

To: Ben.Bath@ontario.ca

Subject: Participant Statement for Case #OLT-22-002377

RE: 22 Weber Street West

March 4, 2025

My name is Donna Kuehl. I am a citizen of Kitchener, Ontario and have resided in the historic Civic Centre Neighbourhood for many years. My home is close to the subject lands under review on Weber Street. I am opposed to the applicant's request for an Official Plan Amendment and a Zoning Bylaw Amendment to allow a 19 storey residential building on the site.

The subject lands are located in one of the oldest areas in Kitchener (formerly known as Berlin). Many homes in the Civic Centre Heritage Conservation District (CCHCD), designated under Part V of the Ontario Heritage Act, were built for prominent citizens in the 19th century and the neighbourhood still has well-preserved examples of nearly every architectural style in use between the 1870s and the 1930s. There are regular Walking Tours of this neighbourhood. The Civic Centre Neighbourhood is a residential area. Outside of land-use planning, the neighbourhood is known as Olde Berlin Town.

As a former member of the municipal Heritage Kitchener Committee, I reviewed Heritage Applications and Heritage Impact Assessments and gave input to the Committee.

I am a current board member of the Friends of the Governors House and Gaol. A Victorian Heritage Garden enhances the restored and repurposed site. The designated Part IV Governor's House (circa 1878) and Gaol (circa 1852) at 73 Queen St North are the two oldest remaining structures in Waterloo Region and literally a 2-minute walk from 22 Weber St N.

In regard to the proposed 19 storey development at 22 Weber St. W., Kitchener, this new land use will not be compatible with other properties within the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD). The neighbourhood in Civic Centre is predominantly a low rise area.

The subject lands are located inside the CCNHCD boundaries, and are immediately adjacent to a stable residential area. They are not "located at the periphery" or in "the proximity of the Civic Centre Neighbourhood" as noted in the applicant's proposed Amendment to the Official Plan.¹

The applicant's proposal to increase the maximum permitted Floor Space Ratio on the subject lands is not appropriately aligned with the official documents.²

The HEIGHT of the proposed building is excessive and does not comply with the Official Plan and City of Kitchener zoning regulations. It exceeds the allowed limit.³

- Reference: Civic Centre Heritage Neighbourhood Conservation District Plan;
 - Section 6.9.4 Site/Area Specific Design Guidelines for Weber Street: "Any new buildings taller than 3 to 4 storeys should incorporate some form of height transition or stepbacks to minimize the perception of height and shadow impacts to pedestrians

on the street and provide more visual continuity. Stepbacks should be a minimum of 2 metres to provide for useable outdoor terraces for the upper levels.”

The TRANSITION between this high-rise and immediately adjacent properties is too abrupt.⁴

- Reference: Civic Centre Heritage Neighbourhood Conservation District Plan;
 - Section 6.9.4: “To minimize impacts on properties to the rear of or flanking Weber Street, a rear yard setback of 15 metres should be maintained for new buildings as well as additions where feasible.”

FRONT YARD SET-BACKS in the applicant’s request do not meet the required front yard set-back of 3.0 metres required zoning. The proposed new building will be sitting on the edge of a sidewalk and not aligned with other structures along Weber Street.⁵

- Reference: Civic Centre Heritage Neighbourhood Conservation District Plan;
 - Section 6.9.4 Weber Street:
 - “Any infill development on Weber Street should maintain a strong relationship to the street at the lower levels (2 to 4 storeys) with respect to built form and use.”
 - “Setbacks of new development should be consistent with adjacent buildings. Where significantly different setbacks exist on either side, the new building should be aligned with the building that is most similar to the predominant setback on the street.”

The FSR request for a Floor Space Ratio (FSR) of 7.95 is double the amount allowed. The Special Policy request by the applicant to amend Part 3, Section 13.1.2.8 Special Policies of the 1994 City of Kitchener Official Plan to increase the FSR from 4.00 to 7.95 should not be permitted.⁶

Regarding WIND ASSESSMENTS on the most recent design change, the Pedestrian Wind Assessment concludes the wind impact “may result in higher than desired wind conditions at the north-west and south-west building corners.” The solid mass of the proposed high rise building will exacerbate wind issues creating problems for pedestrians and adversely impacting nearby properties.

