

Craig Dumart

From: Dave Seller
Sent: Thursday, April 27, 2023 9:17 AM
To: Craig Dumart
Subject: UPDATED: OPA/ZBA comments: 97-101 Park St & 186 -194 & 200 Victoria St S

City of Kitchener

Application Type: Official Plan Amendment Application OPA23/003/V/CD
Zoning By-law Amendment Application ZBA23/007/V/CD

Project Address: 97-101 Park Street and 186 -194 & 200 Victoria Street South

Comments of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: April 27, 2023

- a. As part of a complete Zoning By-law amendment application, a Transportation Impact Study (TIS) was submitted (December 18, 2022) by IBI Group and Transportation Services offer the following comments.

The applicant is proposing to develop a 42-storey mixed use building with 436 apartment units and 702 m² (7556 ft²) of ground floor commercial space. The development is estimated to generate 106 AM and 126 PM peak hour vehicle trips, the vehicle trips include the residential and commercial components. The site will be serviced by two vehicle access points, one along Victoria Street South (Regional Road 55) and Park Street. Transportation Services review focused on City of Kitchener roadways and the site access points.

The four intersections noted below were reviewed under 2022 existing traffic conditions and were expressed as level of service (LOS), delay (s), volume to capacity ratios (v/c) and 95th percentile queuing.

- Victoria Street South & Strange Street / West Avenue (signalized)
- Victoria Street South & Park Street (signalized)
- Victoria Street South & Walnut Street (unsignalized)
- Victoria Street South & Henry Street (unsignalized)

The 2022 existing traffic conditions for the signalized intersection analysis indicated that the Park Street and Strange Street/ West Avenue are operating with LOS C or better, delay of 25.1 seconds or lower, v/c ratio of 0.60 or lower. The through traffic movements indicated that the 95th percentile queuing will either block existing accesses, exclusive turning lanes or both in the AM or PM peak hours. The unsignalized intersection analysis indicated that the Walnut Street and Henry Street are operating with LOS A, delay of 0.7 seconds or lower, v/c ratio of 0.02 or lower. The 95th percentile queuing indicated no critical queuing for the through traffic movements in the AM or PM peak hours.

The five intersections noted below were reviewed under 2027 future total traffic conditions, which includes site generated traffic and were expressed as level of service (LOS), delay (s), volume to capacity ratios (v/c) and 95th percentile queuing.

- Victoria Street South & Strange Street / West Avenue (signalized)

- Victoria Street South & Park Street (signalized)
- Victoria Street South & Walnut Street (unsignalized)
- Victoria Street South & Henry Street / **NEW** proposed South Site Access (unsignalized)
- Park Street & **NEW** proposed North Site Access (unsignalized)

The 2027 future total traffic conditions for the signalized intersection analysis indicated that the Park Street and Strange Street/ West Avenue are operating with LOS D or better, delay of 35.1 seconds or lower, v/c ratio of 0.79 or lower. The 95th percentile queuing for the through traffic movements indicated that the queuing is expected to continue as it did in the above analysis in the AM or PM peak hours. The unsignalized intersection analysis indicated that the Walnut Street and Henry Street are operating with LOS A, delay of 9.5 seconds or lower, v/c ratio of 0.04 or lower. The 95th percentile queuing indicated no critical queuing for the through traffic movements in the AM or PM peak hours.

A stopping site distance (SSD) analysis was completed for the intersections of Park Street at the proposed site access and Victoria Street South at the proposed site access. The Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads were used and based on a design speed of 60km/h and the associated SSD of 85m, it was determined that there is more than 85m of SSD in either direction at each location and therefore, the SSD condition is satisfied.

A left turn lane analysis was completed along Park Street at the proposed site access, utilizing the Ministry of Transportation (MTO) Design Supplement for TAC Geometric Design Standards for Canadian Roads for the 2027 future total traffic condition scenario. It was determined that a left turn lane along Park Street at the proposed site access is warranted. However, it was determined through an internal discussion with City of Kitchener Transportation Services staff that a left turn lane along Park Street not be installed at this time for this development.

As part of the TIS submission, a section on parking justification was included and Transportation Services offer the following comments. The applicant is proposing to provide a total of 359 parking spaces and 290 Class A and 6 Class B bicycle parking spaces. The overall (residential, visitor, commercial) parking ratio for the development is 0.82 spaces per unit.

The site is well situated to take advantage of alternative modes of transportation in the area to support a reduced parking rate. There are several Grand River Transit routes and the ION Central Station located near the development. Pedestrian walkability is encouraging, as road networks in the area support sidewalks on both sides, that provide connections to entertainment, employment and commercial uses. Cyclists have access to the Iron Horse Trail that provides connections to the City of Waterloo and through the City of Kitchener.

Based on the TIS, a comparison between 2027 Future Background Conditions and 2027 Future Total Conditions was completed and the traffic generated by the proposed development is generally not expected to have a significant impact on traffic operations at study area intersections as traffic operations are relatively similar. Regarding the study area's unsignalized intersections, no vehicle turning movements are expected to exceed critical capacities. Transportation Services supports IBI's recommendations and analysis within the TIS.

The proposed parking ratio of 0.80 space per unit is acceptable, with a parking breakdown as follows; 44 parking spaces allocated for visitor parking, 4 parking spaces for the commercial uses and 305 parking spaces for the residential component, for a total of 353 on-site parking spaces.

