

Proposed Secondary Plan Changes
from the Olde Berlin Town Neighbourhood

DRAFT, subject to revision after additional input and neighbourhood
consultation

October 28, 2019

Introduction

We, the board of the Olde Berlin Town Neighbourhood Association, thank Tina Malone-Wright and the Planning Department for the two drafts of our neighbourhood's Secondary Plans and for responding to our questions and information requests. There is much to be appreciated in the new proposed zoning, and we see evidence of integration of aspects of the Civic Centre Neighbourhood Heritage Conservation District Plan (CCNHCDP), the Residential Intensification in Established Neighbourhoods Study and our previously submitted comments. Thank you.

Since the Open House on December 12, 2018, we have shared the information with our neighbourhood via our website and directed neighbours to it via our hand-delivered newsletters and our Facebook page and email broadcast. We presented the information at our neighbourhood association's annual general meeting on March 2, 2019. We hosted eight study sessions on the Secondary Plans between January and November 2019. We delivered the initial comments (included as Appendix 2) to the Planning Department in March 2019 and held a 2-hour discussion with Manager of Long-Range & Policy Planning Brandon Sloan on March 30, 2019. We delivered a previous draft of this Neighbourhood Response on September 30, 2019, prior to the release of the second draft of the Secondary Plans. All of our activities have been open to the entire neighbourhood. Our local Heritage & Development Committee met monthly to oversee the collection of the neighbourhood comments and the distillation of the comments into the following report (please see Appendix 2 for a list of questions asked by members of the community since April 1, 2019). All individual neighbour's comments are delivered to the Planning Department without modification. We have attempted to achieve unanimity among all those who have engaged in our discussions. The findings of our report are unanimously supported by the study session participants, Heritage and Development Committee and OBTNA Board, unless noted otherwise.

Please note that we limited our discussion to zones proposed for inclusion in our Secondary Plan and those that immediately encircle our neighbourhood. Should the Planning Department wish to entertain other possible zones in the Civic Centre Secondary Plan, we would appreciate the opportunity to comment further.

We ask that our recommendations be incorporated into the Olde Berlin Town Secondary Plan and thank you for your consideration.

Nomenclature

On an administrative level, we request 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. The term “Civic Centre” is easily associated with the lands occupied by Centre in the Square, the library, gaol, court house, registry office and so forth, and these lands are not within the boundaries of the current nor proposed Secondary Plan. The neighbourhood identifies itself as Olde Berlin Town; neighbours will be better able to locate relevant planning information if it is labelled in a consistent manner.

The Present Reality

Olde Berlin Town is a neighbourhood originally constructed between 1870 and 1930, where “[a]lmost two-thirds of the existing houses were built between 1880 and 1917” (p. 2.3, CCNHCDP). The existing low-rise heritage houses (Group A, B, and C houses) make up 91.4% of the buildings in the District and have:

1. a height at the peak of the roof of under 10 m (compared to a proposed limit of 11 m);
2. a height at the eaves of under 7 metres and sloped roofs which permit light to reach neighbouring properties;
3. an FSR of about 0.4 (compared to a proposed inferred limit of 1.35);
4. an average lot coverage of habitable buildings of under 25% (compared to the proposed aggregate limit of 55%); and
5. rear yard setbacks averaging about 18m where they abut proposed MIX-2 zones (the abutting MIX zones are required to have a setback of only 7.5 metres from low-rise residential zones).

Principles

In considering land use in Olde Berlin Town, we begin with the land use goal identified by the CCNHCDP:

“Maintain the low-density residential character of the Civic Centre Neighbourhood Heritage Conservation District as the predominant land use, while recognizing that certain areas of the District already have or are intended for a wider range of uses” (p 3.2).

We furthermore note the District Plan’s guiding principle regarding land use:

“Preserve Traditional Setting - A building is intimately connected to its site and to the neighbouring landscape and buildings. Land, gardens, outbuildings and fences form a setting that should be considered during plans for restoration or change. An individual building is perceived as part of a grouping and requires its neighbours to illustrate the original design intent. When buildings need to change there is a supportive setting that should be maintained” (p. 3.4, CCNHCDP).

And we recognize the request made of individual property owners:

“Encourag[e] individual building owners to understand the broader context of heritage preservation, and recognize that buildings should outlive their individual owners and each owner or tenant should consider themselves stewards of the building for future owners and users” (p. 3.1, CCNHCDP).

This is a substantial ask of property owners, and we are fortunate to have a community of property owners that embraces this philosophy. Cooperation and support is required from the Planning Department and the City of Kitchener to foster and maintain this partnership by preserving the context that supports the use of the buildings.

Use of land and buildings, for a residential property owner, can include, among other things, space for bathing, cooking, eating, gardening, outdoor leisure, aesthetic pleasure, the option of a peaceful retreat from the outside world, and the possibility of developing relations with neighbours and a wider community. In a word, it includes enjoyment. The owners’ enjoyment may be diminished, if the overall character, features and zoning of the neighbourhood that supports these uses is removed or compromised. We do not believe it prudent to expect owners to continue to be good stewards of their own property, if the property and neighbourhood no longer provide enjoyment.

Goals

This report’s goals are to:

1. promote internally consistent zoning, to ensure uniform protections and benefits under the law, under similar circumstances, while respecting the existing rights and circumstances of individual property owners;
2. ensure zoning supports the heritage district plan and does not incentivize owners to detract from the neighbourhood context thereby compromising existing uses; and
3. establish rules for transitioning to more intensive zones around the neighbourhood.

We note that where these goals are not engrained in zoning, it can become financially and otherwise unrewarding to invest in the care and maintenance of one’s property. We have heard from those in the gateways to the neighbourhood how painful it is to bear the restrictions of the heritage district without adequate protections from their neighbours on the other side of the heritage district border. Where the burdens of such inappropriate transitions become excessive, the potential for neglect on compromised properties mounts. One compromised and neglected property can have a domino effect on its neighbours and poses a threat to the neighbourhood as a whole.

The new Secondary Plan offers an opportunity to integrate the policies and requirements of the Heritage District Plan and the Residential Intensification in Established Neighbourhoods Study into zoning, along with appropriate transitions from the District to its neighbours. It is our hope that such clear, explicit regulations will stabilize the neighbourhood and thereby create the firm framework required to encourage investment in restoration, maintenance and renovation within the Heritage District and new builds along the perimeter, both of which will contribute to the desired intensification.

Requested Changes

Base Zoning

We are concerned that the currently proposed RES-3 Limited zoning does not adequately reflect the context to be preserved. We request a revised zoning or special regulations be applied to all the properties in the heritage district to properly integrate the Heritage Conservation District Plan into zoning.

Transitions

We acknowledge that both the Provincial Policy Statement (PPS) and the [City of Kitchener Official Plan](#) call for intensification. We note that the PPS also “encourag[es] a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes” (PPS, 1.7.1). Objective 3.2.5. of Kitchener’s Official Plan also sets as an objective “[t]o maintain a compatible interface between Intensification Areas and surrounding areas and achieve an appropriate transition of built form.”

