrens Street West Written: December 12, 2018</td>
<td>1. Some of the proposed buildings are allowed to be too tall, I’m concerned about traffic and parking issues. 2. Not enough green space in this district. 3. I’m concerned any development will decrease diversity within the community: No 3+ bedroom apartments/townhouses? Currently the case with condo developments). Are these going to be affordable for middle class? My guess is not without the city stepping in. This is a community we want it to be family friendly and accessible to people, not just the rich.</td>
<td>There was extensive 3D modelling completed as part of the PARTS Central Plan. Further work will be done to review transitions and compatibility between High, Mixed Use, and Low Rise Residential areas. The City plans for a mix of land uses to support a range of housing types for people of all demographics. Opportunities for urban greenspace are extremely limited under existing constraints.</td>
</tr>
<tr>
<td>3</td>
<td>88 Fountain Street, Waterloo Written: December 21, 2018</td>
<td>2. A very brief overview of the plan makes me very happy to see some attempts, especially down zoning, to protect the heritage neighbourhood and CHL. 3. I didn’t look at specific areas - so there are no doubt problem juxtapositions eg. Mixed use 8 storeys backing on to Hermes Place. 4. Also very happy to see steps to implement the cultural heritage landscape, to go beyond simply naming/identifying.</td>
<td>There was extensive 3D modelling completed as part of the PARTS Central Plan. Further work will be done to review transitions and compatibility between high, mixed use, and low rise residential areas.</td>
</tr>
<tr>
<td>4</td>
<td>11 Ellen Street West Written: January 4, 2019</td>
<td>I’d like to suggest that that the site of Church of the Good Shepherd, located at the corner of Margaret Ave and Queen St N, be designated as Institutional, vs. Mixed Use as proposed.</td>
<td>The PARTS Plan and study recommended that we designate the lands to MIX-2. Staff propose to add a site specific policy to permit other uses in addition to the institutional use of the property. This zoning will allow the church to diversify its uses without altering the built form.</td>
</tr>
<tr>
<td>#</td>
<td>Commenter Details</td>
<td>Individual Comment Submission or Comment Sheet</td>
<td>Staff Response</td>
</tr>
<tr>
<td>---</td>
<td>------------------</td>
<td>---------------------------------------------</td>
<td>----------------</td>
</tr>
</tbody>
</table>
| 5 | 99 College Street  
Written: January 31, 2019 | 1. Look at each property in your classification i.e. Margaret ave RES-6 & Victoria St. RES-3 & Mix 2, surrounding other properties or being put into another land-use.  
2. MIX-3, an FSR of 2? How can you build 8 storeys with a FSR of 2? Make it 8 storeys and FSR of 4. This will effect property values along Weber and parts of Victoria.  
3. Land values with your proposed changes;  
4. Weber Street now is a major artery to Waterloo;  
5. More thought on your part  
6. MIX-3 This is a huge change for the Weber Street corridor  
What happened to the city’s intension to intensify? RES3, Low Rise Residential Office – Some houses are large. Enough to accommodate 4 units, why limit to 3? We are back to the City’s desire to intensify the downtown. Why huge change?  
7. With LRT taking up King St., Weber is now a major path to Waterloo and should be used for High Density Urban Growth. | There was extensive 3D modelling completed as part of the PARTS Central Plan. Further work will be done to review transitions and compatibility between High, Mixed Use, and Low Rise Residential areas. However, the decrease in density along Weber Street was a recommendation from the Civic Centre Heritage Conservation District Plan and PARTS Central Plan. Property values are not a land use planning consideration. One of the objectives of the PARTS Central Plan was to protect the established neighbourhoods and find the appropriate locations for intensification to support the LRT. Staff are still reviewing the appropriate residential zones to apply to the low rise lands within the secondary plan. |
| 6 | 40 Roy Street  
Written: March 18, 2019 | 1. The split designation and zoning approach for the block bound by Weber St, Young St, Roy St and Queen St is positive.  
a. The proposed Low Rise Residential Office designation and zoning along the south side of Roy Street will help to ensure that the existing built form, heritage and neighbourhood characteristics are maintained and preserved, while allowing for conversions to uses that are compatible within a residential neighbourhood. The proposed maximum height of 3 storeys or 11 metres (max FSR of 0.6) is consistent with a low rise neighbourhood and helps to provide a transition between the proposed Mixed Use area fronting Weber Street and the adjacent low rise residential uses.  
b. The proposed Medium Density Mixed Use designation and the MIX-2 regulations, are appropriate for those properties fronting onto Weber Street West. The proposed maximum height of 8 storeys and a maximum FSR of 2.0 will help to ensure an appropriate density and built form along the periphery of the Civic District, and is more compatible with the low rise heritage neighbourhood than the existing designation and zoning regulations which permit an unlimited height and maximum density of 4.0. The proposed 8 storey building height will likely still cast shadows onto nearby residential properties located north of Weber Street and microclimate considerations. | Staff are still reviewing the zone categories and the application of zones to properties in the secondary plans. Consideration will be given to the designation of the lands on Weber Street. Staff will consult with the Region on primary access onto Regional roads. |
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| | | Question 1: What are your comments about the land use designations? **Question 2: What are your comments about the zoning?** **Question 3: What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?** **Additional Comments** | (wind and shadow) should be considered through Urban Design guidelines.  
  c. There is concern with a number of the uses which would be added to the lands by the proposed MIX2 zone. Several new uses (which are currently not permitted by the CR-3 zone) such as restaurant, commercial entertainment and brewpub are of concern as there may be nuisance types of impacts associated with these which are not compatible with residential dwellings. Such nuisance activities include noise and music from restaurants/bars, entertainment venues and any associated outdoor spaces such as patios, as well as appropriate management of garbage and food waste, food and drink deliveries etc. This is of special concern given the very large size of a number of the existing buildings which may seek adaptive reuse in the future (e.g. sites of large institutional buildings such as Zion Church at 32 Weber Street West). Should significant portions of such building be redeveloped for some of these uses, there would be concerns to surrounding residential property owners. However, such uses at a smaller scale could potentially be appropriate and compatible within a mixed use area. |
<p>| | | 2. The proposed Low Rise Residential (with Specific Policy Area 1) designation and RES-3 zone proposed for the north side of Roy Street is appropriate for the existing low rise residential areas of the heritage conservation district. |
| | | 3. With respect to the current Civic District Secondary Plan designation, Special Policy Area 1 applies to the property at 32 Weber St W. It appears that many elements of this policy are proposed to be carried forward in some form through the proposed designations and zoning. I suggest that the policy stating that “no vehicular access to Roy Street will be permitted from 32 Weber Street West” be carried forward. Should this site be redeveloped it would likely be most appropriate for the development to be designed to front onto and have primary access to Weber Street rather than from the local road. |
| | | 4. In the context of the new CRoZBy regulations and lot line definitions, I suggest that further consideration be given to how a front lot line is determined for “through lots” located in the |</p>
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|   |                  | Question 3: What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?  