To assist in reducing on-site vehicle parking and in support of a reduced parking rate, Transportation Services strongly recommend that the parking be unbundled from the cost of a unit.

Unbundled parking allows residents to only pay for parking that they need, rather than the cost being automatically included with the unit. Also, consideration be given to providing a portion of the Class A bicycle parking from within the units.

Dave Seller, C.E.T.

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Region of Waterloo

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File: D17/2/23003

C14/2/23007

April 26, 2023

Craig Dumart
Senior Planner
City of Kitchener
200 King Street West, 6th Floor
P.O. Box 1118, Kitchener, ON
N2G 4G7

Dear Mr. Dumart,

**Re: Proposed Official Plan Amendment OPA 23/03 and
Zoning By-law Amendment ZBA 23/07
97-101 Park Street and 186-200 Victoria Street South
Arcadis IBI Group (C/O David Galbraith) on behalf of
1928393 Ontario Inc.
CITY OF KITCHENER**

Arcadis IBI Group has submitted a site-specific Official Plan Amendment and Zoning By-law Amendment Application for a development proposal at 97-101 Park Street and 186-200 Victoria Street South (referred to as subject lands) in the City of Kitchener.

The applicant has proposed the redevelopment of the site with a 42-storey, mixed-use building that is proposed to contain 436 residential units and three ground floor commercial units. A total of 353 vehicle parking spaces and 296 bicycle parking spaces have been proposed on site. Vehicular access is proposed from Victoria Street South and Park Street.

The subject lands are located in the Urban Area and designated Built-Up Area in the Regional Official Plan and the site is designated Mixed Use Corridor in the City of Kitchener Official Plan and Zoned Mixed Use-1 (MU-1) with Special Use 401U and 402U in Zoning By-law 85-1. The Owner has requested an **Official Plan Amendment** to add a special policy area within the Victoria Street Secondary Plan to allow an FSR of 7.7. The Applicant has requested a **Zoning By-law Amendment** to rezone the subject lands

from the Mixed Use -1 with Special Use Provision 401U and 402U in By-law 85-1 to High Intensity Mixed Use Corridor (MU-3) with a Special Regulation Provision to permit a floor space ratio of 7.7; to allow for a reduction in parking of 0.8 parking spaces/dwelling unit with 10% visitor parking; to permit a rear yard setback/rail setback of 7.5m (whereas the Zoning By-law requires 15m) and to permit a maximum side yard abutting a street of 32m (whereas 10m is required).

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

Regional Comments

Consistency with Provincial Legislation and Regional Official Plan Conformity

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 Victoria Street Secondary Plan in the City of Kitchener Official Plan. The subject lands are also located within the Central Station Major Transit Station Area (MTSA).

Built Up Area Policies:

The development concept proposes a higher density development that contributes to the achievement of the minimum intensification target established for the Built-Up Area of Kitchener of 60%. Section 2.F of the ROP establishes policies to support the achievement of the minimum intensification targets within the delineated Built-Up Area. Growth is directed to the Built Up Area of the Region to make better use of infrastructure that can assist in transitioning the Region into an energy efficient, low carbon community. Furthermore, intensification within the Built-Up Area assists the gradual transition of existing neighbourhoods within the Region into 15 minute neighbourhoods that are compact, well connected places that allow all people of all ages and abilities to access the needs for daily living within 15 minutes by walking, cycling or rolling.

Major Transit Station Area Policies:

The subject lands are located in the Central Station Major Transit Station Area (MTSA). The minimum density target within the Central Station MTSA is 160 people and jobs/ha. Development of the subject lands propose to exceed the density target of 160 people and jobs/ha. The proposed development contributes to the achievement of the density target for the Central Station MTSA.

This development proposes a higher density development with apartment style housing, in proximity to transit and sidewalks along Victoria Street South and within walking distance to King Street East. Higher density mixed use developments are encouraged within MTSA's through the policy framework contained in the ROP.

Airport Policies:

In accordance with Regional Official Plan Policy 5.A.20 and City of Kitchener Official Plan Policy 6.C.3.17, the Region will not permit development and construction cranes

that impact the usability, accessibility or safe operation of the Regional airport. The subject lands are within the instrument approach area of the Region of Waterloo International Airport and the maximum allowable height of buildings and construction cranes within the instrument approach area is 487m ASL. Based on the concept plans provided, it is anticipated that the building is 142.75m ASL with a maximum elevation of 471.14m. Although the building is below the 487m limit, there appears to be approximately 16m of clearance above the building, which may be insufficient for a typical crane used to construct the towers. The Region requires confirmation that 16m is sufficient for the crane prior to a recommendation being made on this application. Further information can be found in the Region of Waterloo International Airport section below.

In addition to the above planning comments, Regional staff have the following technical comments relating to the proposed Official Plan Amendment and Zoning By-law Amendment:

Rail Corridor

The subject lands are directly adjacent to a Canadian National Railway Branch line. New development adjacent to branch lines are recommended to be 15m from the railway right-of-way in accordance with the Federation of Canadian Municipalities and the Railway Association of Canada "Guidelines for New Development in Proximity to Railway Operations" (Dialog & J.E. Coulter Associated Limited, May 2013). Regional staff understand that the applicant has proposed a reduction in the proposed setback from the Railway right-of-way and therefore require a signed and stamped affidavit from a qualified Professional Engineer licensed to practice in the Province of Ontario. This affidavit shall demonstrate that the proposed development has been designed in accordance with the Federation of Canadian Municipalities and Railway Association of Canada guidelines.