We see the potential for incompatible transitions in height as shown in the following three diagrams.

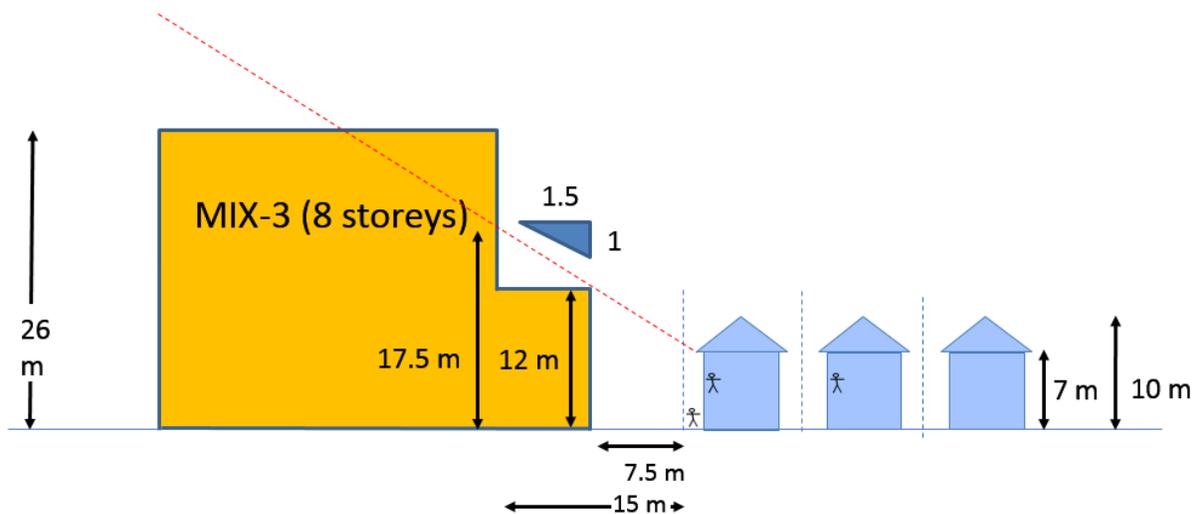


Figure 1: an illustration of proposed transitions in height from low-rise residential zone RES-3 to MIX-3 along College St at Weber St W

In Figure 1, above, we see average Olde Berlin heritage houses, with typical setbacks, beside a MIX-3 building of maximum height with the minimum setback. The left red line connects the eaves of the house on the left to the eaves of the lowest roof of the MIX-3 building, the projecting limit of which is established by Item 15 in By-law 2019-051 in DSD-19-233 – Appendix E. The line connecting the two eaves has a slope that can be approximated to 1 metre of rise per 1.5 metres run, the same slope required under Special Regulation 565R for a section of the Mixed Use Corridor along Water St N that was established after the creation of the Heritage District. The

extension of the red line is then interrupted by the stepped back wall of the MIX-3 building at a height of 17.5 metres. Ensuring that all buildings stay below the red line guarantees the left-most low rise residential property the same degree of light regardless of the neighbouring more intensive zone(s).

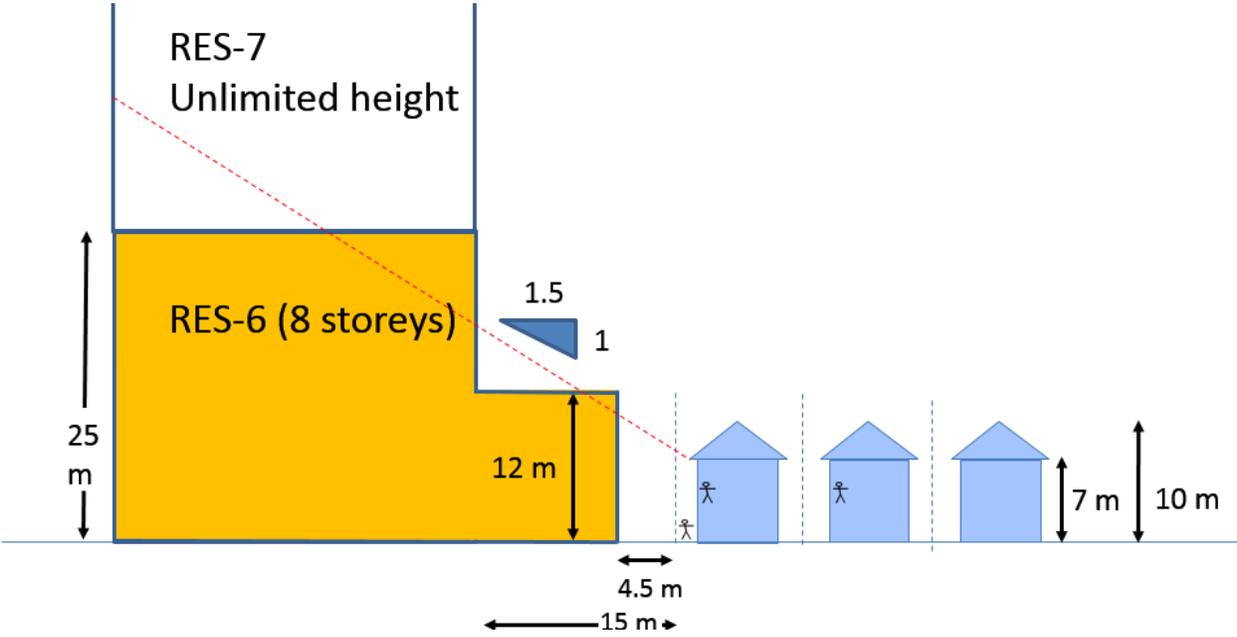


Figure 2: an illustration of proposed transitions in height from low-rise residential zone RES-3 to RES-6 and -7 as seen in multiple locations throughout the Secondary Plan area

In Figure 2, above, we see average Olde Berlin heritage houses, with typical setbacks, beside a RES-6 building (in yellow) of maximum height with the minimum setback. The same 1:1.5 angled red line starts from the eaves of the low-rise residential house, and is interrupted by both the lower and upper walls of the RES-6 building, showing the increased burden of shadow. The transition to the RES-7 building is more dramatic. Again, ensuring that all buildings stay below the red line guarantees the right-most low rise residential property the same degree of light regardless of the neighbouring more intensive zone(s).

