

From: Mike Seiling
Sent: Friday, December 2, 2022 9:02 AM
To: Katie Anderl
Subject: RE: RE-CIRCULATION - OPA/ZBA (1001 King Street East)

Building; no concerns

From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Wednesday, November 30, 2022 9:59 AM
To: Carlos Reyes <Carlos.Reyes@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Straus <Ellen.Straus@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Lenore Ross <Lenore.Ross@kitchener.ca>; Angela Mick <Angela.Mick@kitchener.ca>; Deeksha Choudhry <Deeksha.Choudhry@kitchener.ca>; Pegah Fahimian <Pegah.Fahimian@kitchener.ca>; 'Jason Wigglesworth' <jwigglesworth@regionofwaterloo.ca>; MMohr <MMohr@regionofwaterloo.ca>; Sandro Bassanese <Sandro.Bassanese@kitchener.ca>; Gaurang Khandelwal <Gaurang.Khandelwal@kitchener.ca>
Subject: RE-CIRCULATION - OPA/ZBA (1001 King Street East)

Hello,

The City of Kitchener has received an updated submission from King-Charles Properties (Kitchener) Limited for the proposed Official Plan and Zoning By-law Amendment. Please see attached circulation letter.

Updated documentation is saved in AMANDA (folders 22-100385 & 22-100386) for internal staff reference & for external agencies [ShareFile](#). Comments or questions should be directed to **Katie Anderl**, Senior Planner (copied on this email).

Katie Anderl

Senior Planner | Planning Division | City of Kitchener
519-741-2200 x7987 | TTY 1-866-969-9994 | katie.anderl@kitchener.ca



From: Trevor Jacobs
Sent: Tuesday, February 15, 2022 11:41 AM
To: Katie Anderl
Subject: RE: Circulation for Comment - OPA/ZBA (1001 King Street East)

Hi Katie,

The following is Engineering comments.

They will need to update and re-submit their water distribution report to reflect the comments below from Angela Mick, Kitchener Utilities:

“There is an existing 150mm water service already servicing the site from Charles St E (installed as part of LRT) so I’m not sure why they would suggest a new 150mm service from King St E.

All of the other existing unused services along Charles will need to be cut off at the main with coordination from LRT. King St from Ottawa St to Stirling Ave is being reconstructed in 2023 so it would make sense to leave the King St servicing for the reconstruction project to remove. “

Regards,

Trevor

From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Tuesday, January 18, 2022 1:03 PM
To: Trevor Jacobs <Trevor.Jacobs@kitchener.ca>
Subject: RE: Circulation for Comment - OPA/ZBA (1001 King Street East)

Hi Trevor,

All the reports submitted for this OPA/ZBA are saved here: O:\Secured\Digital Planning Review\Development Application Submissions\1001-1051 King St E & 530-564 Charles St . I attached the Servicing Study thye submitted, however if it doesn't include the details you need, they will need to update the report to provide what you need.

Thanks for the quick review,
Katie

From: Trevor Jacobs <Trevor.Jacobs@kitchener.ca>
Sent: Tuesday, January 18, 2022 11:56 AM
To: Katie Anderl <Katie.Anderl@kitchener.ca>
Subject: RE: Circulation for Comment - OPA/ZBA (1001 King Street East)

Thanks, Katie. I have not received the required documents for the review, or do I just ask for these again?

Since the pre-app, our comments on these applications has changed slightly as it relates to increased FSR's:

Zoning Bylaw Amendment:

- For the OPA/ZBA a Functional Servicing Report showing outlets to the municipal servicing system along with the storm and sanitary design sheets are required to the satisfaction of Engineering Services. The sanitary zoned and actual peak flow must also be submitted to run the sanitary capacity modeling. The City of Kitchener will use this information to determine if there are any downstream issues. If the capacity analysis determines that the pipes will need to be upgraded to support the development, then these upgrades will be rolled into the development costs. Further studies will be required at the time of development to determine the approximate amount of sanitary sewers that will need to be upgraded to accommodate the above developments.
- **FOR SITES LOOKING FOR A SPECIAL REGULATION TO THE EXISTING ZONING THAT WILL SIGNIFICANTLY INCREASE THE FLOOR SPACE RATIO (POPULATION) i.e. NOT CHANGING THE ZONING (if applicable)** - Please note that since zoned flows for this development are not reflective of the development application, population should be based off of the Regions 2020 Water and Wastewater Monitoring Report. Section 2.4 – Development Data establishes a People Per Unit (PPU) based on Structure Type and assigns Apartments as having a PPU of 1.77. Please multiply 1.77 by the number of units in the building. Furthermore, the City's Average Daily Residential Sanitary Flow rate is 305L/day/cap and the City's Average per second Residential Sanitary Flow rate is 0.0035L/sec/cap. Please be advised that the process Engineering is noting above is specific to this development.
- For the OPA/ZBA a Water Distribution Report is required to the satisfaction of Engineering Services in consultation with Kitchener Utilities and the Region of Waterloo.

Regards,

Trevor

From: Katie Anderl <Katie.Anderl@kitchener.ca>

Sent: Monday, January 17, 2022 2:27 PM

To: Trevor Jacobs <Trevor.Jacobs@kitchener.ca>

Cc: Christine Kompter <Christine.Kompter@kitchener.ca>

Subject: RE: Circulation for Comment - OPA/ZBA (1001 King Street East)

Hi Trevor,

No, no meetings yet - this is an application for OPA/ZBA. The pre-app for this one was held last May. There may be a Neighbourhood Information meeting scheduled in a couple of months, or possibly and post-circulation meeting or issue specific meetings depending on the comments that emerge from the circulation.

Thanks,

Katie

From: Eric Riek
Sent: Tuesday, March 7, 2023 9:29 AM
To: Katie Anderl
Subject: RE: RE-CIRCULATION - OPA/ZBA (1001 King Street East)

Thanks Katie,

No engineering concerns.

I circulated to KU and they had the following comment:

I don't see that there are any changes on the water side so no issues. At the site plan phase they will need to use modelling from Charles St since they are servicing from there.

Any questions, please advise.

Eric Riek, C.E.T.
Project Manager | Development Engineering | City of Kitchener

From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Monday, March 6, 2023 11:46 AM
To: Eric Riek <Eric.Riek@kitchener.ca>
Subject: RE: RE-CIRCULATION - OPA/ZBA (1001 King Street East)

Hi,
I received an updated Site Servicing Feasibility Study as part of the final resubmission – do you wish to review? (I know you said you had no further comments as per your email below...)
Thanks,
Katie

From: Eric Riek <Eric.Riek@kitchener.ca>
Sent: Wednesday, December 14, 2022 8:52 AM
To: Katie Anderl <Katie.Anderl@kitchener.ca>
Subject: RE: RE-CIRCULATION - OPA/ZBA (1001 King Street East)

Good Morning Katie,

Engineering and Kitchener Utilities are satisfied with the supporting documents for the OPA/ZBA for these properties. No further concerns, additional comments will be supplied at the site plan stage.

Cheers,

Eric Riek, C.E.T.
Project Manager | Development Engineering | City of Kitchener

From: Ellen Straus <Ellen.Straus@kitchener.ca>
Sent: Wednesday, November 30, 2022 4:08 PM
To: Eric Riek <Eric.Riek@kitchener.ca>

Internal memo

Development Services Department



www.kitchener.ca

Date: January 6, 2023
To: Katie Anderl, Senior Planner
From: Deeksha Choudhry, Heritage Planner
cc:
Subject: OPA22/001/K/KA
ZAB22/002/K/KA
1001-1051 King Street East & 530-564 Charles Street East
Heritage Planning Comments

Heritage Planning staff have reviewed the updated Heritage Impact Assessment, updated Urban Design Brief and updated the updated site plan, renderings and elevations submitted in support of Official Plan Application OPA22/001/K/KA and Zoning By-law application ZBA22/001/KA regarding 1001- King Street East and 530-564 Charles Street East and provide the following comments.