Region of Waterloo International Airport:

As indicated above, the Owner/Developer is required to ensure the proposed development and construction crane will be within the maximum allowable height of (487m ASL). Regional staff acknowledge that the buildings are proposed to be constructed at an elevation of 471.14m, which is below the 487m limit, however, there is approximately 16m of clearance above the proposed building, which may be insufficient for a typical crane that will be used in the buildings construction. Regional staff require confirmation that 16 m is sufficient for the construction crane prior to a recommendation being made on this application. Should this not be sufficient space, **a reduction of the building height will be required to ensure that there are no obstructions into the 487mASL allowable height.**

In addition to the above, the applicant shall be required to complete and submit the following forms to NAV Canada and Transport Canada:

NAV CAN F-LDU-100 Land Use Form <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>

F-LDU-101 Crane Height Form <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>

Transport Canada Aeronautical Assessment Form 26-0427E (1812-09) at https://wwwapps.tc.gc.ca/Corp-Serv-Gen/5/forms-formulaires/download/26-0427_BO_PX

Environmental Threats/Record of Site Condition:

There are high environmental threats on and adjacent to the subject lands due to past/historic uses of the subject lands and adjacent sites. As a density increase of a sensitive land use has been proposed on the subject lands, a Record of Site Condition and Ministry Acknowledgement letter shall be required for the entirety of the subject lands in accordance with the Region of Waterloo's *Implementation Guideline for the Review of Development Applications on or Adjacent to Known and Potentially Contaminated Sites*.

The Record of Site Condition and Ministry Acknowledgement Letter were not received as part of the Complete Application for the Zoning By-law Amendment and as a result, the Region shall require a Holding Provision to be implemented as part of the Zoning By-law Amendment. The Holding Provision shall prohibit the proposed development until the submission of the RSC and the Ministry's Acknowledgement Letter have been received to the satisfaction of the Regional Municipality of Waterloo. The following wording is required for the holding provision:

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

Please exclude any property to be dedicated to the Region of Waterloo from the Record of Site Condition (RSC) application. Further information can be found below.

Noise Study Peer Review (Transportation, Vibration and Stationary Noise):

The Noise Study entitled "Preliminary 200 Victoria Street South, City of Kitchener Noise Report" dated January 24, 2023, prepared by Arcadis IBI Group is a preliminary noise study that has implemented Class 1 noise level for this development. The study recommends:

1. A forced air heating system with the provision for air conditioning within all units with a Type C noise warning clause;

2. A Type 'A' noise-warning clause is recommended for the outdoor living area and/or the implementation of a parapet wall and barrier to be installed at a minimum density of 20kg/m² on the outdoor living area; and,
3. That a further detailed study be prepared that verifies the assumptions, results and recommendations at the final design stage.

The Region recommends that a Holding Provision be imposed within the Zoning By-law Amendment to obtain a detailed Environmental Noise Study for both transportation, vibration and stationary noise. The Region has implemented a standardized peer review process for environmental noise studies. **The detailed noise study shall be peer reviewed at the applicant's expense and the current fee for the peer review is \$4000.00 + HST (\$4,520.00 Total).**

Regional staff require that the following Holding Provision be imposed on the lands to ensure a detailed Environmental Noise Study has been submitted and that the study's recommendation and implementation measures are to the satisfaction of the Region. The required wording for the holding provision is:

That a holding provision shall apply to the entirety of the subject lands until a satisfactory detailed transportation (road), vibration and stationary noise study has 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 noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

In addition to the above, the consultant who prepared the noise study is not on the Region's pre-approved list of noise consultants and this is a required step in order for Regional staff to accept the study. It is recommended that the consultant who prepared the noise study contact Josh Graham at jgraham@regionofwaterloo.ca to initiate this process as soon as possible.

Regional Water Services:

Please be advised that there is a Regional watermain within the Victoria Street South right-of-way. Due to the proximity of the Regional 600mm watermain, the Region requests the detailed drawing for review and approval. In addition, the applicant has made incorrect assumptions regarding the type of construction and occupancy in the fire flow report. The applicant shall address this issue and resubmit the Functional Servicing Report for review and approval.

Corridor Planning:

Site Plan Application Stage:
Regional Road Dedication

Victoria Street South (Regional Road 55) has a designated road width of 26.213m (86ft) in accordance with Schedule 'A' of the Regional Official Plan (ROP). The existing Victoria Street South right-of-way measures 20.117m (66ft) at this location and Regional staff estimate that an approximate road dedication of 3.048m (10ft) is required across the subject lands. The exact amount of road widening dedication must be determined by an Ontario Land Surveyor (OLS) in consultation with the Region's Transportation Planner, therefore the Applicant/Developer must engage an Ontario Land Surveyor (OLS) to prepare a draft Reference Plan which illustrates the required road widening on Victoria Street South.

Prior to depositing the Reference Plan, the OLS must submit a draft plan for review by the Region's Transportation Planner. Upon approval by Regional staff, the draft Reference Plan should be deposited and the Transportation Planner will complete the dedication process. The Applicant's Solicitor will prepare the land transfer document and submit the document to the Legal Assistant for registration.