|   |                  | Additional Comments |
| 7 | Govedaris Professional Corporation  
32 Weber Street  
Written: March 8, 2019 | Secondary Plan Areas. While in some cases it may make sense for the shortest lot line abutting a street to be the front lot line, for many ‘through lots’ it may be preferable for the City to be able to deem a certain lot line the front lot line, for example to deem the high order street the front lot line (i.e. Weber Street or Victoria Street) and not the local street. This is the approach taken in By-law 85-1. Depending on the zoning of the site, there will be implications for setbacks, patio regulations etc. where the property has frontage on an arterial as well as a local road,. This comment has been made to the Zoning By-law review team for general consideration, and is not necessarily specific to the Civic Centre district, although this scenario is observed to occur at the property at 32 Weber St.  
|   | Letter submitted through lawyer: Govedaris Professional Corporation  
Barrister(s) & Solicitor(s)  
44 Upjohn Road  
Toronto, M3B 2W1  
Impact on property:  
1. property to be zoned as Mixed-Use  
2. FSR to be reduced to 2.0 and  
3. Limited to a height of 8 storeys  
4. Unaware of Secondary Plan when the property was purchased  
5. Will significantly decrease any future profit potentials  
6. Fully intend on attending the council meeting where the secondary plans are expected to be presented. Notify the writer of any dates |
| 8 | 58 Ahrens Street West  
Written: March 31, 2019 | CHANGE the name of the Secondary PlanPlease change the name of the Civic Centre Secondary Plan to Olde Berlin Town Secondary Plan. The use of the words “civic centre” is detrimental to our predominantly residential neighbourhood. This term in the title of our Secondary Plan is misleading and is totally inappropriate.  
This is a residential area. The buildings on the lands in the Civic Centre Secondary Plan are mainly single dwelling units and they cover the majority of the actual acreage. This is an extensive Heritage Conservation District where people live. People have lived here for over 150 years.  
Here are some definitions of 'Civic Centre'.  
|   | The geographic boundary of Olde Berlin Town does not match the current boundary of the Civic Centre secondary plan and naming it as such would be historically inaccurate. The name of the secondary plan reflects the name of the heritage conservation district plan. The term “preservation” not being included in the terminology does not mean that the built form will not be preserved. The current land use and zoning permissions will be maintained. The heritage conservation plan for this area ensures that regulations under PART V of the Ontario Heritage Act will apply to any changes or development.  
There was extensive 3D modelling completed as part of the PARTS Central Plan. Further work will be done to review transitions and compatibility between high, mixed use, and low rise residential areas.  
The decrease in density along Weber Street was a recommendation from the Civic Centre Heritage Conservation District Plan and PARTS Central Plan.  
Property values are not a land use planning consideration. |
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| | | Question 1: What are your comments about the land use designations?  
Question 2: What are your comments about the zoning?  
Question 3: What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?  
Additional Comments | compatibility between high, mixed use, and low rise residential areas. Opportunities for urban greenspace are extremely limited under existing constraints. |
| | | The NORTH AMERICAN dictionary definition of 'civic centre' is:  
- a municipal building or building complex, often publicly financed, with space for conventions, sports events, and theatrical entertainment.  
- The COLLINS ENGLISH dictionary defines 'civic centre' as  
  - “the public buildings of a town, including recreational facilities and offices of local administration”  
- The CAMBRIDGE ENGLISH dictionary defines 'civic centre' as  
  - “a large building or group of buildings used for entertainment, social, and business events”  
- Wikipedia defines ‘civic centre’ as  
  - “A civic center or civic centre is a prominent land area within a community that is constructed to be its focal point or center. It usually contains one or more dominant public buildings, which may also include a government building. Recently, the term "civic center" has been used in reference to an entire central business district of a community or a major shopping center in the middle of a community. In this type of civic center, special attention is paid to the way public structures are grouped and landscaped.”  
- An on-line dictionary  
  https://www.dictionary.com/browse/civic-center defines ‘civic centre’ as  
  - noun  
    - a building complex housing a theater or theaters for the performing arts and sometimes exhibition halls, a museum, etc., and usually constructed or maintained by municipal funds.  
    - a building or building complex containing a municipality's administrative offices, various departmental headquarters, courts, etc., and sometimes an auditorium, libraries, or other community or cultural facilities.  
    - a theater, meeting hall, or the like for community or public use.  
  
You must notice that in ALL of these definitions there is no mentioned of residences or private home. Therefore, there must a change in the name of this Secondary plan. |
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| | | Additional Comments | 2. Preservations  
- A ‘preservation’ designation continues to be very important for this historical area  
- Will the transition requirements between new developments/buildings and the older homes be strong enough protection?  
- Will quality of life be preserved for the people and their homes? | |
| | | | 3. HEIGHT LIMITS  
- The lack of a height limit on some Mixed Use buildings and the limited number of parking spaces allowed is worrisome. This will lead to parking issues in the interior.  
- An excessive number of highrise buildings ringing around the edges of the Civic Centre will overwhelm the neighbourhood and can cause destabilization.  