Current Heritage Status of Subject and Adjacent Properties

The property municipally addressed as 1027 King Street East is listed as a non-designated property of cultural heritage value or interest on the City's Municipal Heritage Register. Both the original circa 1914 Industrial Vernacular building and the 1946 Art Deco influenced addition are identified as having cultural heritage value. In addition to the Industrial Vernacular and Art Deco architectural styles and their corresponding heritage attributes, the contextual value of the buildings location and design providing a clear view down Onward Avenue to the front façade of the original circa 1914 building is important. The site has historic and associative value linked to the original owner (Theodore Adam Witzel of the Onward Manufacturing Company Limited), the use of the building (manufacturing of vacuums) and the architect of the 1946 Art Deco addition (William Stuart Jenkins and Sherman W. Wright).

The property is also located within the Onward Avenue Neighbourhood significant cultural heritage landscape as per the Kitchener Cultural Heritage Landscape Study (CHLS) which was prepared by The Landplan Collaborative Ltd and approved by Council in 2015. A description of the significant cultural heritage landscape along with its cultural heritage value and character defining features is provided in Appendix 6 of the CHLS.

Conclusions and Recommendations of the Scoped Heritage Impact Assessment

A Heritage Impact Assessment (HIA) was prepared by MHBC Planning Limited, dated November 9, 2021, and most recently revised in November 2022 . The updated development proposal assessed in the November 2022 HIA contemplates the demolition of the existing listed structure and all other structures on the site to build a comprehensive mixed-use development with two towers – Tower A and Tower B. Tower A is proposed to be 13-storeys with 144 units and Tower B is proposed to be 30 storeys with 238 units. The development proposal also includes 348 parking spaces in the form of structured parking internal to the building.

The HIA evaluated the impact of the proposed development on the listed property as well on the Cultural Heritage Landscape and recommends the following mitigation strategies to mitigate impacts:

- Submission of a Documentation report which would include photographic descriptions and photo maps of the property.

The HIA concludes that demolishing all structures apart from the Art Deco Tower were considered as neutral impacts as those structures had been altered and did not have significant design/architectural value. However, the HIA also concluded that demolishing the Art Deco would be considered an adverse impact, as there are not many examples of surviving examples of Art Deco-style buildings in the city. Preserving the Art Deco Tower without the two other structures would not be possible due to its structural reliability on the other structures. The listed property also had historical and contextual value, specifically with regards to its placement and the views of Onward Avenue.

The HIA is still in the 'draft' stage and has not yet been approved by the Director of Planning.

Heritage Planning Staff Comments

The findings and recommendations of the HIA were presented and discussed at the January 4, 2022, meeting of Heritage Kitchener.

Even though the proposed development is predicated on the demolition of the existing structure, staff are appreciative to see a more comprehensive commemoration effort of the existing structure by the applicant. This includes the installation of the 'Eureka' signage in front of the proposed development, and a large "Memorial Wall" at the entrance of the podium which details the history of the site and its evolution over time.

The proposed development will also re-use the following salvaged elements of the Art Deco Tower to commemorate the site at the interior of the proposed lobby area:

1. Original Eureka Tiles
2. Window and Door Elements
3. Existing Metal columns.

Staff would like further information on specifically what elements will be salvaged and how they will be used in the proposed development. As such, Staff require that in addition to a Documentation Report, that a Salvage and Re-use Plan also be submitted, which can be submitted along with the Documentation Report, that details the salvaging and re-use of these materials. This can be done at the Site Plan Application stage. Staff would also like further clarification on how the proposed 'Art Deco' mural commemorated the Art Deco Tower of the existing building.

Staff would also like the applicant to explore alternative locations for the garage entrance. Currently, the location of the entrance of the garage is where the existing 'Art Deco' tower is, and is meant to be the focal point of the building. The proposed garage entrance, in its current location, might detract from that portion of the proposed development serving as a 'terminal view' looking down from Onward Avenue, as well as the proposed commemoration efforts.

From: Deeksha Choudhry
Sent: Thursday, March 9, 2023 4:07 PM
To: Katie Anderl
Subject: Re: RE-CIRCULATION - OPA/ZBA (1001 King Street East)

Hi Katie,

I am okay with the commemoration efforts proposed at this stage. I am also okay with the latest changes proposed re: garage door relocation, and placing units back on the side fronting King.

Rest of the details can be worked out at the site plan stage.

Thanks!

Kind Regards,

Deeksha Choudhry, **MSc, BES**
Heritage Planner | Planning Division | City of Kitchener
519-741-2200 ext. 7291 | TTY 1-866-969-9994
deeksha.choudhry@kitchener.ca



Residents are encouraged to visit kitchener.ca/covid19 for the most up-to-date information about City services.



From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Monday, March 6, 2023 12:28 PM
To: Deeksha Choudhry <Deeksha.Choudhry@kitchener.ca>
Subject: RE: RE-CIRCULATION - OPA/ZBA (1001 King Street East)

Hi Deeksha,

Do you need to issue a final set of comments for this application? I am looking for prepare my report over the next couple of weeks. Does Garrett need to approve the HIA? Or does this get done at SP, or through a Holding Provision?

Thanks!

From: Wang, Shaun <swang@kwhydro.ca>
Sent: Thursday, March 24, 2022 10:06 AM
To: Katie Anderl
Cc: Cameron, Greig
Subject: [EXTERNAL] RE: Circulation for Comment - OPA/ZBA (1001 King Street East)

Hi Katie,

Sorry I missed this one.

Kitchener-Wilmot Hydro has the following comments:

The developer shall make satisfactory arrangements with Kitchener Wilmot Hydro Inc. for servicing:

1. Kitchener-Wilmot Hydro has existing overhead pole lines on both King St side and Charles St side, close to the property line.
2. Any proposed above grade building façade must have a minimum clearance of 5.5 meters from the center of hydro pole line.
3. Any adjustment to Kitchener Wilmot Hydro Inc. existing facilities will be at the developers cost.
4. To service the site, on-site distribution transformer (either pad-mounted or room type) may be required, as per Kitchener-Wilmot Hydro standards. The transformer room shall be at grade.

Regards,

Shaun Wang, P. Eng.
System Planning & Projects Engineer
Kitchener-Wilmot Hydro Inc.
P: 519-745-4771 x6312
F: 519-745-0643
swang@kwhydro.ca



Hello Shaun,

FYI. Please respond.

Greig Cameron (he/him), PEng, MSc
Vice President, Engineering & IT
PH: 519-749-6182

From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: March-23-22 12:25 PM
Subject: FW: Circulation for Comment - OPA/ZBA (1001 King Street East)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

EXTERNAL EMAIL. Please be cautious and evaluate before you click links,
open attachments or provide credentials

Hi,
This is a friendly reminder to please provide any comments you may have with respect to the proposed OPA/ZBA for 1001 King St E.
Thanks,
Katie

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, January 14, 2022 4:05 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Aaron McCrimmon-Jones <Aaron.McCrimmon-Jones@kitchener.ca>; >; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Feds <vped@feds.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; >; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; K-W Hydro - Greig Cameron <gcameron@kwhydro.on.ca>; Linda Cooper <Linda.Cooper@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Katie Anderl <Katie.Anderl@kitchener.ca>
Subject: Circulation for Comment - OPA/ZBA (1001 King Street East)

Please see attached. Additional documentation is saved in AMANDA (folders 22-100385 & 22-100386) for internal staff reference & [ShareFile](#) for external agencies. Comments or questions should be directed to **Katie Anderl**, Senior Planner (copied on this email).

April 28, 2022

Erica Bayley, P. Eng.
Senior Project Manager
Paradigm Transportation Solutions
5A-150 Paradigm Road
Cambridge, ON N1R 8L2

File No.: C14-60/64
VIVE DEVELOPMENTS

Dear Ms. Bayley:

Re: OPA 22/01 and ZBA 22/01, VIVE Developments (Eureka!), 1001-1051 King Street East and 534-564 Charles Street East, City of Kitchener – Transportation Study Review Comments

Region of Waterloo staff have reviewed the Transportation Impact Study (TIS) entitled “Eureka! (King Charles Block) Kitchener, ON Transportation Impact Study, Parking Study and Site Circulation Review” dated November 2021. The TIS was completed in support of the proposed Official Plan Amendment (OPA 22/01) and Zoning By-law Amendment (ZBA 22/01) for the proposed site redevelopment at the proposed property amalgamation bound by Regional Road 04 (Ottawa Street), Regional Road 64 (Charles Street East) and King Street East. Region of Waterloo staff provide the following TIS comments:

- The study has used the Highway Capacity Manual (HCM) 2010 signal report for the subject intersection analysis tables. As noted in the Region of Waterloo Transportation Impact Study Guidelines (updated July 2014) the intersection analysis tables should be completed using only the Synchro Lanes, Volumes and Timing Report. No further action required.
- The proposed development will obtain vehicular access to King Street East, under the jurisdiction of the City of Kitchener, and to Charles Street East. The TIS states “The developer install signs on-site (including in the parking garage) to direct residents and visitors to the King Street East driveway.” There is to be no residential access from on site parking garage to Charles Street East, the Charles Street East access is only for delivery vehicles and garbage removal.