The Region of Waterloo will require a Phase I ESA and possibly a Phase II ESA for the road widening dedication area. Please exclude any property to be dedicated to the Region of Waterloo from any Record of Site Condition (RSC) application. The road widening dedication requirement can be deferred to a future Site Plan application.

Access Permit/TIS/Access Regulation:

Regional staff have reviewed the Transportation Impact Study entitled "Transportation Impact Study – 200 Victoria Street South, City of Kitchener" dated December 19, 2022, prepared by Arcadis IBI Group and Regional staff require an updated TIS for review and approval. The updated Transportation Impact Study should address the following comments:

1. The applicant is to provide a sensitivity analysis as supplemental information to test out a potential change in recommendations for LUC 222 by comparing "Close to Rail Transit" (provided in the TIS) to "Not Close to Rail Transit".
2. The applicant to provide a sensitivity analysis as supplemental information to test out the need for the proposed Victoria Street access. The intention is to minimize the need for busy accesses to a Regional Road and also preserve potential access for the 170-182 Victoria Street and 89-93 Park Street parcels, which if they redevelop will not have an alternative access potential, unlike this development which is also proposing to access via Park Street.

For additional information or clarification, please contact the undersigned:

Geoffrey Keyworth, P.Eng.
Senior Transportation Planning Engineer
Region of Waterloo
GKeyworth@regionofwaterloo.ca

519-897-2439

Regional staff require the use of a Holding Provision to obtain this additional information. The required wording for the holding provision shall be:

That a holding provision shall apply to the entirety of the subject lands until an updated Transportation Impact Study has been submitted and approved to the satisfaction of the Regional Municipality of Waterloo.

As part of the future Site Plan Application, the Owner/Applicant will be responsible for improvements to the Victoria Street South right of way as recommended by the TIS. Any accepted improvements within the Victoria Street South right of way shall require a Functional Plan, Cost Estimate, Letter of Credit and Legal Agreement at the site plan stage.

A Regional Access Permit is required for the closure of the existing accesses and for the proposed new access on Victoria Street South. The application form for a Regional Road Access Permit can be found on the Region's website here: <https://www.regionofwaterloo.ca/en/doing-business/applications-licences-and-permits.aspx> . Please note that there is a \$230 fee associated with the new permit application, but there is no fee for the closure of the existing accesses.

Transit Planning

Grand River Transit (GRT) Route 20 (Victoria/Frederick) currently provides transit service along Victoria Street South adjacent to the subject lands, with a peak frequency of 4 buses per hour. Route 20 also connects to ION Rapid Transit at the Central Station. Transit frequency is proposed to increase by the year 2031.

Please note that there is an existing bus stop (#3112) directly adjacent to the subject property which is substandard. As this development is anticipated to generate additional activity for route 20 at this location, GRT has the following requirements to be secured at the site plan stage:

- In consultation with GRT staff the Owner/Applicant will be required to identify and show the relocated GRT stop on the Site Plan drawing as well as electrical conduit to provide electrical service to the revised transit stop facilities.
- The developer would be required to either install or fund a 9.5m concrete landing pad and shelter pad, and also provide the funds for a transit shelter at the proposed development.

Site Plan Review Fee:

The Region of Waterloo will require an \$805 fee at the time of a future Site Plan application.

Hydrogeology and Source Water Programs

Please be advised that the Region does not support permanent active or passive dewatering controls for below-grade infrastructure (e.g. foundations, slabs, parking garages, footings, piles, elevator shafts, etc.); therefore, below-grade infrastructure requiring dry conditions must be waterproofed.

Due to the potential for contamination on the subject lands, Regional staff require a prohibition on geothermal energy to be written into the zoning by-law. The required wording for the prohibition is:

Geothermal Wells are prohibited on site. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five meters unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

In addition, please note that a Salt Management Plan will be required through a future site plan application.

Housing Services

The following Regional policies and initiatives support the development and maintenance of affordable housing:

- Regional Strategic Plan
- 10-Year Housing and Homelessness Plan
- Building Better Futures Framework
- Region of Waterloo Official Plan

The Region supports the provision of a full range of housing options, including affordable housing. Should this development application move forward, staff recommend that the applicant consider providing a number of affordable (as defined in the Regional Official Plan) housing units on the site. Rent levels and house prices that are considered affordable according to the Regional Official Plan are provided below in the section on affordability.

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.

Staff further recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs and mechanisms to support a defined level of affordability.

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 rental unit to be deemed affordable, the average rent for the proposed units which have fewer than 3 bedrooms must be at or below the average market rent in the regional market area as shown above. For proposed units with three or more bedrooms, the average rent for the units must be below \$1,470.

Fees:

Please be advised that the Region has yet to receive the Official Plan Amendment and Zoning By-law Amendment review fees totalling \$10,000. Regional staff understand that these fees have been submitted, but the Region has yet to formally receive the application fees.

Follow Up:

At this time, the following must be addressed prior to City of Kitchener Council considering the applications:

1. A signed and stamped affidavit from a from a qualified Professional Engineer licensed to practice in the Province of Ontario, that demonstrates the proposed development is designed in accordance with the Federation of Canadian Municipalities and the Railway Association of Canada "Guidelines for New Development in Proximity to Railway Operations" (Dialog & J.E. Coulter Associated Limited, May 2013);
2. Confirmation that 16m will be sufficient for the construction crane. Should this not be sufficient space, **a reduction of the** building height will be required to ensure that there are no obstructions into the 487mASL allowable height;
3. Updated Functional Servicing Report that includes detailed servicing drawings and an updated fire flow analysis;
4. That the Region's review fees totaling \$10,000 be received.