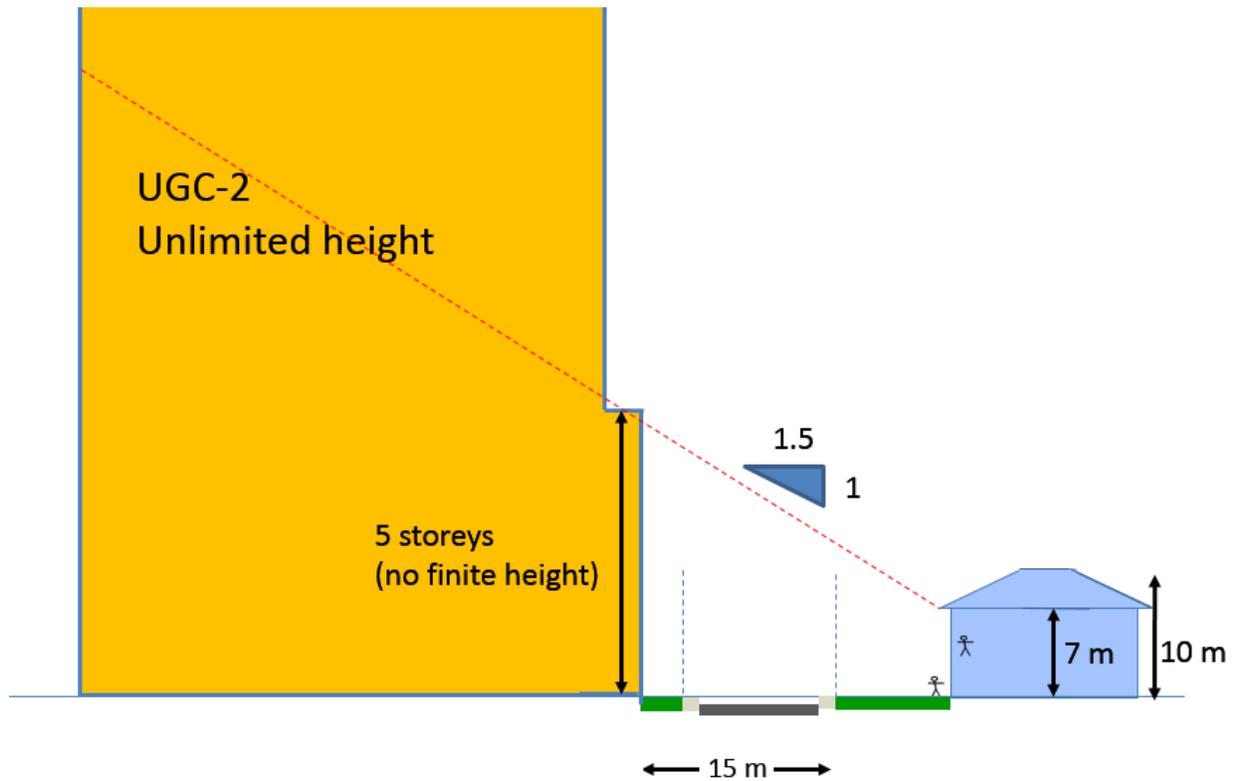


Figure 3: an illustration of proposed transitions in height from low-rise residential zone RES-3 to UGC-2 as seen across Queen St N and Ellen St E

In Figure 3, above, we see average Olde Berlin heritage houses, with typical setbacks, across the street from a UGC-2 buildings (in yellow) of maximum height with the minimum setback. Further setbacks would be required to avoid substantial shadowing of the low-rise residential zone.

As to transitions in FSR, considering that the average Olde Berlin Heritage house has a FSR of about 0.4, we see the following juxtapositions in floor space ratios:

Zone	Maximum FSR	Maximum Square Feet (per comparable lot size)	Multiple of average Olde Berlin Heritage House FSR
Average Olde Berlin Heritage House	0.4 existing average	3,130 existing average	NA
MIX-1	2	15,650	5X
MIX-2/UGC-2	3	23,475	7.5X
MIX-3	4	31,300	10X

In discussing the proposed transitions in height and floor space ratios with neighbours, the most common first response was a gasp of shock.

To achieve an appropriate transition and respect and encourage the retention of the existing built form in the heritage district protected housing stock, we request that any transitions start from the existing neighbourhood. We include our specific requests in our list of Requested Changes.

Handling Exceptional Cases

We acknowledge that site-specific appropriate transitions are needed where existing builds or zoning do not comply with city-wide and neighbourhood-specific rules and principles governing appropriate transitions. We appreciate the need to respect the existing builds and property rights. We note the internal tension in assigning MIX-2 and MIX-3 zoning immediately abutting a low-rise heritage district neighbourhood. We attempt to address such challenges in Appendix 1, a list of requested address-specific changes.

We further note that the Mixed Use Corridor along Water St N and Victoria St N, was established in 2011, recently in comparison to the 1985 Secondary Plan, and subsequent to the adoption of the Civic Centre Heritage District Conservation Plan. Much effort was invested in creating [By-law 2011-058](#), which established the Mixed Use Corridor. Substantial sacrifices and compromises were required of the community. We ask that the [Special Regulations of By-law 2011-058](#) be retained. Should the Planning Department wish to deviate from the Special Regulations of By-law 2011-058 at this time, we ask that it only do so with the unanimous, written consent of all neighbours immediately adjacent to the Mixed Use Corridor properties in question.

Where a single property is proposed to be zoned significantly more intensively from its surroundings, we recommend a note be added to the Secondary Plan to clarify that the designation is to respect the existing built form and in-process builds and is not to be understood as a precedent for future development possibilities. To enable a reconciliation in land use and zoning, we ask that the property owners be permitted to revert to a land use of Low Rise Residential (or Low-Rise Residential Limited or Low-Rise Residential Office, as may be appropriate) at any time, at no cost to the owners, via a signed, written request.

Requested Changes

We request

1. the changes identified in the marked up Secondary Plan text of Appendix 3;
2. that all zoning within and adjacent to the neighbourhood incorporate setbacks on yards facing or abutting the heritage district that at least equal the average of the zoned setback requirement and average existing setback of the heritage district lands on the block, or 7.5 m, whichever is greater. Example: A Mixed Use building with a required setback of 7.5 m sharing a rear property line with a low rise residence on a block with average rear yard setbacks of 18 m would be required to have a rear yard setback of $(7.5 + 18)/2$ or 12.25 m;
3. that, in a zone with a maximum height of more than 12 metres, the floor space within 15 metres of a lot with a low-rise residential zone may not be transferred elsewhere on the property;
4. the height of all new or renovated buildings at any given point not exceed $2/3$ of the horizontal distance from the low rise-residential zone property line, plus 6.2 metres;
5. that heritage district properties not be subjected to more shadowing than their height and setback limits permit them to cast onto their neighbours;
6. that the Special Regulations of By-law 2011-058 be retained;
7. that the following text be added to the Civic Centre Secondary Plan:
“The following properties are assigned a land use other than Low Rise Residential to respect the existing built form and in-process builds: 119 College St, 10 Ellen St E, 20 Ellen St E, 11 Margaret/100 Queen St N, 30-40 Margaret Ave, 43 Margaret Ave, and 175 Queen St N. The designation is not to be understood as a precedent for future development possibilities. To enable a reconciliation in land use and zoning, we ask that owners of the listed properties be permitted to revert to a land use of Low Rise Residential (or Low-Rise Residential Limited or Low-Rise Residential Office, as may be appropriate) at any time, at no cost to the owners, via a signed, written request”;
8. that Regulation 13. 3. from existing Secondary Plan be retained: “In order to obtain the necessary input to plan on a neighbourhood level, the City shall establish Liaison Committees in neighbourhoods for which Secondary Plans are being prepared. Participation on such Liaison Committees shall be open to all residents and property owners within a planning neighbourhood and other interested parties”;
9. that Low Rise Residential zones within Civic Centre be modified as follows:
 - (a) minimum rear yard setbacks be the greater of 7.5 metres or 40% of lot depth;
 - (b) that the eaves of the roof facing the public sphere of new low-rise residential development or redevelopment be no more than 7 metres above grade; and
 - (c) that the roofs facing the public sphere of new low-rise residential development or redevelopment be sloped similarly to the heritage houses.
10. that the following regulations be added regarding Additional Dwelling Units (detached):
 - (d) The above grade floor space of the unit shall not exceed 90 square metres.
 - (e) The maximum floor space of the 2nd floor of the unit shall not exceed 50% of the unit’s first floor.