Overall, the Region of Waterloo has no major concerns with the conclusions and recommendations of the study and recommend that the OPA/ZBA application move forward. Under future Site Plan applications, Region of Waterloo staff will work with the developer to complete any necessary vehicular access design changes.

Yours Truly,

A handwritten signature in black ink, appearing to read 'J. Wigglesworth', with a long, sweeping horizontal line extending to the right.A small, blue circular stamp or seal, possibly containing a logo or initials, located to the right of the signature.

Jason Wigglesworth, C.E.T.
Transportation Planner
(519) 505-4536

CC: Steven Ryder, C.E.T. – City of Kitchener
Pierre Chauvin, MA, MCIP, RPP – MHBC
Melissa Mohr, MCIP, RPP – Region of Waterloo
Paula Sawicki, P. Eng. – Region of Waterloo
Greg Proctor, C.E.T. – Region of Waterloo



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Melissa Mohr 226-752-8622
File: D17/2/22001
C14/2/22001
March 23, 2023

Katie Anderl, MCIP, RPP
Senior Planner
City of Kitchener
200 King Street West, 6th Floor
P.O. Box 1118, Kitchener, ON
N2G 4G7

Dear Ms. Anderl,

**Re: Proposed Official Plan Amendment OPA 22/01 and
Zoning By-law Amendment ZBA 22/01 – 3rd submission
1001-1051 King Street East and 534-564 Charles Street
East
MHBC Planning (C/O Pierre Chauvin) on behalf of King-
Charles Properties (Kitchener) (C/O Stephen Litt)
CITY OF KITCHENER**

MHBC Planning on behalf of King Charles Properties has resubmitted an Official Plan Amendment and Zoning By-law Amendment for a development proposal at 1001-1051 King Street East and 534-564 Charles Street East (referred to as subject lands) in the City of Kitchener.

The applicant is proposing to develop the subject lands with two towers 12 and 30 Storeys tall atop a five (5) storey podium that shall contain a total of 464 residential apartments and 451.54 square metres of commercial space. Parking is proposed within the podium and through at grade visitor parking with access to the parking structure from King Street East. An additional service access is proposed from Charles Street East and provides access to the garbage and loading/move-in area.

The subject lands are designated Mixed Use Corridor within the King Street East Secondary Plan Area and the applicant has applied for an Official Plan Amendment to add a Special Policy Area to the existing land use designation to increase the maximum Floor Space Ratio from 4.0 to 8.93. The subject lands are zoned High Intensity Mixed

Use Corridor Zone (MU-3) Zone and the applicant has applied for a Zoning By-law Amendment to add Special Provisions to the zone to permit a maximum floor space ratio of 8.93 whereas the maximum FSR permitted is 4.0; to permit a front yard setback from King Street East at 1.4 metres (whereas 1.5m is required); to permit a minimum rear yard setback from Charles Street of 1.3 metres (whereas 1.5m is required); to permit dwelling units to be located at grade in a mixed use building; to permit a parking rate of 0.62 spaces/unit, visitor parking at 0.05/unit of the required parking and to permit parking for a Plaza Complex to be 0 spaces.

The Region has had the opportunity to review the proposal and offers the following:

Regional Comments

Development Planning Comments

The subject lands are designated “Urban Area” and “Built-Up Area” on Schedule 3a of the Regional Official Plan (ROP) and the site is designated Mixed Use Corridor in the City of Kitchener Official Plan.

Planned Community Structure

The ROP supports a Planned Community Structure based on a system of Nodes, Corridors and other areas that are linked via an integrated transportation system (ROP objective 2.1 and 2.2). Components of the Planned Community Structure include the Urban Area, Nodes, Corridors and other development areas including Urban Growth Centres (UGC's) and Major Transit Station Areas (MTSA's).

Mostly all of the Region's future growth will occur within the Urban Area and Township Urban Area designations, with a substantial portion of this growth directed to the existing Built-Up Area of the Region through reurbanization. Focal points for reurbanization include Urban Growth Centres, Township Urban Growth Centres, Major Transit Station Areas, Reurbanization Corridors and Major Local Nodes (ROP Section 2.B).

Regional staff understand that the subject lands are located in a Major Transit Station Area of the City of Kitchener (Borden Station) and the applicant has proposed to add a special policy area to the existing Mixed Use Corridor Designation that will permit an increased Floor Space Ratio of 8.93 (whereas a max. of 4.0 is permitted currently). Regional staff acknowledge that the subject lands are within the vicinity of the ION Phase 1 Borden stop and that the subject lands are located adjacent to two existing transit corridors (King Street East and Charles Street East) with multiple bus routes that link directly to rapid transit stops within the Region of Waterloo. Furthermore, the subject lands are located in close proximity to a Planned Cycling Route (Ottawa Street South) within the Region.

Land Use Compatibility:

Following the review of the Land Use Compatibility study provided within the second submission, Regional staff acknowledge that the subject lands are located in the Mixed Use designation of the City of Kitchener Official Plan where residential uses are permitted. In addition, the subject lands are also located in the Regional Council Adopted Borden ION Major Transit Station Area (MTSA) which is an area where a change of use and infilling is to occur (e.g. from commercial and industrial to mixed-use residential and commercial uses).

According to the Ministry of Environment, Conservation and Parks (MECP) D-6 Series Guidelines, a reduced setback may be considered subject to the submission of a study (e.g. submission of a noise study). The applicant has submitted a noise feasibility study that addressed both transportation and stationary noise; which has been accepted by Regional staff. In addition, due to the area being located in a MTSA (an area to transition from one use to another with higher density developments) Regional staff have no further objection to the application from a land use compatibility perspective.

In addition to the above, the following technical comments apply to the development proposal:

Record of Site Condition

There are multiple medium and high environmental threats located on and adjacent to the subject lands in accordance with the Region's Treats Inventory Database (TID) due to past land uses. The applicant is proposing a sensitive land use on site and as a result, a Record of Site Condition (RSC) and Ministry Acknowledgement Letter shall be required in accordance with the *Region's Implementation Guidelines for the Review of Development Applications on or Adjacent to Known or Potentially Contaminated Sites*.

The Record of Site Condition shall be completed and filed with the Ministry of Environment, Conservation and Parks (MECP) in accordance with O.Reg 153/04 and the Region requires a copy of the Record of Site Condition and Ministry Acknowledgment letter once the RSC has been filed and the Acknowledgement letter has been issued by the Ministry.

Regional staff understand that the applicant has proposed to extend a special regulation applying to portions of the subject lands that requires a Record of Site Condition. A special regulation is not an option to implement the Record of Site Condition requirement within the Region's Implementation Guidelines. Therefore, the Region shall require a holding provision be implemented within the Zoning By-law until the RSC and Ministry Acknowledgement letter have been received to the satisfaction of the Region for the entirety of the subject lands (except the lands to be dedicated as part of the road allowance).

The following is the required wording for the holding provision:

That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry in accordance with O. Reg. 153/04, as amended and the Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.

Please ensure that any lands to be dedicated to the Region of Waterloo through the site plan process (road dedication lands) are excluded from any Record of Site Condition (RSC) for the proposed development.

Region of Waterloo International Airport

The Region can support the proposed development (building and crane) to a maximum elevation of 477m ASL based on the aeronautical report submitted with the application. Regional staff require the elevation to be clearly labelled on all plans moving forward and that details of any construction cranes be provided.