Conclusions:

Once the above items have been addressed to the satisfaction of the Regional Municipality of Waterloo, the following shall be implemented within the site-specific Zoning By-law Amendment to the satisfaction of the Regional Municipality of Waterloo:

1. The implementation of a holding provision to obtain a satisfactory Transportation Impact Study. The required wording for the holding provision is:

That a holding provision shall apply to the entirety of the subject lands until a satisfactory Transportation Impact Study that includes a sensitivity analysis has been submitted and approved to the satisfaction of the Regional Municipality of Waterloo;

2. The implementation of a holding provision to obtain a Record of Site Condition and Ministry Acknowledgement Letter for the entirety of the subject lands. The required wording for the holding provision is:

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

3. The implementation of a holding provision to obtain an Environmental Transportation and Stationary Noise study to the satisfaction of the Regional Municipality of Waterloo. The required wording for the Holding Provision is:

That a holding provision shall apply to the entirety of the subject lands until a satisfactory detailed transportation (road), vibration and stationary noise study has 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 noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

and,

4. That a geothermal prohibition be implemented within the site specific Zoning By-law. The required wording for the prohibition is:

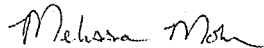
Geothermal Wells are prohibited on site. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five meters unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

Next Steps:

Please be advised that 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.

Further, 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. Arcadis IBI Group C/O Dave Galbraith (Applicant)
1928393 Ontario Inc. (Owner)

City of Kitchener - Comment Form

Project Address: 97-101 Park St and 186-194 & 200 Victoria St S

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: April 25, 2023

Date of comments: April 25, 2023

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

- Sustainability Statement – 97-101 Park Street and 186-194 & 200 Victoria St S., prepared by Arcadis IBI Group, dated March 24, 2023.

2. Comments & Issues:

I have reviewed the documentation (as listed above) to support an Official Plan Amendment and a Zoning By-law Amendment for the proposed development of a 42-storey, mixed use development consisting of 436 residential units and three (3) commercial units on the ground floor, 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.
- It is recommended that more progressive measures that go beyond the OBC be explored to further energy conservation, generation and operation, and benefit future residents/tenants.
- **Based on my review of the supporting documentation, the Official Plan and Zoning Bylaw Amendments can be supported as a number of sustainable measures have been proposed or are being considered for the development, which will be detailed out through the Site Plan Approval stage.**
- The City of Kitchener recognizes and appreciates sustainable measures incorporated in the development such as:
 - Providing numerous Class A and B cyclist parking spaces
 - Compact building design
 - Public and active transit connectivity
 - Consideration for low water use landscaping

- On-site garbage and recycling
- Consideration for rainwater harvesting and grey water reuse during the Site Plan Approval stage
- Consideration for renewable energy options at the Site Plan Approval stage
- A Sustainability Statement (as per the City's Terms of Reference) will be required as part of a complete Site Plan Application. It can build upon the information already provided, including the opportunities and strategies identified in the current Sustainability Statement, and can further explore and/or confirm which additional sustainable measures are best suited to the development.
- Potential items for consideration are:
 - Electric vehicle parking spaces, both EV ready and fitted with re-charge stations
 - Inclusion of community / common gardens and urban agriculture including opportunity for on-site composting for residents
 - An improved building envelope (wall, roof, and window thermal performance) designed beyond OBC requirements
 - Best management practices to control stormwater management
 - The use of low flow plumbing fixtures to reduce water demand
 - Drought tolerant and native plant species used in landscaped areas
 - LED lighting for indoor and outdoor lighting and use of sensors to increase energy efficiency
 - Implementing renewable energy options
 - Designing the roof for future solar PV installation
 - Unit-by-unit metering of energy consumption
 - Using a white / light coloured material on the roof to reduce the heat island effect
 - Using low or no VOC paints and finishes to minimize air pollutants in interior 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.

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>

Craig Dumart

From: Planning <planning@wcdsb.ca>
Sent: Tuesday, April 25, 2023 3:50 PM
To: Craig Dumart
Subject: RE: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Good Afternoon Craig,

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).

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

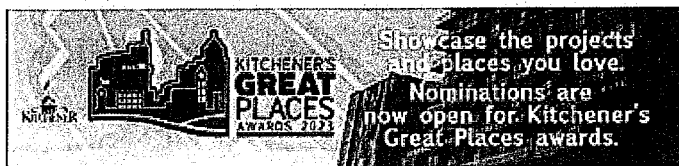
From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, March 31, 2023 3:47 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; 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>; Feds <vped@feds.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.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>; 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>; Tom Ruggle <Tom.Ruggle@kitchener.ca>; Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Caution - External Email - This Message comes from an external organization. Do NOT click on unrecognized links or provide your username and/or password.