- (f) The owner of the property creating, by construction or change of use, a unit shall erect and maintain a fence affording any abutting neighbour privacy, at the neighbour's sole discretion and at the owner's sole expense.
11. that Secondary Plan regulation 16.D.9.15 be strengthened by adding "New development or redevelopment within or adjacent to the Heritage District is to be compatible with the context and character of the existing neighbourhood." We are concerned that the term "overall" within the clause "overall, be compatible with the context and character of the existing neighbourhood" of Official Plan policy 11.C.1.34 d) renders the requirement less meaningful.
 12. that a provision be added regarding parking as follows "Notwithstanding Table 5-5 (Multiple Residential Buildings), in Section 5 (Parking, Loading, and Stacking), we request the minimum visitor parking rate for PARTS Areas and Mixed Use zones be 0.15 per dwelling unit where 10 or more dwelling units are on a lot."
 13. that Through lots be considered to have two front lot lines.
 14. Please correct or complete reference 3.C.2.51 within the Official Plan Policies.
 15. Please revise Proposed Land Use (Map 17) as necessary to suit requested changes to proposed zoning.
 16. Please revise proposed zoning as per Appendix 1.
 17. that the portion of Queen Street in the district between Weber St W and Margaret Ave be recognized as integral to the heritage district. Unlike Victoria St N, Queen St N is not a Mixed Use Corridor. This portion of Queen St is listed as a "Major Collector Road", unlike Victoria and Weber, which are Regional Roads. Address-specific requests are included in Appendix 1;
 18. that all properties in the block bounded by Water St N, Ahrens St W, College St and Weber St W be included in the neighbourhood Secondary Plan to ensure that any possible mid-block transitions may be discussed within a single planning community;
 19. that low-rise residential zones be required to have a minimum vegetative landscaped area;
 20. that front and exterior side yards and boulevards be required to be predominantly landscaped with living plants;
 21. Re Parkland, As we cannot take down heritage properties to build a park, and a park along Weber St W or Victoria St N may not be feasible, we propose that cash-in-lieu from sites redeveloped in the Civic Centre Secondary Plan area be ear-marked for new parks within a five-minute walk of the Civic Centre Secondary Plan area.

Appendix 1: Requested Address-Specific Changes to Proposed Zoning

Address	Current Zone	Current Special Regulations	Proposed Zone	Requested Change(s)
70 Ahrens St W (Hibner Park)	P-1		OSR-2	OSR-1 without cemetery, community facility or active recreation use or possibility of buildings
103 Ahrens St W	MU-1	566R	MIX-1	Retain 566R, Include in Civic Centre Secondary Plan
36 Ellen St E	R-8	163U	RES-3	If owner wishes, RES-3 Office ^a
58-60 Ellen St E/115 Lancaster St E	R-8		RES-5	Remove town house cluster and large residential care facility as possible uses.
200 Frederick St	D-7		UGC-2	Minimum yard setback of 6 metres for those yards facing the heritage district, Maximum podium height of 12m, Finite height limits.
11 Gordon Ave (Gordon Green Park)	P-1		OSR-2	OSR-1 without cemetery, community facility, or active recreation use or possibility of buildings
7 Lancaster St W	R-5		RES-3	RES-3 Office
110 Lancaster St E	CR-1	114R, 128U	RES-5	RES-3 Office
170 Otto St (Firefighter Park)	D-7		UGC-2	OSR-1 without cemetery or community facility use or possibility of buildings
54 Queen St N	I-2		MIX-2	RES-3 Office ^a to be applied to the land from Roy St until the rear property line of 23 Roy St. **** Re-think USE. See old ins uses.
68-86 Queen St N (even numbers only), 11 Roy St	CR-1		MIX-2	RES-3 ^a Office or MIX-1. (with reduced range of uses?)

73-85, 101 Queen St N (odd numbers only)	D-7		UGC-2	Minimum yard setback of 6 metres for those yards facing the heritage district, Maximum podium height of 12m, Finite height limits.
108 Queen St N / 9 Margaret Ave.	CR-2		MIX-2	RES-3 ^a Office or MIX-1. (with reduced range of uses?)
116 Queen St N / 12 Margaret Ave	I-2		MIX-2	Retain the height limit of 15.3 m *** Re-think USE. See old ins uses.
41, 51 Roy St (and a portion of 32 Weber St W)	CR-3	16H, 133R	RES-3 Office	Retain Special Regulation 133R
42, 46 St Leger St	MU-1		RES-3	RES-3 ^a Office
151 Victoria St N	MU-1	560R	MIX-2	MIX-1, Retain 560R, Retain Special Policy 13.1.3.8
159 Victoria St N	MU-1	562R	MIX-2	Retain 562R, Retain Special Policy 13.1.3.8
165-189 Victoria St N (odd numbers only)	MU-1	559R	MIX-2	Retain 559R, Retain Special Policy 13.1.3.8
221 Victoria St N	MU-1	561R, 562R	MIX-2	Retain 561R regulations a) and b)
239 Victoria St N/56 Ellen St W	MU-1		RES-3	Add site specific provision 161 (RES-3 Office) ^a
245 Victoria St N	MU-1	562R	MIX-2	Retain 562R
249-257 Victoria St N (odd numbers only)	MU-1	559R	MIX-2	Retain 559R
275 Victoria St N	MU-1	562R	MIX-2	Retain 562R
277 Victoria St N, 33 St Leger St	MU-1		MIX-2	RES-3 ^a Office
281 Victoria St N	MU-1	562R	MIX-2	Retain 562R
289-333 Victoria St N (odd	MU-1	563R	MIX-2	Retain 563R