- Reference: Pedestrian Wind Assessment letter Dec 4, 2024 from Rowan Williams Davies & Irwin Inc.

Immense SHADOWS cast on adjacent low-rise properties on Weber Street will spill over Queen and Roy streets and onto a third street at Ahrens. Properties on Roy Street, directly behind the proposed 19 storey building will bear the brunt of the shadows and the monolith in their back yard.

Requirements in the Civic Centre Neighbourhood Heritage Conservation District Plan must be adhered to reduce extensive shadow impact on adjacent and nearby properties.

- Reference: Civic Centre Heritage Neighbourhood Conservation District Plan;
 - Section 6.9.4 Weber Street:
 - “Any new buildings taller than 3 to 4 storeys should incorporate some form of height transition or stepbacks to minimize the perception of height and shadow impacts to pedestrians on the street and provide more visual continuity.”
 - “To minimize impacts on properties to the rear of or flanking Weber Street, a rear yard setback of 15 metres should be maintained for new buildings as well as additions where feasible.”

The HERITAGE CHARACTER of the designated Part V Civic Centre Neighbourhood Heritage Conservation District would be undermined by the appellant's proposal. It disregards key elements of the by-law for the CCNHCD Plan brought into effect in 2008-09. Under the Ontario Heritage Act, when a designated heritage conservation district plan is in effect it is afforded certain protection by the municipality (i.e., City of Kitchener).

- Reference: Ontario Heritage Amendment Act, 2005;
 - Section 41.2
 - : “shall not pass a by-law . . . contrary to the objectives of the plan.”

The Civic Centre Neighbourhood is widely recognized as an area with special character – both historically and aesthetically. This jewel embraces the original homes of those who built Kitchener's industrial and economic reputation. Preserving visible built heritage is vital.

- Reference: Civic Centre Neighbourhood Heritage Conservation District Plan;
 - Section 2.3 and 2.4:
 - “Civic Centre helps to tell the story of Kitchener's phenomenal growth at the turn of the 19th century and of the development of its extensive industrial sector. Almost two-thirds of the existing houses were built between 1880 and 1917 . . .”
 - “a substantial number of dwellings termed ‘Berlin or Kitchener Vernacular’ which reflected a local interpretation incorporating traces of decorative Queen Anne elements”
 - “one of Kitchener's older neighbourhoods and retains a large number of original buildings that are well crafted and maintained.”



Quality of life for citizens will be reduced for many. The neighbourhood lacks sufficient parks/green spaces and is already located in a 'heat dome'. The World Health Organization (WHO) recommends that each person should, at minimum, have access to 9m² of green space, with an ideal of 50m² of green space. The applicant's request for landscape area does not meet the minimum 10% required by the City of Kitchener Official Plan for the property at 22 Weber St W.

In conclusion, the applicant's proposal does not fit the character of the neighbourhood and the height exceeds the allowed limit for the High Density Commercial Residential zone in the Civic Centre Secondary Plan. The proposed building will have exacerbating wind issues and extensive shadows reducing sunlight for gardens and well-being. Different options could be pursued.

One lone property along Weber Street should not be carved out of the Civic Centre Heritage Neighbourhood Conservation District (CCHCD).

Please reject the application.

Submitted by

Donna J. Kuehl

■ Ahrens St W.,

Kitchener, ON N2H 4B7



¹ Reference: Cultural Heritage Landscape Study, December 2014.

² Official Plan for the City of Kitchener,
Civic Centre (HCD) Plan and the City of Kitchener
Urban Design Manual
Civic Centre Secondary Plan

³ Reference: High Density Commercial Residential zone in the Civic Centre Secondary Plan

⁴ Reference: the High Density Commercial Residential zoning; Civic Centre Secondary Plan

⁵ Reference: City of Kitchener Official Plan

⁶ Reference: Kitchener's Official Plan & Civic Centre Secondary Plan