Please see attached. Additional documentation can be found in AMANDA folders 23-105799 & 23-105798 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

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



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City of Kitchener
Zone Change / Official Plan Amendment Comment Form

Address: 97 and 101 Park Street and 186, 190, 192, 194 and 200 Victoria Street South
Owner: 1928393 Ontario Inc.
Application: OPA23/003/V/CD and ZBA23/007/V/CD

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

Date of Comments: April 25 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 documentation noted below submitted in support of an OPA and ZBA to add a Special Policy Area to the Victoria Street Secondary Plan to allow for a Floor Space Ratio (FSR) of 7.7 and proposing a Zoning By-law Amendment to Zoning By-law 85-1 to change the zoning of the subject lands to High Intensity Mixed Use Corridor (MU-3) with a Special Regulation Provision to permit a floor space ratio of 7.7; to allow for a reduction in parking to 0.8 parking spaces per dwelling unit with 10% visitor parking being provided; To permit a Rear Yard (rail) setback of 7.5 metres, whereas the Zoning By-Law requires a minimum of 15 metres; and to permit a Maximum Side Yard Abutting a Street of 32 metres, whereas the Zoning By-Law requires 10 metres. The proposed amendments will allow for the development of a 42 storey mixed use building with 436 residential units and three ground floor commercial units. A total of 353 vehicle parking spaces and 296 bicycle parking spaces are proposed for the development.

- Planning Justification Report
- Urban Design Report
- Wind Study
- Shadow Study
- Building Elevations
- Noise Study
- Pedestrian Circulation Plan
- Landscape and Tree Management Plan

2. Site Specific Comments & Issues:

The site is located in the Cherry Hill Planning Community and immediately adjacent to the City Commercial Core and the Victoria Park Planning Communities. Through Places and Spaces: An Open Space Strategy for Kitchener, the Cherry Hill Planning Community has been identified as well served with active neighbourhood park facilities whereas the City Commercial Core Planning Community has been identified as critically underserved with active neighbourhood park space and the increased residential density from this development proposal will increase pressures on all surrounding park facilities, including Victoria Park. The provision of active on-site amenities suitable to all ages,

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

including children’s play facilities, will be critical to this proposal. The site plan, Planning Justification Report, the Urban Design Brief and supporting technical studies such as the Wind and Noise analyses, should reflect and accommodate sufficient and suitable on-site active amenity spaces. Minor revisions/addenda to the reports are required to reflect the developer’s intent to provide robust and active on-site amenity spaces. The supporting technical studies will need to be updated at the site plan application stage to reflect the final detailed design.

Parks and Cemeteries has no significant concerns with the proposed Official Plan and Zoning Bylaw amendments and can provide conditional support subject to the minor updates to submitted studies that are noted below.

3. Comments on Submitted Documents

The following comments should be addressed at this time.

1) Urban Design Report, Planning Justification Report, Building Elevations and Renderings, Landscape and Tree Management Plans – all Arcadis IBI Group

- a) Each of these documents indicate that the development will include a number of outdoor amenity spaces on site including a publicly accessible plaza at the east entrance of the site, rooftop terraces on the 11th and 14th floors, and a terrace on the 33rd floor. It is also noted that the design and programming of these spaces is yet to be determined and will be confirmed with municipal staff through the site plan development process. It is positive that both at-grade and above-grade amenity spaces have been included in the preliminary design concepts, however all spaces appear to include only passive seating amenities and no *active* play areas for children or adults have been provided.
- b) These documents should be updated to provide conceptual details and precedent images for on-site amenity spaces including commentary and precedent images to guide detailed site design through the site plan application. Robust active outdoor amenity spaces with good solar access and protection from wind and noise will be required as part of the site plan and should include seating and play equipment for residents of all ages and abilities.
- c) Revised documents / addenda are required.

2) Pedestrian Wind Study - SLR dated March 15 2023

- a) The study identifies a number of potential wind impacts for proposed amenity spaces and the surrounding public realm. The report recommends mitigation measures to achieve more suitable environmental wind conditions and these measures should be incorporated into the detailed site and building design that is advanced through the site plan application.
- b) An updated Wind analysis will be required through the site plan application for the final site and building design concept

3) Noise Report – Arcadis IBI Group dated January 24 2023

- a) The study identifies potential noise impacts for proposed amenity spaces and recommends mitigation measures to achieve more suitable outdoor living area conditions; these measures should be incorporated into the detailed site and building design that is advanced through the site plan application.

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

- b) An updated Noise analysis will be required through the site plan application for the final site and building design concept

4. Policies, Standards and Resources:

- Kitchener Official Plan
- City of Kitchener Park Dedication Bylaw 2022-101 and Park Dedication Policy
- City of Kitchener Development Manual
- Cycling and Trails Master Plan (2020)
- Chapter 690 of the current Property Maintenance By-law
- Places & Spaces: An Open Space Strategy for Kitchener
- Multi-Use Pathways & Trails Masterplan
- Urban Design Manual

5. Anticipated Fees:

Parkland Dedication

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 is required for the application as cash-in-lieu of land according to the Planning Act, the Parkland Dedication By-law, Policy and rates in effect.

Please be advised that an updated Parkland Dedication Policy and By-law were approved by City of Kitchener Council on August 22 2022. 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.

Craig Dumart

From: Deeksha Choudhry
Sent: Thursday, April 20, 2023 9:15 AM
To: Craig Dumart
Subject: RE: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Hi Craig,

There are no heritage planning issues or concerns with this application.

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](https://www.kitchener.ca/covid19) for the most up-to-date information about City services.