The aeronautical assessment submitted with the application identifies a maximum allowable height of 477m ASL prior to impacting airport instrument approach procedures. The limit of 477m ASL cannot be exceeded as it would impact the Runway 08 instrument approach procedures and airport operations. **Regional staff require the maximum height of 477m ASL to be implemented in the regulations of the Zoning By-law for both the proposed building and any related construction cranes. Any crane used for the construction of this development (e.g. towers, rooftop HVAC, communication towers/antennas) must be below the maximum height of 477m ASL.**

The applicant shall submit a land use submission form to NAV Canada as soon as possible. The application form can be found here: <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>. A separate land use form is also required for the crane.

The applicant shall submit an Aeronautical Assessment Form for both the building and crane to Transportation Canada as soon as possible. The application form can be found on their website here: <https://tc.canada.ca/en/aviation/general-operating-flight-rules/marking-lighting-obstacles-air-navigation>.

Corridor Planning

Official Plan and Zoning By-law Amendment Stage:

Environmental (Transportation) Noise:

Regional staff have received the "Noise Feasibility Study, Proposed Residential Development, Eureka! (King Charles Block) Kitchener, Ontario" dated October 29, 2021

and completed by HGC Engineering and accept the conclusions and recommendations made within the Feasibility Study at this time. A Holding Provision shall be required to obtain a detailed transportation and vibration study that assesses noise from the Charles Street side-running ION. Furthermore, the signed Owner/Authorized Agent Statutory Declaration was not included in the noise report and must be included in the detailed noise study.

Please be advised that the accepted mitigation measures and noise warning clauses shall be implemented through the future site plan agreement and through a Registered Development Agreement with the Region of Waterloo and/or the City of Kitchener as well as incorporated into a future condominium declaration, should a Condominium be proposed.

Stationary Noise Review:

Regional staff have reviewed the stationary noise aspects of the noise report entitled "Noise Feasibility Study Proposed Residential Development (King Charles Block) Kitchener, Regional Municipality of Waterloo, Ontario" dated October 29, 2021, prepared by HGC Engineering Limited.

Regional staff are satisfied with the conclusions and recommendations within the Noise Feasibility Study at this stage (Official Plan and Zoning By-law Amendment stage). As the detailed design has yet to be known, a Holding Provision shall be required to obtain a detailed stationary noise study that includes details relating to floor plans, building elevations, mechanical drawings and equipment selections. Furthermore, the equipment selected shall comply with the Ministry of Environment, Conservation and Parks (MECP) NPC-300 Noise Guideline. Finally, the detailed stationary noise study shall review the potential impacts of the points of reception (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses. The review of the detailed noise study shall be through the Region's third party noise consultant. The owner/developer shall be required to pay \$4000.00 plus HST (\$4,520.00 total) once the detailed noise study has been prepared and has been submitted to the Region.

The accepted mitigation measures and noise warning clauses shall be implemented through the future site plan agreement and through a Registered Development Agreement with the Region of Waterloo and/or the City of Kitchener and shall be incorporated in the Condominium Declaration and Offers of Purchase and Sale, Lease/Rental Agreements. The stationary noise-warning clause to be included in the Registered Development agreement and Condominium Declaration at this time is:

"Purchasers/tenants are advised that due to the proximity of the adjacent Commercial Facilities and proposed residential development roof-top and other Noise sources, noise from the Commercial Facilities and proposed residential development roof-top and other Noise sources may at times be audible"

Additional mitigation measures and warning clauses may be required and shall be determined through the detailed noise study.

Transportation Impact Study Review:

The Transportation Impact Study, Parking Study and Transportation Demand Study (TIS/TDM) entitled “EUREKA! (King Charles Block) Kitchener, ON Transportation Impact Study, Parking Study, and Site Circulation Review” dated November 2021 and completed by Paradigm Transportation Solutions Limited has been reviewed and the Region has no objections to the TIS/TDM study at this stage (Official Plan and Zoning By-law Amendment Stage). Please be advised that if any improvements to the Regional Road network are recommended through the site plan application process and approved by the Region of Waterloo, the developer may be responsible for any financial and property requirements associated with the road improvements.

Access:

The original concept proposed six (6) vehicular parking spaces within the service court area with access to Charles Street East, which was acceptable to the Region. The redesign of the concept proposes five (5) vehicular parking spaces to be accessed via the proposed Charles Street access. In addition, the site plan (dated February 10, 2023) shows that the access from Charles Street is not connected to the at-grade vehicular parking area adjacent to the commercial unit and parking garage. Regional staff have no further objection to the service access and shall continue to require that the Charles Street Service Area is separated from the adjacent parking area through the future site plan process.

Stormwater Management & Site Grading:

Region of Waterloo staff have received an electronic copy of the “Site Servicing Feasibility Study, Proposed Multi-Residential Development, 1027 King Street East, Kitchener” dated August 20, 2021, completed by Strik Baldinelli Moniz in support of the Official Plan and Zoning By-law Amendment Applications and have no objection to the report at this stage. The following shall be addressed through the detailed design at the site plan stage:

Water Servicing:

As noted in the study, the site is flanked by both Charles Street East (Regional Road 64) and King Street East, which is under the jurisdiction of the City of Kitchener in this area. There are existing watermain lines in both the King Street East and Charles Street East right of way. The study notes that water servicing for the proposed development would come from the existing 150mm diameter watermain in the King Street East right of way, but a design is not provided. Under detailed site servicing design for the development, Regional staff shall review any proposed water service connection. Please be advised that any redundant water service connections to the subject property from the Charles Street East right of way will need to be removed at

the time of construction. Additional comments will be provided through the site plan review process.

Sanitary Servicing:

As noted in the study, the site is proposed to connect to the existing 200mm/225mm diameter sanitary sewer within the King Street East right of way, specifically at MH2A. This section of King Street East is under the jurisdiction of the City of Kitchener and the Region of Waterloo has no concerns related to this proposed connection. When a detailed design for the sanitary sewer connection is submitted, Regional staff will provide detailed comments, including comments related to the removal of redundant sanitary sewer connections within the Charles Street East right of way.

Stormwater Servicing:

Through the study, it is assumed that the site development will have a storm sewer outlet to the King Street East right of way and that post-development flows will be restricted to the pre-development levels during the 5-year and 100-year storm events. The study does not provide a preliminary design of the stormwater features on site, but notes that detailed design will be completed in association with a future Site Plan application. The study also identifies a Weber Street East right of way in a few sections, but it appears that these are just typos, as the subject property does not abut Weber Street. This section of the report should be updated at the site plan application stage.

Regional Road Dedication:

While not a requirement through the Official Plan and Zoning By-law Amendment Applications, please ensure that the required road dedication along Charles Street East (Regional Road 64) is shown correctly through the future site plan submission. Regional staff have estimated the road dedication along Charles Street East to be approximately 3m (10ft), but the exact amount of road widening dedication must be determined by an Ontario Land Surveyor (OLS) in consultation with the Region's Transportation Planner. The land must be dedicated to the Region of Waterloo for road allowance purposes, and must be dedicated without cost and free of encumbrance. The completion of the road widening can be deferred to a future Site Plan application.

In addition, a Phase I ESA, and possibly a Phase II ESA based on the findings of the Phase I, will be required for land to be dedicated to the Region of Waterloo. Please ensure that any lands to be dedicated to the Region of Waterloo are excluded from any Record of Site Condition (RSC) for the proposed development.

Transit Planning:

Grand River Transit (GRT) currently operates numerous Routes along the area of King Street East, Charles Street East, Ottawa Street South and Borden Avenue North with existing transit stops in close proximity to the proposed development.

Region of Waterloo Transportation Capital Program:

Ottawa Street North is being reconstructed in 2022 as per the Region of Waterloo's 10-Year Transportation Capital Program (TCP). For more information regarding this project, please contact Mr. Greg Proctor (gproctor@regionofwaterloo.ca).

Regional Water Services

Regional staff acknowledge that connections to local services in the King Street East right-of-way have been proposed. Regional staff have no objection to this approach as no connection to regional watermain located in the Charles St East right-of-way shall be permitted in accordance with Section B.2.1.4.1 of the *Design Guidelines and Supplemental Specifications for Municipal Services, January 2021*.