- There is very limited greenspace in the area; Hibner Park is a small gem, but it is ‘handkerchief-sized!’ The projected additional residents in the new developments will only make this problem more difficult to solve  
- Why is bonusing, a hidden strategy in zoning? this can mean that extra storeys can be added and exceed the actual legal zoning height  
- Buffer zones are critical to manage the space between highrises and low rise buildings | |
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<td>9</td>
<td>54 Margaret Avenue Written: April 17, 2019</td>
<td>Firstly, as communicated in the OBTNHA consultation (on March 30, 2019), the current zoning for 54 Margaret is R-8 and the proposed new zoning is RES-6, which does not seem to fit the property as well as a RES-3 zoning would. Since the house is a single detached family home, and is a protected Class A heritage home, we feel the RES-6 zoning does not reflect the heritage importance of this house and the character of the neighbourhood and may encourage inappropriate development on the property in the future. We feel a “RES-3” designation may be a more appropriate. We realize the land has potentially more value zoned as RES-6 since there are more options to develop, however we are now the custodians of this amazing house and feel its long-term protection is paramount. Further, we are hoping that a RES-3 designation would afford us better protections against inappropriate transitions from our neighbouring properties. Our property falls outside the black dotted zone on the maps shown at the consultation identified as the “specific policy zone.” We are not clear on why our property was left outside the proposed zone, and what that means for 54 Margaret’s inclusion with respect to heritage protections. Was this an oversight? Was it purposely left out of the specific policy zone, and if so, why?</td>
<td>The land use designation and zone category for this property that is proposed and was shown at the Open House was to reflect the existing land use and zoning permissions that the property currently enjoys in the Civic Centre Secondary Plan and Zoning By-law 85-1. The reason for not including this property in the site-specific policy area for 30-40 Margaret Avenue, was again to reflect that none exist now and the one adjacent and applicable to the property at 30-40 Margaret Street is to reflect the site-specifics that were approved by the Ontario Municipal Board for these lands. The exclusion of these lands from any site-specific policies does not reflect any less heritage protection. We are open to reviewing and revising the proposed land use designation and zone category to reflect the current built form and existing use, rather than maintaining current land use and zoning permissions.</td>
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<td>10</td>
<td>Paul Britton, MHBC 22 Weber Street West Written: March 19, 2019</td>
<td>The subject lands are designated as High Density Commercial Residential - OMB decision. FSR is reduced from 4 to 2. Request for meeting.</td>
<td>Staff met with the property owner to discuss the proposed land use designation and zoning. Property owner is to provide further information to support additional density and built form.</td>
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<td>11</td>
<td>Written: March 27, 2019</td>
<td>Question 1: What are your comments about the land use designations? Question 2: What are your comments about the zoning? Question 3: What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?</td>
<td>Please Note late addition comment #56 &quot;Can we have 30-40 Margaret Ave zoned RES-5 as opposed to RES-6?&quot;. All others have been previously submitted.</td>
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<td>Thank you for your interest in the OBTNA consultation on the proposed neighbourhood rezoning (Secondary Plan review) with the Planning Department. How will this consultation work? Our neighbourhood association received more than 55 individual comments in response to the proposed new zoning. We will only address a few of the comments, included below my signature, as our time is limited. Our goal is to have the Planning Department understand our perspectives and for us to understand the Planning Department’s intent. We are not aiming to achieve agreed-upon decisions at this time. The following questions/comments are numbered in the order they were recorded by the neighbourhood association.</td>
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<td>1. Can we have all the land-use documents (Secondary Plan, Urban Design Manual, Heritage Conservation District Plan, Self-guided tour information, etc.) refer to the neighbourhood as “Olde Berlin Town” as opposed to “Civic Centre” so as to eliminate confusion?</td>
<td>The geographic boundary of Olde Berlin Town does not match the current boundary of the Civic Centre secondary plan and naming it as such would be historically inaccurate. The name of the secondary plan reflects the name of the heritage conservation district plan.</td>
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<td>2. Can we include a statement in the Secondary Plans that the recommendations in sections 4.0-4.5 and 6.9.0-6.9.4, inclusive, of the Heritage District Conservation Plan are to be read as requirements, with the words “recommended/recommends” and other such variants to be read as “shall”, etc.? Doing so would eliminate misunderstandings and ensure the value of the public consultations and commissioned reports.</td>
<td>It is Staff’s opinion that referencing particular sections may wrongly infer other sections in the heritage conservation district plan should be read differently or have different status. Staff can consider including policies in the secondary plan to reference the HCD and state that the CCNHCD Plan has status under the OHA and its own legislative requirements.</td>
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<td>3. Can we include a statement in the Secondary Plans clarifying that RES-3 is the zoning for all lands within the Heritage District, except for a. 103 Ahrens St W, 94 Ahrens/151&amp;153 Victoria St N, 277 Victoria St N and 33 St Leger, b. all properties fronting Weber St W, and c. churches d. and that the lands zoned more intensively are exceptions, so zoned to reflect existing buildings pre-dating this Secondary Plan?</td>
<td>The Official Plan cannot specify what zone category should be applied to properties.</td>
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<td>4. Can we define maximum height in terms of meters? Can we ensure that meters be used as the units of physical measurement? This might be best applied city-wide.</td>
<td>In some cases it is appropriate to regulate height and built form by FSR to allow flexibility in built form to avoid a monotonous streetscape.</td>
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<td>5. Can we ensure that no property is subjected to more shadowing than its height and setback limits permit it to throw onto its neighbours? This would safeguard existing uses such as the collection of solar energy and gardening. Can we also have a city-wide rule on shadowing, using Mississauga's plan as a starting point?</td>
<td>There was extensive 3D modelling completed as part of the PARTS Central Plan. Further work will be done to review transitions and compatibility between high, mixed use, and low rise residential areas. Shadow impacts of development are reviewed through the site plan approval process wherein the exact details of the built form are known.</td>
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<td>6. Can we designate all properties with frontage on Victoria not planned for MIX-2 zoning as Low Rise Residential Office RES-3?</td>
<td>The current low rise residential designation will still permit compatible non-residential uses including home occupation and office. Staff have reviewed the parcel fabric for the remaining low rise residential properties and determined they would not be able to support a Low Rise Residential Office RES-3 zone.</td>
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<td>7. Why does the proposed zoning recommend a maximum of two units in the RES-3 zones instead of the currently permitted maximum of three units as per the secondary plan provision 13.1.2.1?</td>
<td>A review of the properties has determined that it is not possible to accommodate three units and the required amenity area and parking on a majority of the lots in the secondary plan. At the time the RES zones were applied for the Open House we did not have a RES zone that permitted three units so Staff determined that applying the lesser zone would be more appropriate to reflect the existing built form of the neighbourhood. Staff are reviewing the RES-3 zone for inclusion of a three unit residential use in accordance with Bill 108.</td>
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<td>8. Can we allocate required additional green space within a 10-minute walk of the development which generates the requirement? See Civic Centre Secondary Plan General Policy 13.1.1.7.</td>
<td>Opportunities for urban greenspace are extremely limited under existing constraints. The City can only require a parkland dedication on a property subject to a Planning Act application.</td>
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<td>9. Can we ensure that properties are capable of storing snow on their own land or appropriate sized boulevards?</td>
<td>The City can do this where site plan approval is required/given. Site plan approval is required for non-residential developments and residential developments with at least 3 dwelling units. This is not done in a Zoning By-law.</td>
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<td>10. Can we ensure that &quot;as of right&quot; zoning is interpreted to reflect all legislation, including heritage, shadowing, transition, wind tunnels, etc., and not simply the zoned Floor Space Ratio, setback and height limits?</td>
<td>When a proposed development complies with all zoning regulations Staff review all technical studies such as shadowing, wind, servicing, etc. through a site plan approval process. The zoning by-law cannot contain regulations which anticipate the impacts of individual developments.</td>
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<td>The intent of the land use designations is not to frustrate individual property owners and to facilitate the redevelopment of lands where appropriate. In the interim properties may be legal non-conforming with respect to use. Holding provisions historically have proven difficult to utilize to facilitate consolidation of properties.</td>