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, March 31, 2023 3:47 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@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>; Feds <vped@feds.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.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>; 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>; Tom Ruggle <Tom.Ruggle@kitchener.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Please see attached. Additional documentation can be found in AMANDA folders 23-105799 & 23-105798 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

Craig Dumart

From: Brandon Coveney <planning@wrdsb.ca>
Sent: Tuesday, April 18, 2023 3:10 PM
To: Craig Dumart
Cc: Christine Kompter; Planning
Subject: Re: [Planning] Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

You don't often get email from planning@wrdsb.ca. [Learn why this is important](#)

April 18, 2023

Re: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)
Municipality: Kitchener
Location: 97-101 Park Street and 186 -194 & 200 Victoria Street South
Owner/Applicant:

Hi Craig,

The Waterloo Region District School Board (WRDSB) has reviewed the above-noted application that proposes amendments to facilitate the construction of a 42 storey mixed use tower with 236 residential units. The WRDSB offers the following comments:

Student Accommodation

At this time, the subject lands are within the boundaries of the following WRDSB schools:

- King Edward PS (Junior Kindergarten to Grade 6);
- Margaret Avenue PS (Grade 7 to Grade 8); and
- Kitchener-Waterloo CI (Grade 9 to Grade 12).

The WRDSB's 2020-2030 Long-Term Accommodation Plan provides information on student enrolment and accommodation at these schools. Please note, Kitchener-Waterloo CI is currently experiencing accommodation pressure and as such portable classrooms may be located on-site to provide additional capacity on an interim basis.

Student Transportation

The WRDSB supports active transportation, and we ask that pedestrians be considered in the review of all development applications to ensure the enhancement of safety and connectivity.

Please be advised that Student Transportation Services of Waterloo Region (STSWR)'s school buses will not travel on privately owned or maintained right-of-ways to pick-up/drop-off students. Transported students will be required to meet the bus at a congregated bus pick-up point. STSWR may have additional comments about student pick-up point(s) placement on municipal right-of-ways.

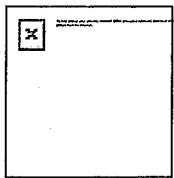
Education Development Charges

Please be advised that any development on the subject lands is subject to the provisions of the WRDSB's **Education Development Charges By-law, 2021, amended in 2022** or any successor thereof and may require the payment of Education Development Charges for these developments prior to issuance of a building permit.

The WRDSB requests to be circulated on any subsequent submissions on the subject lands and reserves the right to comment further on this application.

If you have any questions about the comments provided, don't hesitate to contact the undersigned.

Regards,



Brandon Coveney

Senior Planner

Waterloo Region District School Board

51 Ardelet Avenue, Kitchener ON, N2C 2R5

Email: brandon_coveney@wrdsb.ca

On Fri, Mar 31, 2023 at 3:47 PM Christine Kompter <Christine.Kompter@kitchener.ca> wrote:

Please see attached. Additional documentation can be found in AMANDA folders 23-105799 & 23-105798 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

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



City of Kitchener
Application Comment Form

Project Address: 97-101 Park St and 186-194 & 200 Victoria St. S.

Application Type: ZBA / OPA

Comments Of: Development Engineering

Commenter's Name: Eric Riek

Email: eric.riek@kitchener.ca

Phone: 519-741-2200 ext. 7330

Date of Comment:

- 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:

- No specific concerns.

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

Zoning Bylaw Amendment:

- No sanitary capacity concerns.
- 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.

A City for Everyone

Working Together – Growing Thoughtfully – Building Community

Craig Dumart

From: Trevor Heywood <theywood@grandriver.ca>
Sent: Monday, April 3, 2023 9:38 AM
To: Craig Dumart
Subject: RE: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Hey Craig,

These properties are not regulated by the GRCA and we have no comment.

Thanks,

Trevor Heywood B.Sc.(Env.)
Resource Planner
Grand River Conservation Authority

400 Clyde Road, PO Box 729
Cambridge, ON N1R 5W6
Phone: 519-621-2763 ext. 2292
Email: theywood@grandriver.ca
www.grandriver.ca | [Connect with us on social media](#)

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: March 31, 2023 3:47 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@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>; Feds <vped@feds.ca>; Planning <planning@grandriver.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>; 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>; Tom Ruggle <Tom.Ruggle@kitchener.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: Circulation for Comment - 97-101 Park Street and 186 -194 & 200 Victoria Street South (OPA/ZBA)

Please see attached. Additional documentation can be found in AMANDA folders 23-105799 & 23-105798 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener
200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7

City of Kitchener
Zone Change Comment Form

Address: 97-101 Park Street and 186 -194 & 200 Victoria Street South

Owner: Enter project address.

Application #: OPA-ZBA

Comments Of: Urban Design- Planning

Commenter's Name: Pegah Fahimian

Email: Pegah.fahimian@kitchener.ca

Phone: 519-741-2200 Ext. 7342

Date of Comments: Apr 25, 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:

- Urban Design Brief, Arcadis IBI Group, March 24, 2023
- Architectural Package and shadow study by IBI Group, March 17, 2023
- Wind Study - Pedestrian Level Wind – SLR Consulting, March 15, 2023

2. Site-Specific Comments & Issues:

I have reviewed the updated/revised documentation noted below that has been submitted to support an OPA and ZBA to accommodate a 42-storey, mix-use development consisting of 436 residential units and 3 commercial units on the ground floor.