numbers only)				
341, 343 Victoria St N	R-5		RES-3	RES-3 Office
95 Water St N	MU-2		MIX-2	Retain 565R Include in Civic Centre Secondary Plan Remove from Urban Growth Centre
99 Water St N	MU-2		MIX-2	Include in Civic Centre Secondary Plan Remove from Urban Growth Centre
103-125 Water St N (odd numbers only)	MU-2	565R	MIX-2	Retain 565R, Include in Civic Centre Secondary Plan Remove from Urban Growth Centre
127 Water St N	MU-1	560R	MIX-1	Retain 560R, Include in Civic Centre Secondary Plan Remove from Urban Growth Centre
20 Weber St E	D-7		UGC-2	Minimum yard setback of 6 metres for those yards facing the heritage district, Finite height limits and setbacks as required to produce an appropriate transition.
18-28, 44-84 Weber St W (even numbers only)	CR-3		MIX-3	Minimum Rear Yard of 7.5 metres or one half the building height, whichever is greater
32 Weber St W	CR-3		MIX-3, RES-3 Office	Retain Special Regulation 133R, Minimum Rear Yard of 7.5 metres or one half the building height, whichever is greater starting from 30 metres from the Roy Street street line, Permit the division of the property along the line parallel to Roy St, 30 metres from the Roy Street street line at no charge to the owner, via a signed, written request. No vehicular access to Roy St, whether consolidated with 41 and/or 51 Roy St

				or not.
90-94 Weber St W (even numbers only)	MU-2		MIX-2	Include in Civic Centre Secondary Plan

^a Existing uses, height, lot coverage and FSR documented as legal non-conforming and not to be used as precedent for future development. To enable a reconciliation in zoning, may forgo some or all of the benefits conferred by these Special Regulations, at no cost to the owner, via a signed, written request.

Appendix 2: Neighbourhood Comments

Comments Submitted to the Neighbourhood Heritage & Development Committee in Advance of March 30th Consultation

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?
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.
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 buildings pre-dating this Secondary Plan?
4. Can we define maximum height in terms of metres? Can we ensure that metres be used as the units of physical measurement? This might be best applied city-wide.
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. 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.” Can we also have a city-wide rule on shadowing, using Mississauga’s plan (www6.mississauga.ca/onlinemaps/planbldg/UrbanDesign/FinalStandards_ShadowStudies_July2014.pdf) as a starting point?
6. Can we designate all properties with frontage on Victoria not planned for MIX-2 zoning as Low Rise Residential Office RES-3?
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?
8. Can we allocate required additional green space within a 10-minute walk of the development which generates the requirement?
9. Can we ensure that properties are capable of storing snow on their own land or appropriately sized boulevards?
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?
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?
12. Can we increase the minimum lot width (frontage on street) to 25 metres for MIXED 2 zones? Do MIXED 3 and 4 zones need even wider widths?

13. Can we institute a 15 metre setback on MIX-2 properties abutting a Low-Rise Residential zone in the CCHDCP?
14. Why are we proposing to prohibit semi-detached dwellings in the RES-3 zones? We already have a few heritage semis.
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.)
16. Can sidewalks be widened on Victoria St N?
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.
18. 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.
19. 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 gateway to Ahrens from Water/Victoria, as per the CCHCDP.
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?
22. People appreciate the re-zoning of a portion of 64 Margaret to Low-Rise Residential.
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?
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.
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?
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?
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?
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?

30. What is the definition of an “appropriate transition”? How will planning documents ensure an appropriate transition, as required by the OP, from the low-rise residential interior of Civic Centre across Queen, Victoria, Water and Weber into more intensified zones?
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?
32. Should we permit a greater density of legal, regulated lodging houses throughout Kitchener? How many legal and illegal lodging houses are there presently in Olde Berlin?
33. Do we want to encourage more lane houses/coach houses?
34. Why is Lancaster/Mansion RES-6 property not listed as RES-3?
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.”
36. Quote: “I like the lanes for walking and biking. I wish they were better groomed.”
37. Can we continue the bike lane along Margaret/Otto from Victoria to Frederick?
38. Many neighbours did not receive notice of the planning review because not notified via mail.
39. The December 12th consultation date was too close to the holidays and competing obligations to permit adequate participation.
40. How can we include cultural heritage landscape policies?
41. How can we ensure that the heritage value of the green spaces and trees are protected?
42. How can we add more storey-telling signage?
43. Can we improve placemaking in the neighbourhood?
44. Can we bring in heritage style street lighting?
45. How can we add more street furniture?
46. What are the next steps in the neighbourhood planning review process?
47. How can we ensure more green space?
48. How do we add more green canopy, on both city land and private property, to prevent heat capture?
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?
50. What regulations do we have/need to allow for new porches where an old porch was removed long ago?
51. Can we add requirements for laneway lighting and streets where current lights are obliterated by trees?
52. How can we ensure the availability of affordable housing options?
53. How can we ensure that new developments include more 3 bedroom and larger units to ensure that families can remain in the neighbourhood?
54. How does Central Frederick Neighbourhood feel about having properties along Lancaster transferred out of their plan? Are they being consulted?
55. How can we ensure that the Committee of Adjustment and Zone Change applications processes do not undermine these communally-achieved Secondary Plans?

Comments Submitted to the Neighbourhood Heritage & Development Committee after the March 30th Consultation

1. Quote: "I like the alleyways. New developments should have alleyways, too."
2. Can we require any house destroyed by a lack of maintenance to be built as it was?
3. Can we have one or more dog parks in the downtown core?
4. 88-90 Weber St W concerned about being down-zoned from FSR 4 to FSR 2, would like rooftop gardens to qualify toward the minimum landscaped area, support implementation of 4.5 metre minimum ground floor height (via Appendix F of Neighbourhood Planning Review)
5. 32 Weber St W concerned about being zoned Mixed Use, downzoned from FSR 4 to FSR 2, and limited in height to 8 storeys. (via Appendix F of Neighbourhood Planning Review)
6. 22 Weber St W concerned about being zoned Mixed Use, downzoned from FSR 4 to FSR 2, limited in height to 8 storeys, limited in range of uses and subject to more restrictive regulations. (via Appendix F of Neighbourhood Planning Review)
7. 99 College concerned that FSR of 2 is too low for properties along College St in area currently zoned CR-3, asking why we are limiting these properties to 3 units as opposed to 4. Cites the proximity to Weber ST W, which should be used for high density urban growth. (via Appendix F of Neighbourhood Planning Review)
8. 40 Roy concerned about new uses proposed for Weber St W properties that may present a nuisance (noise, delivery traffic, on-site waste storage, etc.) for neighbours on Roy St. Asking if it might be desirable to have "through lots" deemed to face the highest order street as the front lot line. (via Appendix F of Neighbourhood Planning Review)

Appendix 3: Draft Secondary Plan Marked Up

Begins on the following page for formatting reasons.