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<td>Can we increase the minimum lot width (frontage on street) for MIXED 2 zones to 25 metres? Do MIXED 3 and 4 zones need even wider widths?</td>
<td>The MIX-2 and MIX-3 zones were recently approved under CRoZBY. Staff will be reviewing the requirements and regulations for the MIX-4 zone.</td>
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<td>Can we institute a 15 metre setback on MIX-2 properties abutting a Low-Rise Residential zone in the CCHDCP?</td>
<td>Staff will be conducting 3D modelling to determine the compatibility of MIX-2 properties abutting low rise residential properties within the secondary plan area and appropriate regulations if necessary.</td>
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<td>Why are we proposing to prohibit semi-detached dwellings in the RES-3 zones? We already have a few heritage semis.</td>
<td>Staff are reviewing permitted uses and regulations in the RES-3 zone and it is anticipated that a semi-detached dwelling will be permitted in accordance with the direction in Bill 108.</td>
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<td>Can we ensure that the churches are zoned to retain a primary use that serves all society - community facility, cultural facility, place of worship, etc.? The request that the churches remain under I-2 zoning was one of the most frequent comments.</td>
<td>The Mix Zones permit Institutional Uses as well as Commercial and Residential Uses. The I-2 is limited in terms of permitted Institutional uses and would not allow the churches to diversify and permit compatible uses from utilizing the property during the &quot;off times&quot;. It is proposed to add a site-specific to protect the existing building, i.e new use is only permitted within the existing building. The churches have expressed an interest in the diversification of uses and it is not reasonable not to permit other compatible uses of the church buildings/properties.</td>
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<td>Can sidewalks be widened on Victoria St N?</td>
<td>Victoria Street North is a Regional road and under the jurisdiction of the Region.</td>
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<td>Can we zone 54 Margaret Ave RES-3 as opposed to RES-6? It is a Class A heritage building like its neighbours across the street.</td>
<td>Staff is reviewing the land use designation and zoning for the property at 54 Margaret in consultation with the property owners.</td>
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<td>Can we retain the properties along the south-east side of Water Street in the Civic Centre Secondary Plan? Having the neighbourhood boundaries break down a rear property line as opposed to at a major street is confusing.</td>
<td>The boundary of the secondary plan was amended in 2014 to include Water Street within the Urban Growth Centre boundary which was determined by the Province.</td>
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<td>More specifically, can we retain 127 and 130 Water St N in the Civic Centre Secondary Plan? They are in the Heritage District and form part of the boundary of the secondary plan was amended in 2014 to include Water Street within the Urban Growth Centre boundary which was determined by the Province.</td>
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<td>Additional Comments</td>
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<td>gateway to Ahrens from Water/Victoria, as per the CCHCDP.</td>
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<td>20.</td>
<td>Why is 277 Victoria St N proposed to receive a MIX-2 designation?</td>
<td>The zoning that was applied corresponds to the urban structure element that was applied to the property as part of the new Official Plan in 2014. Staff will be reviewing 3D modelling to determine compatible transition to low rise residential zones and whether additional regulations are required.</td>
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<td>It is land included in the Heritage District Plan with existing zoning MU-1 162U 401U 562R. It is part of the gateway to St Leger from Victoria, as per the CCHCDP. Can it be designated MIX 1?</td>
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<td>21.</td>
<td>Why is the portion of 33 St Leger included in the Heritage District being proposed to receive a MIX-2 designation?</td>
<td>The zoning that was applied corresponds to the urban structure element that was applied to the property as part of the new Official Plan in 2014. Staff will be reviewing 3D modelling to determine compatible transition to low rise residential zones and whether additional regulations are required.</td>
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<td>It currently zoned MU-1 162U 559R. Can it be designated MIX-1?</td>
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<td>People appreciate the re-zoning of a portion of 64 Margaret to Low-Rise Residential.</td>
<td>Noted.</td>
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<td>23.</td>
<td>Why is a MIX-2 designation being applied to a portion of the 64 Margaret lands, which are within the Heritage District with current zoning MU-1 167U 561R? Can that portion of 64 Margaret be zoned MIX-1?</td>
<td>The zoning that was applied corresponds to the urban structure element that was applied to the property as part of the new Official Plan in 2014. 64 Margaret has received site plan approval in accordance with the current zoning.</td>
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<td>If it is determined that 64 Margaret and 33 St Leger require site specific policy Staff will include it in the secondary plan. Servicing, vehicular access are considered through the site plan process.</td>
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<td>Can we include 64 Margaret and 33 St Leger among the list of properties subject to Special Policies 13.1.3.? As the properties are already consolidated with frontage on Victoria St N, can we note that the provisions are to be effected through the Site Plan process? In general, how can we ensure that re-developed properties do not direct their servicing and traffic into the interior of the Civic Centre neighbourhood?</td>
<td>Staff have not applied site specific height restrictions based on the exact height a cultural heritage resource. Staff continue to have the ability to address acceptable height of alterations and new development through the Heritage Permit process.</td>
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<td>25.</td>
<td>Can the CR-1 properties along Queen between Weber and Ahrens be zoned MIX-1? MIX-2 would impose on Queen St.</td>
<td>The PARTS Plan and study recommended that we designate the lands to MIX-2. There was extensive 3D modelling completed as part of the PARTS Central Plan. Further work will be done to review transitions and compatibility between high, mixed use, and low rise residential areas.</td>
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<td>26.</td>
<td>Can a height limit matching the existing building height be applied to 108 Queen St N (Sonneck House) given that it is a Part IV designated property inside the CCHDCP, so as not to mislead owners as to it potential use?</td>
<td>Staff have not applied site specific height restrictions based on the exact height a cultural heritage resource. Staff continue to have the ability to address acceptable height of alterations and new development through the Heritage Permit process.</td>
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<td>27. Within FANZ, why do we want the front yard setbacks at 236 and 264 Victoria St N to be as large as 33.89m and to have parking in the front yard? Do we not want to animate the street? Do we not want parking at the rear of the buildings?</td>
<td></td>
<td>These properties are not included in this secondary plan boundary and have been zoned under CRoZBY.</td>
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<td>28. Can we have, within the flanking UGC zones, height limits and/or stepback requirements, so that undue shadowing and inappropriate transitions are not created?</td>
<td></td>
<td>Staff are not reviewing lands within the Urban Growth Centre as part of the secondary plan review.</td>
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<td>29. Along Queen St N and Ellen St E, in the UGC, can we have a minimum 6m front and exterior sideyard setback, as opposed to the proposed 3m?</td>
<td></td>
<td>Staff are not reviewing lands within the Urban Growth Centre as part of the secondary plan review.</td>
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<td>30. What is the definition of an “appropriate transition”? How will planning documents ensure an appropriate transition, as required by the Official Plan, from the low-rise residential interior of Civic Centre across Queen, Victoria, Water and Weber into more intensified zones? Do we take the example of Special Regulation 565 (which applies to a property at 111 Water St, with a rear yard neighbour inside the Heritage District): Notwithstanding Section 54.2 of this By-law, within the lands zoned MU-2 and shown as affected by this subsection on Schedules 83, 84 and 122 of Appendix &quot;A&quot; the following special regulations shall apply: a) the minimum rear yard setback shall be 15.0 metres; and b) the maximum building height shall be 16.5 metres; however, the building height may be increased to a maximum of 24.0 metres provided that for each additional metre of building height beyond 16.5 metres a minimum of 1.5 metres of additional setback from the rear lot line is provided for those portions of the building with a height in excess of 16.5 metres. (By-law 2011-058, S.41) (Victoria Street North Mixed Use Corridor)</td>
<td></td>
<td>Staff will be reviewing the regulations of the mix zones to ensure appropriate transitions. To do this more modelling will be done to determine the appropriate transition regulations to apply.</td>
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<td>31. Do we take the recommendations of the CCHDCP? The CCHDCP recommends more than 7.5m setbacks as buffers between existing heritage areas and new developments. Take the much contemplated 30-40 Margaret case as the example on transitions: 1. 16.5m maximum height (as an immediate neighbour to 10.5m max. height neighbour). 2. 45 degree stepback above third floor. 3. rear yard setback of 10-15m.</td>
<td></td>
<td>Staff will be reviewing the regulations of the mix zones to ensure appropriate transitions. To do this more modelling will be done to determine the appropriate transition regulations to apply.</td>
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|    |                   | Question 2: What are your comments about the zoning?  
|    |                   | Question 3: What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?  