Housing Services

The Region supports the provision of a full range of housing options, including affordable housing. The Region's 10-Year Housing and Homelessness Plan contains an affordable housing target for Waterloo Region. The target is for 30% of all new residential development between 2019 and 2041 to be affordable to low and moderate income households. Staff recommend that the applicant consider providing a number of affordable housing units on the site. Staff further recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs.

In order for affordable housing to fulfill its purpose of being affordable to those who require rents or purchase prices lower than the regular market provides, a mechanism should be in place to ensure the units remain affordable and establish income levels of the households who can rent or own the homes.

For the purposes of evaluating the affordability of an ownership unit (based on the definition in the Regional Official Plan), the purchase price is compared to the least expensive of:

Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households	\$385,500
Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area	\$576,347

*Based on the most recent information available from the PPS Housing Tables (2021).

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$385,500.

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

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income renter households	\$1,470
A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$950 1-Bedroom: \$1,134 2-Bedroom: \$1,356 3-Bedroom: \$1,538 4+ Bedroom: \$3,997

*Based on the most recent information available from the PPS Housing Tables (2021)

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

Fees

By copy of this letter, the Region of Waterloo acknowledges receipt of the review fees of \$7,400.00 (received May 5, 2022).

Conclusions and Implementation measures:

The Region has no objection to the above noted Official Plan Amendment and Zoning By-law Amendment subject to the following being implemented within the Zoning By-law:

1. The maximum height permitted on site for buildings any associated structures (e.g. rooftop HVAC, communication towers/antennas) and construction cranes shall be 477m ASL.
2. A holding provision for the Record of Site Condition and Ministry Acknowledgement Letter. The required wording is:

That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry in accordance with O. Reg. 153/04, as amended and the Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.

3. A holding provision to obtain a detailed transportation (road), vibration and stationary noise study. The required wording shall be:

That a holding provision shall apply to the entirety of the subject lands until a detailed transportation (road), vibration and stationary noise study have been completed and

implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of the points of reception (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

General Comments

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

Please accept this letter as our request for a copy of the decision pertaining to this application. Should you have any questions, please do not hesitate to contact me.

Yours truly,



Melissa Mohr, MCIP, RPP
Senior Planner

C. King-Charles Properties (Kitchener) C/O Stephen Litt (Owner)
Pierre Chauvin, MHBC Planning (Applicant)

City of Kitchener - Comment Form

Project Address: 1001, 1007, 1015, 1027, 1051 King Street E and 530, 534, 542, 564 Charles Street E
Application Type: OPA and ZBA

Comments of: Environmental Planning (Sustainability) – City of Kitchener
Commenter's name: Gaurang Khandelwal
Email: gaurang.khandelwal@kitchener.ca
Phone: 519-741-2200 x 7611

Written Comments Due: February 21, 2022
Date of comments: February 22, 2022

1. Plans, Studies and/or Reports submitted and reviewed as part of a complete application:

- Sustainability Statement – 1001, 1007, 1015, 1027, 1051 King Street East and 530, 534, 542, 564 Charles Street East, prepared by MHBC, dated November 10, 2021

2. Comments & Issues:

I have reviewed the documentation (as listed above) to support an Official Plan Amendment and a Zoning By-law Amendment to develop the subject lands with a 30 storey (92 metre) high tower containing 491 residential units, 461 m² of commercial space, and 282 vehicular parking spaces, regarding sustainability and energy conservation and provide the following:

- Although the Ontario Building Code (OBC) is advanced, going forward all developments will need to include robust energy conservation measures as the City (and Region of Waterloo) strive to achieve our greenhouse gas reduction target.
- The subject property is located within the PARTS Rockway Plan Area, Section 10.13 of the PARTS Rockway Plan recommends that development is equivalent to achieving a minimum LEED/LEED ND – Silver rating or comparable sustainable development standard.
- The proposed development should be equivalent to achieving a minimum LEED silver rating or comparable sustainable development standard.
- Program certification is not required but is encouraged.
- Based on my review of the supporting documentation, a number of sustainable measures have been proposed such as:
 - Buildings designed and certified to achieve Energy Star requirements and reaching more than 5-R values in wall insulation
 - Low consumption plumbing fixtures
 - Roof structure designed to support future PV installation

- An updated Sustainability Statement is required to support the Official Plan and Zoning By-law Amendment, incorporating a more progressive energy conservation and efficient design. Potential items for consideration are:
 - Electric vehicle charging stations
 - Community / common gardens and urban agriculture
 - Green roofs
 - On-site composting
 - Use of alternative water supply and demand management systems such as rainwater harvesting and grey water reuse
 - Sustainable sourcing of construction and building materials

3. **Policies, Standards and Resources:**

- Kitchener Official Plan Policy 7.C.4.5. The City will encourage and support, where feasible and appropriate, alternative energy systems, renewable energy systems and district energy in accordance with Section 7.C.6 to accommodate current and projected needs of energy consumption.
- Kitchener Official Plan Policy 7.C.6.4. In areas of new development, the City will encourage orientation of streets and/or lot design/building design with optimum southerly exposures. Such orientation will optimize opportunities for active or passive solar space heating and water heating.
- Kitchener Official Plan Policy 7.C.6.8. Development applications will be required to demonstrate, to the satisfaction of the City, energy is being conserved or low energy generated.
- Kitchener Official Plan Policy 7.C.6.27. The City will encourage developments to incorporate the necessary infrastructure for district energy in the detailed engineering designs where the potential for implementing district energy exists.
- [PARTS Rockway Plan](#) Section 10.13. The City has an interest in positioning the Rockway Station Area to exhibit leadership and advance best practices in the areas of sustainability and resilience. It is recommended to ensure that development in the PARTS Rockway Area is equivalent to achieving a minimum LEED / LEED ND – Silver rating or comparable sustainable development standard for Kitchener. The plans is available online at... https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_PARTS_Rockway_Plan.pdf

4. **Advice:**

- As part of the Kitchener Great Places Award program every several years there is a Sustainable Development category. Also, there are community-based programs to help with and celebrate and recognize businesses and sustainable development stewards (Regional Sustainability Initiative - <http://www.sustainablewaterlooregion.ca/our-programs/regional-sustainability-initiative> and TravelWise - <http://www.sustainablewaterlooregion.ca/our-programs/travelwise>).
- The '[Sustainability Statement Terms of Reference](#)' can be found on the City's website under 'Planning Resources' at ... <https://www.kitchener.ca/SustainabilityStatement>

From: Gaurang Khandelwal
Sent: Tuesday, January 3, 2023 4:48 PM
To: Katie Anderl
Subject: RE: RE-CIRCULATION - OPA/ZBA (1001 King Street East)

Hi Katie,

Thanks for bringing this to my notice.

The section in the updated Urban Design Brief does not suffice the updated sustainability statement requirements. I'd like to see more progressive measures incorporated so that the development is equivalent of achieving a LEED silver rating or comparable standard.

Although I'm not able to support the OPA and ZBA based on what was submitted, it would be acceptable for an updated SS to be submitted at Site Plan as most measures are incorporated into development design at a later stage.

Let me know if you have any further questions.

Regards,

Gaurang Khandelwal (he/him), MA, MCIP, RPP
Planner (Policy) | Planning Division | City of Kitchener
519-741-2200 x 7611 | TTY 1-866-969-9994 | gaurang.khandelwal@kitchener.ca



From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Tuesday, January 3, 2023 4:25 PM
To: Gaurang Khandelwal <Gaurang.Khandelwal@kitchener.ca>
Subject: FW: RE-CIRCULATION - OPA/ZBA (1001 King Street East)

Hi Gaurang,

I'm just finalizing my review of this updated submission. In response to the original circulation you had requested an updated to the sustainability work. They have included a short section (3.3) in the updated Urban Design Study. Does this meet your expectations/fulfill the requirements? Please see the ShareFile link below.

Thanks!