SECTION 16: SECONDARY PLAN LAND USE POLICIES

Preamble

The City's Secondary Plans are neighbourhood-scale plans that have been prepared to provide more detailed planning direction pertaining to growth and development in certain areas of the city and to address neighbourhood-specific issues. Several of the City's Secondary Plans have been prepared for established neighbourhoods in order to conserve and protect the established character in these neighbourhoods where there are pressures for land use changes and intensification. This is particularly true for the neighbourhoods in whole or partly located in Major Transit Station Areas. Other Secondary Plans contained in this section have been prepared for areas in the Designated Greenfield Area where there are significant opportunities for development. The Secondary Plan will help guide the future development of these types of areas in the city to ensure they contribute and complement our complete and healthy community.

16.D.1 General Policies

16.D.1.1. Six of the City's nine Secondary Plans contain lands that are located within the Major Transit Station Areas as shown on Map 2. The City's Station Area Planning exercise outlined in Policy 3.C.2.18 for the lands in the Central Neighbourhoods has been completed and the Secondary Plans impacted by Station Area Planning exercise have been updated and incorporated into this Official Plan. They include:

- a) Midtown Secondary Plan;
- b) Victoria Park Secondary Plan;
- c) Cedar Hill and Schneider Creek Secondary Plan;
- d) Rockway Secondary Plan;
- e) King Street East Secondary Plan; and,
- f) Civic Centre Secondary Plan.

16.D.1.2. In some cases, the boundaries and names of the Secondary Plans as they were identified and shown in the 1994 Official Plan have been revised to reflect the completed PARTS Plans, to coincide with identifiable neighbourhoods and streetscapes, and to reflect existing patterns and periods of development.

16.D.1.3. The following Secondary Plans are deferred and do not form part of this Official Plan:

- a) North Ward Secondary Plan;
- b) Central Frederick Secondary Plan; and,
- c) Rosenberg Secondary Plan.

The land use policies and land use designations in the Secondary Plans contained in Part 3, Section 13 of the 1994 City of Kitchener Official Plan, as amended, continue to apply until such time as the Secondary Plans are reviewed and adopted as part of this Official Plan.

- 16.D.1.4. Parts A, B, C, D, E and F of this Official Plan, where applicable, will apply to the lands affected by the Secondary Plans in Policy **Error! Reference source not found..?**

16.D.2 Land Use Designations in Secondary Plans

- 16.D.2.1 The land use designations in Part D, Section 15 of this Plan will apply to the Secondary Plans in addition to the land use designations specific to Secondary Plans contained in this section of the Plan.
- 16.D.2.2 It is not intended that the full range of uses or densities permitted by the land use designations in the Secondary Plans will be permitted in all locations. The permitted uses and scale of uses will be dependent on the urban structure component the site is within, its *planned function*, *compatibility* with surrounding areas and the character of the streetscape, *cultural heritage resource* considerations, technical considerations and other contextual or site-specific factors.

Low Rise Residential Limited

- 16.D.2.3 The Low Rise Residential Limited land use designation will apply to areas within the central part of the city where the intent is to retain and/or maintain the existing *built form* and streetscape character of the established neighbourhood.
- 16.D.2.4 In addition to the applicable Residential policies outlined in Section 15.D.3, the following additional policies will apply to lands designated Low Rise Residential Limited in a Secondary Plan.
- 16.D.2.5 This designation will accommodate a limited range of low density housing types, including single detached dwellings, additional dwelling units, attached or detached, semi-detached dwellings, and special needs housing.
- 16.D.2.6 New residential conversions to permit up to a maximum of 3 dwelling units in an existing building in a Heritage Conservation District will only be permitted where there is sufficient floor area for the conversion and where no **major** structural alterations are required to the exterior of the building to facilitate the conversion. **Any exterior stairs or fire escapes are to be 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.**
- 16.D.2.7 The City will consider reduced parking requirements for additional dwelling units, attached and detached, and residential conversions for lands designated Low Rise Residential Limited in a Major Transit Station Area.
- 16.D.2.8 New dwelling construction, where permitted, will respect and be *compatible* with the established character of the neighbourhood. Accordingly, in order to ensure *compatibility* building height, *built form*, setbacks, and details of other architectural elements such as front porches, doors, windows and roof lines may be regulated through the implementing *zoning by-law*.

- 16.D.2.9 Parking for new or replacement dwellings will be located in driveways at the side of the dwelling or in attached or detached garages and/or carports located at the rear of the main building. New attached garages and/or carports should be set back substantially from the principal front façade and will not be permitted to be constructed so as to extend past or be in line with the principal front façade of the dwelling.
- 16.D.2.10 The predominant use with the Low Rise Residential Limited designation will be residential. The use of lands for complementary non-residential land uses, in accordance with Policies 15.D.3.27 to 15.D.3.31 will require an amendment to this Plan and the appropriate zoning being in place.

Low Rise Residential Limited Office

- 16.D.2.11 The Low Rise Residential Limited Office land use designation will apply to areas within the central part of the city where the intent is to conserve the existing buildings and built form in these areas and serve as a transition between adjacent higher intensity uses and the existing built form and streetscape character of the established neighbourhood.
- 16.D.2.12 In addition to the applicable Residential policies outlined in Section 15.D.3, the following additional policies will apply to lands designated Low Rise Residential Limited Office in a Secondary Plan.
- 16.D.2.13 This designation will accommodate a limited range of low density housing types, including single detached dwellings, additional dwelling units, attached or detached, semi-detached dwellings and special needs housing.
- 16.D.2.14 New residential conversions to permit up to a maximum of 3 dwelling units in an existing building in a Heritage Conservation District will only be permitted where there is sufficient floor area for the conversion and where no major structural alterations are required to the exterior of the building to facilitate the conversion.
- 15.D.2.15 Adaptive reuse of the existing housing stock will be encouraged and minor exterior alterations and additions to existing dwellings will be not be permitted in any front or side yard in a Heritage Conservation District.
- 15.D.2.16 This designation will accommodate limited range of non-residential uses such as:
- a) artisan's establishment, studio, craftsman shop;
 - b) day care facilities;
 - c) health office;
 - d) personal services; and,
 - e) office.

Residential and non-residential uses will be permitted to locate within the same

building.

- 16.D.2.17 Parking for new or replacement residential dwellings will be located in driveways at the side of the dwelling or in attached or detached garages and/or carports located at the rear of the main building. New attached garages and/or carports should be set back substantially from the principal front façade and will not be permitted to be constructed so as to extend past or be in line with the principal front façade of the dwelling.
- 16.D.2.18 New non-residential conversions will be encouraged to maintain the streetscape façade of the existing building and its architectural details to reflect its residential history. Access to individual dwelling units and non-residential uses will be encouraged to be provided from the interior of the building. Where new accesses need to be provided, these should be located to the side or rear of the existing building.
- 16.D.2.19 New parking to facilitate non-residential conversions will be located at the side or the rear of a building with appropriate landscaping or fencing to screen it from the street and adjacent properties.
- 16.D.2.20 The City will consider reduced parking requirements for residential and/or non-residential conversions in a Major Transit Station Area in accordance with Policy 13.C.8.2 where a comprehensive *Transportation Demand Management* Report is submitted to the satisfaction of the City.
- 16.D.2.21 New building construction, where permitted, will respect and be *compatible* with the established character of the neighbourhood. Accordingly, in order to ensure *compatibility* building height, *built form*, setbacks, and details of other architectural elements such as front porches, doors, windows and roof lines may be regulated through the implementing *zoning by-law*.
- 16.D.2.22 The predominant use with the Low Rise Residential Limited Office designation will be residential and those used identified in Policy 16.D.2.16. The use of lands for complementary non-residential land uses, other than those identified in Policy 16.D.2.16, in accordance with Policies 15.D.3.27 to 15.D.3.31 will require a Zoning By-law amendment.