<p>|    |                   | Additional Comments | Staff are not reviewing lands within the Urban Growth Centre as part of the secondary plan review. |
|    |                   | 32. Can we have a height limit on the block encircled by Weber-Water-Victoria that affords the properties on the south-eastern side of Water St N an appropriate transition? One resident believes the FSR limit will ensure a reasonable transition. | Staff are reviewing permitted uses and regulations in the RES-3 zone and it is anticipated that the zone will allow for more housing options such as lane coach houses in appropriate locations subject to all zoning regulations being met. This direction is supported by new Bill 108. |
|    |                   | 33. Do we want to encourage more lane houses/coach houses? What criteria could be required for coach houses? Is any change necessary to the proposed regulations? This issue was controversial in the neighbourhood. | Staff are reviewing permitted uses and regulations in the RES-3 zone and it is anticipated that the zone will allow for more housing options such as lane coach houses in appropriate locations subject to all zoning regulations being met. This direction is supported by new Bill 108. |
|    |                   | 34. Why is Lancaster/Mansion RES-5 property not listed as RES-3? | The new RES-5 zoning reflects the existing use of the property. |
|    |                   | 35. Quote: “I don’t live in the Civic Centre but I take a lot of pleasure from walking through it which I do frequently. It gives me a sense of the history of the city and is a peaceful zone in the core.” | Noted. |
|    |                   | 36. Quote: “I like the lanes for walking and biking. I wish they were better groomed.” | Noted. |
|    |                   | 37. Can we continue the bike lane along Margaret/Otto from Victoria to Frederick? | The City of Kitchener is currently reviewing the Trails and Cycling Master Plan. |
|    |                   | 38. Many neighbours did not receive notice of the planning review because not notified via mail. | Noted. |
|    |                   | 39. The December 12th consultation date was too close to the holidays and competing obligations to permit adequate participation. | There will be future opportunities to provide comments and adequately participate. |
|    |                   | 40. How can we include cultural heritage landscape policies? | The Secondary Plans will be brought in the 2014 Official Plan and will be subject to the parent policies of the Official Plan including the Cultural Heritage Resource (Cultural Heritage Landscape) policies. |
|    |                   | 41. How can we ensure that the heritage value of the green spaces and trees are protected? | Significant green spaces can be designated and zoned Open Space to provide a level of protection. Development applications are required to submit tree management plans and adjacent trees are protected and require landowner permissions to be removed. |
|    |                   | 42. How can we add more storey-telling signage? | This opportunity that can be explored and addressed through neigbourhood urban design guidelines. |
|    |                   | 43. Can we improve placemaking in the neighbourhood? | This opportunity that can be explored and addressed through neigbourhood urban design guidelines. |
|    |                   | 44. Can we bring in heritage style street lighting in keeping with the CCHDCP’s recommendations? | This opportunity that can be explored and addressed through neigbourhood urban design guidelines. |</p>
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<td>45.</td>
<td>How can we add more street furniture?</td>
<td>45. How can we add more street furniture?</td>
<td>This opportunity that can be explored and addressed through neighbourhood urban design guidelines.</td>
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<td>46.</td>
<td>What are the next steps in the neighbourhood planning review process?</td>
<td>46. What are the next steps in the neighbourhood planning review process?</td>
<td>Once Staff address all comments that have been received revisions may be made to the policies, plans and zoning regulations. These will be circulated to the neighbourhood for public comment at a future point in time.</td>
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<td>47.</td>
<td>How can we ensure more green space?</td>
<td>47. How can we ensure more green space?</td>
<td>Opportunities for urban greenspace are extremely limited under existing constraints. The City can only require a parkland dedication on a property subject to a Planning Act application.</td>
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<td>48.</td>
<td>How do we add more green canopy, on both city land and private property, to prevent heat capture?</td>
<td>48. How do we add more green canopy, on both city land and private property, to prevent heat capture?</td>
<td>&quot;Heat capture&quot; is not a land use planning concern being considered in this process.</td>
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<td>49.</td>
<td>How do we ensure that the neighbourhood does not get split into two communities on either side of a more intensified Margaret? Would neighbourhood cohesion be harmed?</td>
<td>49. How do we ensure that the neighbourhood does not get split into two communities on either side of a more intensified Margaret? Would neighbourhood cohesion be harmed?</td>
<td>Development within the neighbourhood will not affect or change the boundary of this secondary plan neighbourhood.</td>
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<tr>
<td>50.</td>
<td>What regulations do we have/need to allow for new porches where an old porch was removed long ago?</td>
<td>50. What regulations do we have/need to allow for new porches where an old porch was removed long ago?</td>
<td>The City does not have the ability to retroactively require a property owner to construct a porch that has been removed. The City is looking at zoning regulations to require construction of front porches on new builds on certain streets and/or neighbourhoods.</td>
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<td>51.</td>
<td>Can we add requirements for laneway lighting?</td>
<td>51. Can we add requirements for laneway lighting?</td>
<td>This issue is not a land use planning concern being considered in this process.</td>
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<td>52.</td>
<td>Can we improve lighting on streets where current lights are obliterated by trees?</td>
<td>52. Can we improve lighting on streets where current lights are obliterated by trees?</td>
<td>This issue is not a land use planning concern being considered in this process.</td>
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<td>53.</td>
<td>How can we ensure the availability of affordable housing options?</td>
<td>53. How can we ensure the availability of affordable housing options?</td>
<td>The City plans for a mix of land uses to support a range of housing types for people of all demographics.</td>
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<tr>
<td>54.</td>
<td>How can we ensure that new developments include more 3 bedroom and larger units to ensure that families can remain in the neighbourhood?</td>
<td>54. How can we ensure that new developments include more 3 bedroom and larger units to ensure that families can remain in the neighbourhood?</td>
<td>The City plans for a mix of land uses to support a range of housing types for people of all demographics.</td>
</tr>
<tr>
<td>55.</td>
<td>How does Central Frederick Neighbourhood feel about having properties along Lancaster transferred out of their plan? Are they being consulted?</td>
<td>55. How does Central Frederick Neighbourhood feel about having properties along Lancaster transferred out of their plan? Are they being consulted?</td>
<td>These property owners and the Central Frederick Neighbourhood are being consulted through this process and will be notified at such time as we review the Central Frederick secondary plan.</td>
</tr>
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<td>56.</td>
<td>How can we ensure that the Committee of Adjustment and Zone Change applications processes do not undermine these communally-achieved Secondary Plans?</td>
<td>56. How can we ensure that the Committee of Adjustment and Zone Change applications processes do not undermine these communally-achieved Secondary Plans?</td>
<td>The City cannot prevent property owners from making applications to the Committee of Adjustment or to Committee/Council to facilitate a change to or a redevelopment of a property.</td>
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<td>12</td>
<td>Written: March, 30, 2019</td>
<td>Notes from March 30, 2019 consultation with Brandon Sloan Regarding Proposed Re-Zoning of Civic Centre (Olde Berlin) The following opinions do not reflect the views of the Olde Berlin Ton Neighbourhood Association. The opinions belong to individuals who attended the consultation. No request for registration from local residents, property or business owners was denied.</td>
<td>The land use designation and zone category for this property that is proposed and was shown at the Open House was to reflect the existing land use and zoning permissions that the property currently enjoys in the Civic Centre Secondary Plan and Zoning By-law 85-1. The reason for not including this property in the site-specific policy area for 30-40 Margaret Avenue, was again to reflect that none exist now and the one adjacent and applicable to the property at 30-40 Margaret Street is to reflect the site-specifics that were approved by the Ontario Municipal Board for these lands. The exclusion of these lands from any site-specific policies does not reflect any less heritage protection. Staff are reviewing the application of a &quot;Low Rise Residential&quot; designation and to apply the new &quot;RES-3&quot; zone, rather than retaining the existing &quot;Medium Rise Residential&quot; land use designation and zoning permissions for the property at 54 Margaret.</td>
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<p>| 57 | Can we have 30-40 Margaret Ave zoned RES-5 as opposed to RES-6? | 57. Can we have 30-40 Margaret Ave zoned RES-5 as opposed to RES-6? The property owner was an active participant during the PARTS Central Plan and was very clear that they wanted to maintain their current land use and zoning that was approved through the OMB. PARTS Central recommended a Medium Rise Residential with a site-specific and the proposed RES-6 implements this. |  |</p>
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Question 2: What are your comments about the zoning?  