Katie

From: Katie Anderl
Sent: Wednesday, November 30, 2022 9:59 AM
To: Carlos Reyes <Carlos.Reyes@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Straus <Ellen.Straus@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang

City of Kitchener
OPA/ZBA COMMENT FORM

Project Address: 1001 King Street East

Date of Meeting: No meeting – OPA/ZBA updated materials

Application Type: ZBA & OPA

Comments Of: Transportation Services

Commenter's Name: Steve Ryder

Email: steven.ryder@kitchener.ca

Phone: (519) 741 2200 ext. 7152

Date of Comments: January 5, 2023

- ☐ I plan to attend the meeting (questions/concerns/comments for discussion)
- ☐ I do NOT plan to attend the meeting (no concerns)
-

1. Site Specific Comments & Issues:

- Based on the Agency Recirculation Letter (dated November 30, 2022), Transportation Services offer the following comments and questions:
 - The agency recirculation letter notes that the updated application still includes 486 units plus five (5) live/work units, however, the site plan submitted as part of the revised application notes that there are 465 units with five (5) live/work units. Confirmation of the exact amount should be provided; however, it is recognized that this would affect the site plan application rather than the zoning by-law amendment application which will legalize a parking rate, not the exact number of parking spaces that will be included in the development);
 - As noted in the Transportation Services comments from March 31, 2022, the minimum parking rate that Transportation Services would support is *0.6 parking spaces per unit*. The revised application includes a proposed parking rate of 0.77 parking spaces per unit, which Transportation Services **can support**;
 - As noted in the Transportation Services comments from March 31, 2022, Transportation Services noted that a supportable rate of visitor parking spaces would equal 10% of the required parking as per the zoning by-law regulations. The revised application includes a total of 45 visitor spaces.
 - Under ZBL 2019-051, the required amount of visitor parking would equal 46.5 (or 47, rounded up) visitor parking spaces.

- The proposed zoning by-law application is requesting “**visitor parking at 9% of required parking**”, which can be interpreted as 9% of the total 465 spaces required (or 42 visitor spaces), or 9% of the approved rate of parking through this zoning by-law amendment application;
- Given the circumstances and site context, Transportation Services would be able to support the application with a visitor parking rate of **0.1 spaces per (residential) unit**;
- Transportation Services **can support** the requested rate of 0.0 parking spaces for the commercial GFA as long as visitor parking is shared with commercial parking as there is virtually no on-street parking available in the immediate vicinity of the proposed development to support short-term commercial parking;
- As noted in the Transportation Services comments from March 31, 2022, it was noted that the site would need to meet the minimum zoning regulations for Class A and Class B bicycle parking under ZBL 2019-051;
 - The revised application of 465 units would require a minimum of 233 Class A (secured) bicycle spaces, and the site plan submitted notes a total of 258 are being provided;
 - Transportation Services is satisfied with the proposed rate of 0.55 Class A spaces per unit.

2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

- N/A

3. Anticipated Requirements of full Site Plan Approval:

- N/A

4. Policies, Standards and Resources:

- N/A

5. Anticipated Fees:

- N/A

City of Kitchener
Zone Change Comment Form

Address: 1001, 1007, 1015, 1027 and 1051 King St E and 530, 534, 542 and 564 Charles St E

Owner: King -Charles Properties (Kitchener)Limited

Application #: OPA 22/001/K/KA ZBA22/001/K/KA

Comments Of: Urban Design- Planning

Commenter's Name: Pegah Fahimian

Email: Pegah.fahimian@kitchener.ca

Phone: 519-741-2200 Ext. 7342

Date of Comments: March 15, 2023

- ☐ I plan to attend the meeting (questions/concerns/comments for discussion)
- ☒ No meeting to be held
- ☐ I do NOT plan to attend the meeting (no concerns)
-

1. Documents Reviewed:

- Updated Urban Design Brief, MHBC, March 15, 2023
- Updated Architectural Floor plans by NEO Architecture Inc, Feb 10, 2023
- Updated Shadow Study by NEO Architecture Inc, Feb 10, 2023
- Updated Wind Study - Pedestrian Level Wind – Preliminary Impact Assessment. Boundary Layer Wind Tunnel Laboratory report

2. Site-Specific Comments & Issues:

I have reviewed the updated/revised documentation noted below that has been submitted in support of an OPA and ZBA to add Special Provisions to the existing High-Intensity Mixed Use Corridor Zone (MU-3).

While the concept of residential intensification on this site is positive, and many previous staff comments have been incorporated into the proposal, some design modifications must be addressed in the Site Plan Application to create a development proposal that is well-designed and appropriate for this site and neighbourhood.

Updated Design Brief- March 15, 2023

Tall Building Design Analysis: The tall building design guidelines are an excellent compatibility test for proposals exceeding their zoning permissions. The proposal meets %76 of the separation target on the West side and exceeds the separation target on the east side.

Building Design: 4-storey pedestrian-scaled podium along King and Charles Street distinguished by tall towers, step-backs and intended architectural treatment. The proposed relative height accommodates human-scaled built form along streetscapes while accommodating compatibility matters. Contemporary architectural style and details are to be refined through the site plan process.

City of Kitchener
Zone Change Comment Form

On-site Amenity area:

- Required amenity space calculations are contained in the Urban Design Manual and include two parts – one for a general amenity area and one for children’s play facilities in multiple residential developments. $(2m^2 \times \#units) + (2.5m^2 \times \#bedrooms - \#units) = \text{outdoor amenity space}$.
 $(2 \times 464) + (2.5 \times 557 - 464) = 928 + (1392 - 464) = 1857 \text{ sq.m}$
- The updated UDB did not provide any commentary or precedent images related to “the provision of robust on-site amenity space for all ages and abilities” that was requested. Additional information should be provided regarding the various on-site amenity spaces in the UDB (common, individual, indoor, and outdoor).
- The Urban Design Brief should include text and conceptual images that demonstrate the commitment to providing sufficient and appropriate amenity space for all potential residents on site

Updated Shadow Studies, NEO Architecture Inc, Feb 10, 2023:

The submitted shadow analysis is acceptable as it confirms that the proposal maintained access to at least 5 hours of cumulative direct sunlight to nearby sidewalks and open spaces.

Updated Wind Study - Pedestrian Level Wind – Preliminary Impact Assessment. Boundary Layer Wind Tunnel

A further quantitative wind study coupled with a detailed wind tunnel analysis will be required as part of the full site plan application package. A revised design proposal should be developed that addresses the wind impacts outlined in the submitted wind study. According to the submitted study, the main public street-level areas along King and Charles Streets are expected to experience wind conditions consistent with the intended usage year-round; this includes the entrances and sidewalks. For the amenity terrace area, some strategies have been identified to improve upon comfort, with focus on extending summer usage of the areas.

A revised design proposal should be developed that addresses the wind impacts outlined in the submitted wind study.

City of Kitchener
Zone Change Comment Form

3. Comments on Submitted Documents

Updated Architectural Floor plans- NEO Architecture Inc,

- For tall buildings with retail or other active uses at grade, provide a ground floor height of 4.5m (minimum) to permit a variety of retail types and activities.
- The building facades fronting King and Charles Street should contain an appropriate amount of glazing and articulation, particularly along the lower 5m where the building addresses the sidewalk.
- The underground parking structure should have a sufficient setback from the property lines to accommodate the necessary soil volume to support required large-statured, high-canopy trees.
- The location of residential and commercial garbage storage, loading area and Passenger pick up /drop-off area should be noted on the site plan.
- The area between the building's face and the property line should be well integrated with the street and public realm to deliver high-quality, seamless private, semi-private and public spaces.
- Provide natural surveillance by employing high percentages of glazing, active uses at ground level and incorporating more units with windows and balconies on the main facade with views onto the street
- The building 's interface and relationship with the street and adjacent properties should be thoroughly explored.
- 3-bed units are desirable as they provide more living space for families. A higher percentage of these units might help with community engagement.
- All utility locations, including the meter room and transformer room to be shown on the layout. Building-mounted or ground-based AC units should be located away from public view and fully screened.
- Wind assessment and shadow study is required for outdoor amenities and the pedestrian realm.

Summary:

In summary, Urban Design staff are supportive of the zone change/official plan amendment. While the concept of residential intensification on this site is positive and many previous staff comments have been incorporated into the proposal, Urban Design staff recommend that the Urban Design Brief be endorsed, and that staff be directed to implement the Urban Design Brief through future Site Plan Approval processes.