16.D.3 Secondary Plans Area Specific/Site Specific Policy Areas

16.D.3.1 Mixed Use – Low Rise

Notwithstanding the Mixed Use land use designation and policies for lands designated Mixed Use in an Urban Growth Centre or in a Major Transit Station Area on Map 2:

- a) the *Floor Space Ratio* will be a minimum of 0.6 and a maximum of 2.0; and
- b) ~~generally,~~ no building will exceed 4 storeys or 14 metres in height, ~~whichever is greater,~~ at the highest grade elevation.

16.D.3.2 Mixed Use - Medium Rise

Notwithstanding the Mixed Use land use designation and policies for lands designated Mixed Use in an Urban Growth Centre or in a Major Transit Station Area on Map 2:

- a) the *Floor Space Ratio* will be a minimum of 0.6 and a maximum of 3.0; and
- b) ~~generally,~~ no building will exceed 6 storeys or 20 metres in height, ~~whichever is greater,~~ at the highest grade elevation.

16.D.3.3 Mixed Use – Medium to High Rise

Notwithstanding the Mixed Use land use designation and policies for lands designated Mixed Use in an Urban Growth Centre or in a Major Transit Station Area on Map 2:

- a) the *Floor Space Ratio* will be a minimum of 0.6 and a maximum of 4.0; and
- b) ~~generally,~~ no building will exceed 8 storeys or 26 metres in height, ~~whichever is greater,~~ at the highest grade elevation.

16.D.3.4 Mixed Use Within an Existing Building

Notwithstanding the Mixed Use land use designation and policies on lands in a Major Transit Station Area, the uses listed in the Mixed Use land use designation will only be permitted within an existing building.

16.D.3.5 79, 81, 91 Moore Avenue, 54-68 Shanley Street, 14 Braun Street

Notwithstanding the Institutional land use designation and policies on the lands, municipally known as 79, 81, 91 Moore Avenue, 54-68 Shanley Street and 14 Braun Street, the following uses will also be permitted within the existing building and in any additions/modifications to the existing building approved through the site plan approval process:

- a) commercial school;
- b) multiple dwelling;
- c) office;
- d) personal services;
- e) research and development establishment; and,
- f) restaurant permitted accessory to a community facility or a cultural facility.

Consideration for shared or reduced parking requirements is to be reviewed

through a site-specific study for these lands and any required reductions in the provision of parking may be implemented through a minor variance application.

16.D.3.6 19 Schneider Avenue

Notwithstanding the Low Rise Residential Limited land use designation and policies on the lands municipally known as 19 Schneider Avenue, legally known as Lot 17 and Lot 78, German Company Tract Sub, more particularly described as Part 1 on Reference Plan 58R-14878, a large *Residential Care Facility* with accessory education facilities will also be permitted.

16.D.3.7 119 Joseph Street

Notwithstanding the Low Rise Residential Limited land use designation and policies on the lands municipally known as 119 Joseph Street, legally known as Part of Lot 1, Registered Plan 47, the following uses will also be permitted:

- a) artisan's establishment, studio, craftsman shop;
- b) convenience retail;
- c) financial establishment;
- d) health office;office;
- e) personal services; and,
- f) restaurant.

16.D.3.8 79 Joseph Street

Notwithstanding the Open Space land use designation and policies on the lands municipally known as 79 Joseph Street, legally known as Part of Lot 17, Registered Plan 80, more particularly described as Parts 1 and 2 on Reference Plan 58R-4191, office uses will also be permitted.

16.D.3.9 588-600 Queen Street South

Notwithstanding the Mixed Use land use designation and policies on lands located in a Major Transit Station Area on Map 2, municipally known as 588-600 Queen Street South:

- a) the maximum building height will be 11 storeys or 37.5 metres in height, whichever is greater, at the highest grade elevation; and,
- b) a Holding provision pursuant to Section 17.E.13 will apply to residential uses and other sensitive uses until the City of Kitchener is in receipt of a letter from the Regional Municipality of Waterloo, advising that the Region's requirements have been satisfied with respect to the submission of a noise study addressing road and

rail traffic noise, based on the proposed site plan, and including mechanisms to implement the study and until such time as a Record of Site Condition has been acknowledged by the *Province* and a release has been issued by the *Region*.

16.D.3.10 Courtland Avenue Mixed Use

Notwithstanding the Mixed Use land use designation and policies on the lands abutting Courtland Avenue in a Major Transit Station Area, the maximum building height will be 5 storeys or 16 metres in height, whichever is greater, at the highest grade elevation.

16.D.3.11 235 Madison Avenue South

Notwithstanding the Medium Rise Residential Limited land use designation and policies on the lands municipally known as 235 Madison Avenue South, a Holding provision pursuant to Section 17.E.13 will apply to residential uses and other sensitive uses until such as a Record of Site Condition has been acknowledged by the *Province* and a release has been issued by the *Region*.

16.D.3.12 187 Queen Street North and 189 Queen Street North

Notwithstanding the Low Rise Residential Limited land use designation and policies on the lands municipally known as 187 Queen Street North, legally known as Part of Lots 3 and 4, Registered Plan 106, and 189 Queen Street North, legally known as Lots 5 to 8, Registered Plan 106 and Part of Lot 27, Gaukel Survey a bed and breakfast, within the existing building, will also be permitted.

16.D.3.13 30 Margaret Avenue

Notwithstanding the Medium Rise Residential land use designation and policies on the lands municipally known as 30-40 Margaret Avenue, legally known as Lots 193- 198 and Lots 211-213 and Part of Lots 199-203 and Part of Lots 214-218, Registered Plan 374, Parts 1 and 2, Reference Plan 58R-17705, subject to an easement as in 1411856 together with an easement as in 1411856, the maximum Floor Space Ratio will be 2.5.