Question 3: What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?  
Additional Comments | 30. What is the definition of an “appropriate transition”, as required by the Official Plan Objective 3.2.5.?  
-Objective 3.2.5. of Kitchener’s Official Plan: “To maintain a compatible interface between Intensification Areas and surrounding areas and achieve an appropriate transition of built form”  
-How will planning documents ensure an appropriate transition, from the low-rise residential interior of Civic Centre across Queen, Victoria, Water and Weber into more intensified zones?  
-Precedent A) Special Regulation 565 (applies to 103-125 Water St N, which have a rear yard neighbour inside the Heritage District): a) the minimum rear yard setback shall be 15.0 metres; and b) the maximum building height shall be 16.5 metres; however, the building height may be increased to a maximum of 24.0 metres provided that for each additional metre of building height beyond 16.5 metres a minimum of 1.5 metres of additional setback from the rear lot line is provided for those portions of the building with a height in excess of 16.5 metres.  
-Precedent B) Page 60 of Civic Centre Heritage district Conservation Plan regarding 30-40 Margaret Ave: 15m rear yard setback, 3 storey height at street and maximum 5 storey height mid-block. Step back at 45 degrees above third floor.  
-Example from the Victoria Park Area Heritage district. The properties within this district on Joseph Street are currently zoned R-5 with a maximum height of 10.5 m. On the opposing side of Joseph Street, the land is proposed to be zoned UGC-1 which allows a height only limited by maximum floor space ratio. If you use this as a guide, then the zoning on Queen, Victoria, Water and Weber should allow for higher maximum heights. |
<p>|    |                   | Staff will be reviewing the regulations of the mix zones to ensure appropriate transitions. To do this more modelling will be done to determine the appropriate transition regulations to apply. |</p>
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| | Question 1: What are your comments about the land use designations?  
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Question 3: What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?  
Additional Comments | - Example from Hamilton. Lots of 35+ m frontage and 45+ m depth, allow for a point tower of 13+ stories or 50+ m. Lot depths on Queen are approximately 34 m, Victoria 47m, Water 51m and Weber 30-50m. Hamilton would allow considerable more height than what Kitchener is allowing.  
-Hamilton’s building guidelines state, “To ensure the new development is sensitive and compatible with the existing or planned open space areas buildings should be designed to: i) transition to the height of the existing residential development. The portion of the building base or what our zoning calls the podium that is adjacent to the low-rise residential building should not exceed the height of the adjacent development and ii) the tower portion of the building should be set back 12.5m from the property line adjacent to the residential neighbourhood to mitigate shadow impact and protect privacy and outlook. The setbacks required on Water St N are more restrictive than what is required in Hamilton.  
-Properties with these lot sizes are scarce, and Water and Victoria streets are primary corridors within the Major Transition Station Area.  
-Likely the biggest single general issue to be resolved.  
-Need to ensure that the benefits that come from putting limitations on a property are guaranteed to the owner as well as the neighbours.  
-Need to ensure that benefits currently enjoyed are not stripped away without consent or appropriate compensation.  
-Need to recognize that the surrounding context of a property is inherent to its value.  
-Must not engage in expropriation of value.  