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

Address: 1001 et al King St E
Owner: King-Charles Properties (Kitchener) / Vive
Application: OPA22/001/K/KA and ZBA22/001/K/KA recirculation Nov 2022

Comments Of: Parks & Cemeteries
Commenter's Name: Lenore Ross
Email: Lenore.ross@kitchener.ca
Phone: 519-741-2200 ext 7427

Date of Comments: Jan 06 2023

- ☐ I plan to attend the meeting (questions/concerns/comments for discussion)
☒ No meeting to be held
☐ I do NOT plan to attend the meeting (no concerns)
-

1. Documents Reviewed:

I have reviewed the updated/revised documentation noted below that has been submitted in support of an OPA and ZBA to add Special Provisions to the existing High Intensity Mixed Use Corridor Zone (MU-3) and permit:

- a maximum floor space ratio of 9.05 instead of 4.0.
- a dwelling unit to be located at grade in a mixed use building
- a parking rate of 0.77 spaces per unit, visitor parking at 9% of required parking, and to permit parking for commercial uses to be 0.0.
- a 0.0 metre setback to both King St and Charles St.

Agency re-Circulation Letter dated Nov 30 2022

Updated – Planning Justification Report (Addendum)

Updated – Site Plan, Floor Plan and Elevation Drawings – NEO Architecture no rev#, dated Nov 18 2022

Updated – Urban Design Brief MHBC report amended November 2022

Updated – Shadow Study – NEO Architecture no rev #, professional seal date Dec 14/21

Updated – Renderings – no author, no date

Updated – Wind Study– BLWTL report dated Nov 29 2022

2. Site Specific Comments & Issues:

- 1) The gross and net site area statistics vary across documents and planning submissions and should be verified and coordinated.
- 2) The King East Planning Community is critically underserved by active park space with only 0.6 sq.m./person of active park space – well below the city wide average of 9.8 sq.m./person. This deficiency will increase as a result of the proposed intensification. Current active local park access is reliant upon Knollwood Park and Kauffman Park which are located in adjacent Planning Communities and over 500m away.

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

The City is expecting that parkland dedication will be met, at least in part, through the dedication of physical parkland within the neighbourhood to support the proposed residential growth on site. Parks & Cemeteries is willing to consider dedication alternatives involving offsite dedication of suitable land with cash in lieu of land comprising the balance of the dedication requirement.

The developer has previously proposed a 0.88ha (0.21 ac) parcel of land at the southeast corner of King St E and Borden Ave (967 and 977 King St E) as a physical land dedication to fulfil parkland dedication requirements. **Is this still part of the development proposal; it is referenced in the Updated Urban Design Brief pg 19?**

The City of Kitchener Park Dedication Bylaw and Park Dedication Policy have recently been updated and new parkland dedication criteria, rates and land values have been approved by Council on August 22, 2022. The transition provisions that are included within the Bylaw allow for formal Planning Act applications that have been deemed complete to proceed under the old Park Dedication By-law 2008-93 but require that the application receive final site plan approval within 12 months. If final site plan approval is not granted within this time the new Park Dedication Bylaw, Policy and rates will apply. The Bylaw is under appeal. Further changes to the Bylaw may be required as a result of the Bill 23 – More Homes Built Faster Act. Parkland dedication will be assessed based on the land use class(es) and density approved through the OPA and ZBA and assessed at the required Site Plan application and required as a condition of final Site Plan approval. Based on the transition provisions in the Park Dedication Bylaw 2022-101 and Park Dedication Policy, this development proposal (465 units – 6 existing and a net site area of 0.5855ha) is eligible to utilize the Multiple Residential (Apartment) land class valuation of \$1,359,000.00 per hectare and applying the MHBFA revised parkland dedication rate of 1ha/1000 units \$623,781 would be required. Using the rates and caps associated with bylaw 2022-101 and the MHBFA, park dedication of \$1,149,509 would be required

- 3) As there is little active public parkland in the immediate neighbourhood, the provision of on-site amenities suitable to all ages, including children's play facilities, will be critical to this proposal. The site plan, PJR, UDB, shadow studies and wind studies should reflect and accommodate on-site amenity spaces and public dedication of off-site land for parkland as appropriate.

3. Comments on Submitted Documents

- 1) Updated – Site Plan, Floor Plan and Elevation Drawings – NEO Architecture no rev#, dated Nov 18 2022. Updated – Shadow Study – NEO Architecture no rev #, professional seal date Dec 14/21. Updated – Renderings – no author, no date**

- a) The conceptual site and building layout should be revised to incorporate comments below
- b) Section 2.1.5 Vision and Design Objectives and Section 3.2 Transit Supportive Design of the Updated Urban Design Brief indicate that mid-block connections and 'safe and comfortable pedestrian connections through the site' will be provided; the preliminary site plan should be adjusted to indicate clear, safe at-grade pedestrian connections between King St E and Charles St E. that will also serve the at-grade parking and allow barrier free access to the King St E entrance to the building if approaching from Charles St E. Anticipated wind impacts should be considered in building design.

Zone Change / Official Plan Amendment Comment Form

- c) The Site Plan Concept pg 20 and 37 of the UDB differs from the Updated NEO Site Plan, Floor Plan and Elevation Drawings submission.
- d) Section 3.1 Site Design pg 21, indicates that the outdoor amenity area is provided on the seventh level of the proposed building and will be detailed through detailed landscape design. This section should be expanded upon to include a commitment to providing robust on-site outdoor amenity space that achieves – as a minimum - the City of Kitchener Urban Design Manual amenity space standards and incorporates active and passive amenity features for all ages and abilities including children’s play equipment. Conceptual design details/images for this commitment should be included illustrating active and passive features along with play equipment.
- e) All technical studies should support the preliminary site design including on-site amenity spaces and show good solar access and adequate protection from wind and noise; solar access for the proposed outdoor amenity area appears limited.
- f) Section 4.2 Analysis of Microclimate Impacts – Shadow Study; no commentary is provided with respect to the shadow impacts on the proposed outdoor amenity area within the site; solar access for the proposed outdoor amenity area appears limited.
- g) Section 4.2 Analysis of Microclimate Impacts – Pedestrian Wind Study; a detailed quantitative study is required. A detailed wind tunnel study should be submitted as part of a complete Site Plan application – see additional comments below
- h) A revised Urban Design Brief is required

2) Planning Justification Report – MHBC document dated November 2021 (Addendum)

- a) The site is within the King East Planning Community which is critically underserved with active park space and through previous Parks and Cemeteries comments for the Planning applications P&C have requested that the Planning Justification Report include an analysis and discussion of how the proposed development will impact the existing neighbourhood including...the availability of services and infrastructure related to parks, open space, urban forests and community facilities relative to the.....increase in density specifically referencing the objectives and policies and in Part C Section 8: Parks, Open Space, Urban Forests and Community Facilities and indicating how the proposal will implement / achieve the policy objectives.

- b) The PJR Addendum contained in a letter from MHBC included the following statement regarding Amenity Spaces:

Common amenity space is planned internal to the development (on Floor 7 at the base of the towers). The amenity room extends between both towers and is intended for use by all residents. In addition, there is an outdoor common amenity space planned on top of the podium structure. The outdoor amenity space is framed by the ‘L’ shaped tower. The outdoor amenity space will be detailed through the site plan process, and will include both hard and soft landscaping for passive recreation.

- c) Considering the critical deficit of active park space in the immediate neighbourhood and the proposed increase of over 800 new residents, this commentary should be updated to include a commitment to providing robust on-site outdoor amenity space that achieves – as a minimum - the City of Kitchener Urban Design Manual amenity space standards and

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incorporates active and passive amenity features for all ages and abilities including children's play equipment.