16.D.4 Midtown Secondary Plan

16.D.5 Victoria Park Secondary Plan

16.D.6 Cedar Hill and Schneider Creek Secondary Plan

16.D.7 Rockway Secondary Plan

16.D.8 King Street East Secondary Plan

16.D.9 Civic Centre Secondary Plan

Preamble

The Civic Centre Secondary Plan is located in the central area of Kitchener and extends from the north side of Queen Street North to the south side of Victoria Street North, and from the east side of Weber Street West to Lancaster Street East, incorporating both sides of Lancaster Street [Description of area leaves out area bounded by Queen St N, Lancaster St E and Ellen St E.] The neighbourhood is located

adjacent to the Urban Growth Centre (Downtown) and has a well- established cultural and architectural history associated with many of Kitchener's (originally Berlin's) civic leaders in the late 1800s and early 1900s. The Civic Centre Neighbourhood was designated a Heritage Conservation District under Part V of the Ontario Heritage Act in 2008. This neighbourhood is in close proximity to the Central Station, Kitchener City Hall and Frederick ION stops.

General Policies

- 16.D.9.1 Parts A, B, C, D, E and F of this Official Plan, where applicable, will apply to the lands affected by the Civic Centre Secondary Plan, save and except where specifically cited within the text of this Secondary Plan.
- 16.D.9.2 The Civic Centre Secondary Plan is identified and shown on Map 17 contained in Schedule F to this Plan.

Urban Structure

- 16.D.9.3 Lands located within the Civic Centre Secondary Plan are located within a Major Transit Station Area, Urban Corridor, Community Area or Green Area as identified on Map 2. Accordingly, the applicable Urban Structure in Section 3.C.2 will also apply.
- 16.D.9.4 The planned function of Major Transit Station Areas in Secondary Plans is to provide for a range and mix of uses and identify intensification opportunities in appropriate and compatible locations to support ION while protecting the established character of the existing neighbourhoods
- 16.D.9.5 Notwithstanding the Major Transit Station Area identification, lands proposed to be designated Low Rise Residential Limited, Low Rise Residential Limited Office and Low Rise Residential are not the primary focus for intensification.
- 16.D.9.6 Notwithstanding the identification of lands in a Major Transit Station Area, the policies and regulations of the applicable land use designations and implementing zoning may be more restrictive to ensure appropriate and compatible development and/or redevelopment adjacent to and within established neighbourhoods.

Cultural Heritage Resources

- 16.D.9.7 Part of the lands within the Civic Centre Secondary Plan are contained in a Heritage Conservation District Plan, designated under Part V of the Ontario Heritage Act and are a significant *cultural heritage resource* as identified on Map 9. Part of the Civic Centre Secondary Plan area is also identified as a significant *cultural heritage landscape*. Accordingly, the policies in Part C, Section 12 apply to all *development, redevelopment* and/or *site alteration* proposals. In addition, the policies and guidelines of the Civic Centre Neighbourhood Heritage Conservation District Plan apply to all Part V designated property contained within the Civic Centre Secondary Plan.
- 16.D.9.8 The *Cultural Heritage Landscapes* contained within the Civic Centre Secondary Plan include the following:

- a) Civic Centre Neighbourhood Cultural Heritage Landscape.

16.D.9.9 Existing built *cultural heritage resources* designated under the Ontario Heritage Act or listed as non-designated property on the *Municipal Heritage Register* will be conserved.

16.D.9.10 A *Heritage Impact Assessment* will be required for *development applications* having the potential to impact property of *Specific Cultural Heritage Landscape Interest*. These properties are identified in the Cultural Heritage Resources Background Study that was prepared to support the Civic Centre Secondary Plan and include the following:

- a) protected heritage property designated under Part IV and/or Part V of the Ontario Heritage Act;
- b) property listed on the *Municipal Heritage Register* under Section 27 of the Ontario Heritage Act;
- c) property identified as being of cultural heritage interest and recommended for listing on the *Municipal Heritage Register* (until such time as a decision is made by Council on listing the property); and,
- d) property located *adjacent* protected and listed heritage property.

Where *development* or *redevelopment* is proposed on property that is of *Specific Cultural Heritage Interest* but not designated or listed under the Ontario Heritage Act, then such *Heritage Impact Assessment* may be scoped and limited in review to assess visual and contextual impact.

Urban Design

16.D.9.11 The *City* will encourage and support the *redevelopment* of and improvements to existing laneways with the addition of *pedestrian*-scaled lighting and wayfinding elements to enhance *pedestrian* movement, provide recreational opportunities and allow for the development of additional detached dwelling units.

16.D.9.12 The Civic Centre Neighbourhood contains *Priority Locations* at gateway locations which facilitate views into and out of the Heritage Conservation District. They include:

- a) the intersection of Victoria Street North and Ahrens Street;
- b) the intersection of Victoria Street North and Margaret Avenue;
- c) the intersection of Victoria Street North and Ellen Street; and,
- d) the intersection of Victoria Street North and St. Leger Street.

In these locations, the *City* will encourage buildings to be of high quality design and be oriented towards the *public realm* to providing welcoming wayfinding into

the neighbourhood and frame the heritage conservation district.

- 16.D.9.13 ~~The City will encourage developments and redevelopments of properties located on Victoria Street North and Weber Street West to utilize the arterial street, where it is feasible, for primary access into these sites. The laneway at the rear of these properties will be encouraged to be utilized for secondary access and will be required to be upgraded and improved to activate the laneway as noted in Policy 16.D.9.11 above.~~ [Replace with] The City will require *developments* and *redevelopments* of properties located on Victoria Street North and Weber Street West to utilize the arterial street for access into these sites. The laneway at the rear of these properties may be utilized for access to additional detached dwelling units and will be required to be upgraded and improved to activate the laneway as noted in Policy 16.D.9.11 above. Any other development or redevelopment beyond Low-Rise Residential, Low-Rise Residential Limited, or Low-Rise Residential Office is not to have vehicular access to laneways or the interior of the neighbourhood.
- 16.D.9.14 The City will ~~require~~ **encourage** development and redevelopment adjacent to the Civic Centre Heritage Conservation District to ~~comply with~~ **reflect** the policies and guidelines in the Civic Centre Heritage Conservation District Plan.
- 16.D.9.15 New residential infill will be ~~required~~ **encouraged** to reflect the character, design, massing and materials of the adjacent and surrounding dwellings, including the provision of appropriately sized front porches where they are predominant architectural feature on the street, **sloped roofs**, and requiring an attached or detached garage to be located and setback a minimum distance from the front façade of the principle dwelling.

Parkland

- 16.D.9.16 The *City* will actively search and use the existing Park Trust Fund and cash-in-lieu to develop new parks in the Civic Centre Secondary Plan area, particularly on sites that submit *development* or *redevelopment* applications.

Land Use Designations in the Civic Centre Secondary Plan

- 16.D.9.17 Where lands are designated Low Rise Residential Limited, Low Rise Residential Limited Office, Low Rise Residential, Medium Rise Residential, High Rise Residential, Mixed Use and Open Space in the Civic Centre Secondary Plan as shown on Map 17, the applicable land use designation policies in Part D – Section 15 and Part D – Section 16 will apply.

Area Specific/Site Specific Policy Areas

- 16.D.9.18 For area specific/site specific policy areas for the Civic Centre Secondary Plan, refer to Section 16.D.3 of this Plan.