-Need to recognize that we are not planning on a blank canvas; that we have made many decisions in the past and that people have made life-changing commitments on the basis of these past decisions. |
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<td>3.</td>
<td>Can we include a statement in the Secondary Plans clarifying that RES-3 is the zoning for all lands within the Heritage District, except for: a. 103 Ahrens St W, 94 Ahrens/151&amp;153 Victoria St N, 277 Victoria St N and 33 St Leger; b. all properties fronting Weber St W, and c. churches, and that d. the lands zoned more intensively are exceptions, so zoned to reflect existing conditions pre-dating this Secondary Plan? Point 3.a. may be redundant. Important to ensure that no one mistakes the existing, more intensive zoning as a precedent for what may be built in the future. Important to recognize the legally accrued benefits currently enjoyed by property owners.</td>
<td>The Official Plan cannot specify what zone category should be applied to properties.</td>
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<td>5.</td>
<td>Can we ensure that no property is subjected to more shadowing than its height and setback limits permit it to throw onto its neighbours? Can we also have a city-wide rule on shadowing, using Mississauga’s plan as a starting point? (www6.mississauga.ca/onlinemaps/planbldg/UrbanDesign/FinalStandards_ShadowStudies_July2014.pdf) This would safeguard existing uses such as the collection of solar energy and gardening. Page 3.10 of the CCHDCP states “Any buildings proposed over 5 storeys in height may be required to undertake shadow studies where they abut existing residential uses, to demonstrate that they will not unreasonably impact on access to sunlight in rear yard amenity areas.” What is a reasonable and satisfactory target for sunlight? Mississauga’s guidelines regarding shadowing on private and public streets and spaces are very specific. How do other cities evaluate shadowing? Other factors to evaluate shadowing include: no net new shadows, number of hours in a defined period of time, and percentage of sun coverage all the time. Whichever factors we adopt, we must consider the balancing of sunlight access with growth, development and achieving density targets. An issue of moving from one zone to another and is one necessary condition of an appropriate transition. Rule should apply to the zoned limits as opposed to the existing builds. Not advocating to reduce FSRs or height permitted under present zoning – without the owners’ There was extensive 3D modelling completed as part of the PARTS Central Plan. Further work will be done to review transitions and compatibility between high, mixed use, and low rise residential areas. Shadow impacts of development are reviewed through the site plan approval process wherein the exact details of the built form are known.</td>
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<td><strong>Question 1:</strong> What are your comments about the land use designations? <strong>Question 2:</strong> What are your comments about the zoning? <strong>Question 3:</strong> What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?</td>
<td><strong>A review of the properties has determined that it is not possible to accommodate three units and the required amenity area and parking on a majority of the lots in the secondary plan. At the time the RES zones were applied for the Open House we did not have a RES zone that permitted three units so Staff determined that applying the lesser zone would be more appropriate to reflect the existing built form of the neighbourhood. Staff are reviewing the RES-3 zone for inclusion of a three unit residential use in accordance with Bill 108.</strong></td>
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<td><strong>Additional Comments</strong>&lt;br&gt;-Don’t want to see new zoning infringe upon the benefits to which another zone is entitled.</td>
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<td>7.</td>
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<td><strong>Why does the proposed zoning recommend a maximum of two units in the RES-3 zones instead of the currently permitted maximum of three units as per the Secondary Plan provision 13.1.2.1?</strong>&lt;br&gt;-13.1.2 Land Use Designations&lt;br&gt;1. Low Rise Residential - Preservation&lt;br&gt;The Low Rise Residential - Preservation designation has been applied to areas where it is the aim of this Plan to retain the existing single detached residential character of the Neighbourhood. Existing houses and streetscapes are to be preserved wherever possible. Permitted residential uses are restricted to single detached dwellings and the conversion of those structures which existed as of the date of the adoption of this Plan to duplexes or multiple dwellings to a maximum of 3 units.</td>
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<td>Additional Comments</td>
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<td>Residential conversions will be permitted only where there is sufficient floor area for the conversion, where the site is capable of providing adequate off-street parking in accordance with by-law requirements, and where no structural alterations are required to the exterior of the building. Any exterior stairs or fire escapes are to be enclosed, and kept away from the facade of the structure. Minor exterior alterations and additions to single detached dwellings shall be permitted provided such alterations are not within any front or side yard.</td>
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<td>- If change not made, could a developer apply for a variance or zone change anyway?</td>
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<td>- Would buildings with more than 3 units be grandfathered?</td>
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<td>- Will RES-1 and RES-2 zoning be applied?</td>
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<td>- What is the definition of “sufficient floor area” to permit conversion to up to 3 units?</td>
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<td>- Concerned this could destabilize neighbourhood.</td>
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<td>- Permitting three units, within the RES-3 houses, could allow intensification while preserving the exterior built form and without compromising the neighbourhood.</td>
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<td>- A maximum of 3 units is the status quo, and the neighbourhood has not suffered.</td>
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<td>56. Can we have 30-40 Margaret Ave zoned RES-5 as opposed to RES-6?</td>
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<td>- RES-6 only permits cluster townhouses and multi-residential buildings.</td>
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<td>- RES-5 permits detached houses, semi-detached houses, street townhouses, cluster townhouses and multi-residential buildings.</td>
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<td>- If RES-5 zoning was approved, the ownership could retain the right to avail itself of the Ontario Municipal Board ruling as a site specific regulation, but could also choose to build other forms.</td>
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<td>- Affords flexibility</td>
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<td>- Would allow Margaret Ave to be restored.</td>
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<td>- Would create the possibility of neighbours on the south side of Margaret to have their built form mirrored across the street.</td>
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<td>- Would not limit the interests of the 30-40 Margaret ownership.</td>
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<td>The property owner was an active participant during the PARTS Central Plan and was very clear that they wanted to maintain their current land use and zoning that was approved through the OMB. PARTS Central recommended a Medium Rise Residential with a site-specific and the proposed RES-6 implements this.</td>
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<td>12. Can we increase the minimum lot width (frontage on street) for MIXED 2 zones to 25 metres? Do MIXED 3 and 4 zones need even wider widths?</td>
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<td>- Would prevent the situation at 122 Courtland Ave E, where a property breaks the cadence of the MIX-2 and MIX-3 zones were recently approved under CRoZBY. Staff will be reviewing the requirements and regulations for the MIX-4 zone.</td>
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**Additional Comments** | |
| | | - Ensures that the front, animated face of the building can be facing the street.  
- Builders may be forced to assemble multiple properties to meet the requirements which might stifle development.  
- The current minimum lot width for MIX-2 zoning is 15 m. Only 2 properties just outside the Civic Centre Heritage District have frontages that exceed 25 meters.  
- Builders may favour buying one property over trying to assemble multiple properties. May inadvertently cause a negative impact on where development occurs.  
- Smaller parcels of land could be stranded and end up losing value.  
- May lead to larger-sized buildings.  
- If the minimum lot width for the MIX zones is to be increased, then the minimum lot widths for the UGC zones should also be increased to reflect a unified, cohesive policy. | - Builders may be forced to assemble multiple properties to meet the requirements which might stifle development.  
- The current minimum lot width for MIX-2 zoning is 15 m. Only 2 properties just outside the Civic Centre Heritage District have frontages that exceed 25 meters.  
- Builders may favour buying one property over trying to assemble multiple properties. May inadvertently cause a negative impact on where development occurs.  
- Smaller parcels of land could be stranded and end up losing value.  
- May lead to larger-sized buildings.  
- If the minimum lot width for the MIX zones is to be increased, then the minimum lot widths for the UGC zones should also be increased to reflect a unified, cohesive policy.  

| 8. | | Can we allocate required additional green space within a 10-minute walk of the development which generates the requirement?  
- Civic Centre Secondary Plan General Policy 13.1.1.7.  
“Any redevelopment will take into account the limited amount of park space available within the Civic Centre Neighbourhood. All redevelopment proposals will be evaluated to determine their ability to provide parkland dedication or cash payment for park purposes under the provisions of the Planning Act. The possibility of using monies from the Park Trust Fund for the purchase and development of properties for park purposes may be explored in cooperation with the Civic Centre Neighbourhood Association.”  
- Would we allow a builder to destroy a home within the heritage neighbourhood to fulfil this requirement?  
- The neighbourhood has been using 30-40 Margaret as a dog walking area. When it is redeveloped, there will be a significant loss of open usable green space and a simultaneous increase in number of residents needing green space.  
- Could the allotted green space requirement be provided within the development?  
- Expecting a 200-300% increase in population with no increase in space for kids to play. | Opportunities for urban greenspace are extremely limited under existing constraints. The City can only require a parkland dedication on a property subject to a Planning Act application. The property at 30-40 Margaret is currently designated and zoned for medium density residential use. |
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| |  | Question 1: What are your comments about the land use designations?  