- d) The anticipated zoning should be updated to include specific provisions for minimum outdoor amenity spaces that reflects these standards: $(2m^2 \times \#units) + (2.5m^2 \times \#bedrooms - \#units) = \text{outdoor amenity space}$. For the current development concept with 344 1-bedroom units and 121 2-bedroom units, which would be 1232m² of outdoor amenity space; 506m² is shown on level 7 of the preliminary site plan.
- e) The Urban Design Brief should include conceptual design details/images for this commitment illustrating suitable amenities for all ages and abilities including seating and play equipment. All technical studies should support the preliminary site design showing on-site amenity spaces and demonstrate good solar access and adequate protection from wind and noise.
- f) A revised Planning Justification Report/Addendum is required

3) Pedestrian Level Wind Preliminary Impact Assessment – BLWTL report dated Nov 29, 2022.

- a) The report indicates that it is a preliminary high-level desk-top assessment and that a detailed quantitative study is required. That detailed wind tunnel study should be submitted as part of a complete Site Plan application and include receptors at several points on the proposed podium amenity space; several sidewalk locations on both King St E and Charles St E and representative locations across the anticipated parkland dedication parcel; *no off-site wind analysis has been provided*.
- b) With a 0.0m proposed building setback along both King St E and Charles St E, much of the vegetation and landscape features that the Report recommends for reducing wind speeds along public sidewalks will required to be located within the right of way rather than on the development site. The presence of ION catenary lines along Charles St E will further limit / eliminate tree plantings within the right of way and alternative means of wind mitigation will be required. The presence of underground parking structure will also limit the ability to implement tree planting on-site.
- c) Building and site design changes should be considered in conjunction with requested zoning setbacks to accommodate the identified wind mitigation requirements.

4) Proposed Zoning

- a) If off-site park dedication is anticipated, zoning should reflect the anticipated park use for the lands (OSR-1)
- b) The anticipated zoning for the development site should be updated to include specific provisions for minimum outdoor amenity spaces that reflects the Urban Design Manual standards: $(2m^2 \times \#units) + (2.5m^2 \times \#bedrooms - \#units) = \text{outdoor amenity space}$. For the current development concept with 344 1-bedroom units and 121 2-bedroom units, this could be 1232m² of outdoor amenity space. 506m² is shown on level 7 of the preliminary site plan.

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- c) The adverse streetscape and microclimate impacts of a 0.0m building setback along both Charles St E and King St E should be considered. The developer should demonstrate the ability and commitment to provide on-site mitigation prior to recommended approval.

3. Policies, Standards and Resources:

- Kitchener Official Plan Policy
- City of Kitchener Parkland Dedication Policy and Bylaw 2022-101
- City of Kitchener Development Manual
- PARTS Rockway Plan
- Cycling and Trails Master Plan (2020)
- Chapter 690 of the current Property Maintenance By-law
- Multi-Use Pathways & Trails Masterplan
- Urban Design Manual

4. Anticipated Fees:

The parkland dedication requirement for this submission is **deferred** and will be assessed at a future Site Plan Application. Parkland dedication will be assessed based on the land use class(es) and density approved through the OPA and ZBA and required as a condition of Site Plan Approval

Parkland dedication will be required for the site plan application as a combination of physical parkland/park investment on-site (or within the neighbourhood) and cash-in-lieu of land.

As part of the physical dedication of land a number of conditions will apply:

A Park, Trail and Open Space Development Financing Agreement (PDFA/PTOSDFA): prepared and executed by legal services.

Soil testing and report is required as outlined in the development manual including due diligence in environmental analyses including Phase I ESA as per current version of CSA- Z768), and, if required Phase II ESA as per current version of CSA Z769. If results of ESA are deemed acceptable by City of Kitchener, the property will be accepted as parkland dedication, given that all other requirements are met. If contamination is revealed through ESA, the developer shall incur all costs to remediate prior to dedication of property to the City of Kitchener

Legal survey of the dedication portion of the property

Topographic survey of the dedication portion of the property following park block development

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Demolition and removal of all existing structures within the dedicated property including but not limited to all foundations, servicing, above ground structures, and hard surfacing

Removal of all existing rubbish or debris within the property boundaries Park Block development minimum requirements are met, as specified in section L.5. of the Kitchener Development Manual, including grading, servicing, topsoil, seeding and sodding

Dedication requirements are subject to the Parkland Dedication Policy current at the time of a formal site plan application. Please be advised that the City of Kitchener Park Dedication Bylaw 2022-101 and Park Dedication Policy have been updated by Council in August 2022 and the Bylaw is currently under appeal.

From: planninganddevelopment <planninganddevelopment@bell.ca>
Sent: Wednesday, March 23, 2022 2:22 PM
To: Katie Anderl
Subject: [EXTERNAL] RE: Circulation for Comment - OPA/ZBA (1001 King Street East)

Good afternoon Katie,

Bell Canada doesn't have any comments for the OPA/ZBLA. We will provide comments at the Draft Plan of Subdivision/Condo phase.

Thanks

Ryan Courville

Access Network Provisioning Manager | Planning and Development

C: 416-570-6726

100 Borough Dr. Fl. 5 Toronto, Ontario



From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: March 23, 2022 12:25 PM
Subject: FW: Circulation for Comment - OPA/ZBA (1001 King Street East)

Hi,
This is a friendly reminder to please provide any comments you may have with respect to the proposed OPA/ZBA for 1001 King St E.
Thanks,
Katie

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, January 14, 2022 4:05 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Aaron McCrimmon-Jones <Aaron.McCrimmon-Jones@kitchener.ca>; >; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Feds <vped@feds.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; >; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; K-W Hydro - Greig Cameron <gcameron@kwhydro.on.ca>; Linda Cooper <Linda.Cooper@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; WCDsb - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>

From: Trevor Heywood <theywood@grandriver.ca>
Sent: Monday, January 17, 2022 2:30 PM
To: Katie Anderl
Subject: [EXTERNAL] RE: Circulation for Comment - OPA/ZBA (1001 King Street East)

Hi Katie,

This is not regulated by the GRCA and we have no comment.

Thanks,

Trevor Heywood

Resource Planner

Grand River Conservation Authority

theywood@grandriver.ca

www.grandriver.ca | [Connect with us on social media](#)

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, January 14, 2022 4:05 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Aaron McCrimmon-Jones <Aaron.McCrimmon-Jones@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Feds <vped@feds.ca>; Planning <planning@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; K-W Hydro - Greig Cameron <gcameron@kwhydro.on.ca>; Linda Cooper <Linda.Cooper@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Katie Anderl <Katie.Anderl@kitchener.ca>
Subject: Circulation for Comment - OPA/ZBA (1001 King Street East)

Please see attached. Additional documentation is saved in AMANDA (folders 22-100385 & 22-100386) for internal staff reference & [ShareFile](#) for external agencies. Comments or questions should be directed to **Katie Anderl**, Senior Planner (copied on this email).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener

200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7

519-741-2200 ext. 7425 | TTY 1-866-969-9994 | christine.kompter@kitchener.ca

From: Jordan Neale <Jordan.Neale@wcdsb.ca>
Sent: Monday, February 21, 2022 4:23 PM
To: Katie Anderl
Cc: Christine Kompter
Subject: [EXTERNAL] FW: Circulation for Comment - OPA/ZBA (1001 King Street East)

From: Planning
Sent: Monday, February 21, 2022 4:21 PM
To: Christine Kompter <Christine.Kompter@kitchener.ca>
Subject: RE: Circulation for Comment - OPA/ZBA (1001 King Street East)

Good Afternoon Katie,

The Waterloo Catholic District School Board has reviewed the subject application and based on our development circulation criteria have the following comment(s)/condition(s):

A) That any Education Development Charges shall be collected prior to the issuance of a building permit(s).

B) That the developer shall include the following wording in the site plan agreement to advise all purchasers of residential units and/or renters of same:

"In order to limit risks, public school buses contracted by Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up and drop off students, and so bussed students will be required to meet the bus at a congregated bus pick-up point."

If you require any further information, please contact me by e-mail at Jordan.Neale@wcdsb.ca.

Thank you,
Jordan Neale
Planning Technician, WCDSB
480 Dutton Dr, Waterloo, ON N2L 4C6
519-578-3660 ext. 2355

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, January 14, 2022 4:05 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Aaron McCrimmon-Jones <Aaron.McCrimmon-Jones@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Feds <vped@feds.ca>; GRCA - Planning <planning@grandriver.ca> <planning@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; K-W Hydro - Greig Cameron