Question 2: What are your comments about the zoning?  
Question 3: What else should be considered to ensure that future development in this area is compatible with the existing neighbourhood character?  
Additional Comments | 10. Can we ensure that “as of right” zoning is interpreted to reflect all legislation, including heritage, shadowing, transition, wind tunnels, etc., and not simply the zoned Floor Space Ratio, setback and height limits?  
- The more rigid we are with our regulations the less likely we are to see development and change.  
- Need to jettison idea of certain laws “trumping” others. Need to adhere to all laws and regulations.  
- Without clarity, the Committee of Adjustment could grant relief of zoning regulations at the expense of other legislation to the contrary.  
15. Can we ensure that the churches are zoned to retain a primary use that serves all society – community facility, cultural facility, place of worship, etc.?  
- The request that the churches remain under Institutional zoning was suggested by several people.  
- Concern regarding demolition of the churches.  
- Preserves cultural and community hub, anchor for community  
- If the Church of Good Shepherd is to be assigned MIX-2 zoning, want lower height limit  
- Each church should be evaluated on its location and the surrounding uses of the area properties.  
The Church of the Good Shepard should keep its I-2 zoning whereas, St. Andrews Presbyterian Church could be zoned to allow commercial or residential uses.  
- The policies and guidelines of the CCHCDP should apply.  
- Focus should be on primary use. Ancillary uses could also be permitted so as to re-purpose the existing buildings according to current needs.  
The Mix Zones permit Institutional Uses as well as Commercial and Residential Uses. The I-2 is limited in terms of permitted Institutional uses and would not allow the churches to diversify and permit compatible uses from utilizing the property during the "off times". It is proposed to add a site-specific to protect the existing building, i.e new use is only permitted within the existing building. The churches have expressed an interest in the diversification of uses and it is not reasonable not to permit other compatible uses of the church buildings/properties. |
| | | When a proposed development complies with all zoning regulations Staff review all technical studies such as shadowing, wind, servicing, etc. through a site plan approval process. The zoning by-law cannot contain regulations which anticipate the impacts of individual developments.  
All Committee of Adjustment applications are required to pass the four tests as set out in the Planning Act. |
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Additional Comments | Individual Closing Comments and Questions  
-Is city trying to meet UN sustainable development goals?  
-Looking forward to seeing the complete draft of the Secondary Plan  
-Why are we asking property owners to provide the community with an architectural museum without preserving the context that makes the houses sensible?  
-Should we continue to invest in our properties?  
-Enjoyment of a residential property hinges, in part, upon context, and may include the capacity to garden, collect solar energy, and interact with neighbours and the community. Compromising the context is expropriation of value. If owners cannot derive enjoyment, they may not invest in their properties or the community, which may lead to the sort of neighbourhood neglect from which we have only recently emerged.  
-Can a height limit matching the existing building height be applied to 108 Queen St N (Sonneck House) given that it is a Part IV designated property inside the CCHDCP, so as not to mislead owners as to its potential use? Its proposed zoning is MIX-2, which allows up to 24 metres of height.  
-Can the properties currently zoned CR-1 along Queen between Weber and Ahrens be zoned MIX-1? MIX-2 would impose on Queen St and on the low-rise residential interior of the neighbourhood.  
-Concern re: urban sprawl  
-Do these consultations have any impact? | Thank you for your closing comments and questions. All the considerations and questions previously posed to Staff have been and will continue to be reviewed through the secondary plan process. The consultation process, which involves a number of stakeholders, is valued by Staff and we will continue to engage with the neighbourhoods, and internal and external stakeholders. |
| 13 | Jeanette         | As new condo plans for Margaret St and also the high-rise on Duke and Frederick St. has there been any mention of integrating a dog park in the downtown area? Two new structures with pets welcome, along with the many other buildings in the area which allow pets although don’t provide space for their tenants or owners of pets to urinate or defecate. Margaret streets empty lot has been used by many dog owners and will not be available once the building begins.  
Has there been any consideration in the downtown for a dog park? The intensifying the downtown area will only increase the pet culture that is already here. Or dog culture. And to mention at this time the Civic Centre park is overly used by dog owners urinating and dedicating. Would you want your child to play in this park?  
Thank you for considering my suggestion to add one or multiple dog parks in the downtown core. | Opportunities for urban greenspace are extremely limited under existing constraints. The City can only require a parkland dedication on a property subject to a Planning Act application. |
|    | Written:         | August 15, 2019 | |
|    |                  |                  | 107 |
6.0 Justification and Summary

General Justification:

- The boundary of the secondary plan was amended in 2014 to include Water Street within the Urban Growth Centre boundary which was determined by the Province.
- Introduction of a site specific policy proposed to allow for diversification of uses within an existing building located on a property designated as Institutional. This provision applies to properties addressed as 54 Queen Street North and 12 Margaret Avenue/116 Queen Street North within this secondary plan area.
- Properties with frontage on Victoria Street North that are not MIX-2 will maintain the proposed Low Rise Residential (57-61 Ellen Street West/231 Victoria Street North, 56 Ellen Street West/239 Victoria Street North, and 46 St Leger Street) and Low Rise Residential Limited Office (71 and 74 Victoria Street North) designation as it will still permit compatible non-residential uses including home occupation and office in some locations.
- Additional consideration was given to recognize and appropriately plan for any development given that the majority of this neighbourhood is a designated heritage district. A limited designation and zoning have been applied to established residential areas of this plan to protect the heritage value and character.

Site Specific Justification:

- 54 Margaret Avenue: The proposed zoning reflected the existing permissions of the property and retained a Medium Rise Residential land use designation. The PARTS Plan recommended that this property be given a Mixed Use designation and MIX-2 zone. Staff determined that an increase of that level and the suggestion of down-zoning to Low Rise Residential are not appropriate for this property and will retain its existing permissions with Medium Rise Residential and a RES-6 zone.
- 277 Victoria Street North: Concerns expressed over the MIX-2 zone applied to this property designated as Mixed Use. Staff have determined that a MIX-1 zone would not be appropriate for this property given the urban structure element that was applied to this property as part of the new Official Plan in 2014.
- 33 St Leger Street: Concerns expressed over the MIX-2 zone applied to this property designated as Mixed Use. Staff have determined that a MIX-1 zone would not be appropriate for this property given the urban structure element that was applied to this property as part of the new Official Plan in 2014.
- 64 Margaret Avenue: Concerns expressed over the MIX-2 zone applied to this property designated as Mixed Use. Staff have determined that a MIX-1 zone would not be appropriate for this property given the urban structure element that was applied to this property as part of the new Official Plan in 2014. A portion of the site fronting along Margaret Avenue is also proposed to be designated as Low Rise Residential to maintain compatibility.
- 30-40 Margaret Avenue: The property owner was an active participant during the PARTS Central Plan and wanted to maintain their current land use and zoning that was approved through the Ontario Municipal board. PARTS Central recommended a Medium Rise Residential designation with a site specific and the proposed Medium Rise Residential designation and RES-6 zoning implements this.