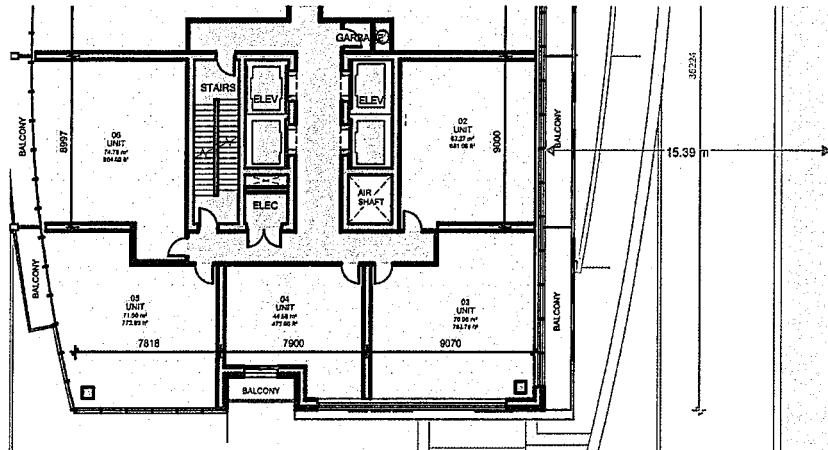
While the concept of residential intensification on this site is positive, and many previous staff comments have been incorporated into the proposal, some design modifications must be addressed in the Site Plan Application to create a development proposal that is well-designed and appropriate for this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

Updated Design Brief- March 24, 2023

Tall Building Design Analysis: The proposal needs to fully meet the tall building guidelines, specifically with regard to separation, as the guidelines are an excellent compatibility test for proposals exceeding their zoning permissions. The tower separation distance for the proposed tower is estimated to be 23m. Off-site separation on the east side is important in this context, where the site abuts low-rise residential planned for future development. The applicant shall prepare an updated urban design brief demonstrating that adequate off-site tower separation and adequate on-site amenity space are provided to the satisfaction of the City of Kitchener.

City of Kitchener
Zone Change Comment Form

- The proposed tower separation of 19m from levels 14-42 on page 29 urban design brief does not match the proposed setbacks on the submitted architectural package. Design modifications should be provided to meet the required off-site separation.



Building Design: 5-storey pedestrian-scaled podium along Victoria Street distinguished by the tall tower, 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.

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 UDB did not provide any commentary or precedent images related to “the provision of robust on-site amenity space for all ages and abilities.” 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

Shadow Studies, IBI Group, 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.

City of Kitchener
Zone Change Comment Form

Wind Study - Pedestrian Level Wind – SLR Consulting, March 15, 2023

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.

3. Comments on Submitted Documents

Architectural Floor plans- IBI Group, March 17, 2023

- This project should play a significant role in reinforcing the character of Victoria Street. There is a need for public art, well integrated into the architecture of the building, and I suggest the following as options.
 - Public Art (sculpture, mural, digital)
 - Living wall (interior or exterior, but visible/prominent)
 - Enhanced architecture at the corner
 - Community-oriented space
 - Enhanced exterior lighting (coloured, programmable, patterned, etc.)
- Incorporate creative facade ideas on curtain walls with advanced exterior lighting that could help to control public flow and could improve the building design. Digital media facades make buildings tell stories and strike a perfect balance of aesthetic structures and illumination art (for example, sustainable and digital technologies within the curtain wall, colour light-emitting diode or LED Display Video walls; and Photometric system for ‘interactive skin’ to illuminate the screen after dark, digitally printed fritted glass)
- Residential and commercial entrances should be clearly identified and offer access from the public realm and the private parking side of the building. The proposed main entrance will be further enhanced to create visual interest at the street edge. (For example, cantilevered entrance canopy, corrugated-metal panels and fritted glass.
- Balconies may be staggered in a creative pattern to lighten the structure and provide private outdoor space for the units.
- The building facades fronting Victoria 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. Within site, required tree plantings can be accommodated on the garage slab but will still require standard minimum soil volumes.
- All at-grade parking should be wrapped with active uses.
- The location of residential and commercial garbage storage, loading area and Passenger pick up /drop-off area should be noted on the site plan.

City of Kitchener
Zone Change Comment Form

- 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.
- The proposed towers should have unique top features that are architecturally excellent, highly visible and makes a positive contribution to the image of Kitchener developing skyline.
- 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 support 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 applicant shall prepare an updated urban design brief demonstrating that adequate off-site tower separation and adequate on-site amenity space are provided to the satisfaction of the City of Kitchener.

Craig Dumart

From: Angela Mick
Sent: Thursday, May 11, 2023 1:26 PM
To: Craig Dumart
Subject: Re: 200 Victoria St., Condo Fire Flow Analysis

Hi Craig,

I've approved this report.

Angela

Sent from my Bell Samsung device over Canada's largest network.

From: Craig Dumart <Craig.Dumart@kitchener.ca>
Sent: Thursday, May 11, 2023 9:04:14 AM
To: Angela Mick <Angela.Mick@kitchener.ca>
Subject: FW: 200 Victoria St., Condo Fire Flow Analysis

Please let me know if this addresses your concerns.

Craig Dumart, BES, MCIP, RPP

Senior Planner | Planning Division | City of Kitchener
(519) 741-2200 ext 7073 | TTY 1-866-969-9994 | craig.dumart@kitchener.ca



From: Galbraith, Dave <dave.galbraith@arcadis.com>
Sent: Thursday, May 11, 2023 2:27 AM
To: Craig Dumart <Craig.Dumart@kitchener.ca>; Emir Ceric <Emir.Ceric@IBIGroup.com>; Betty White <Betty.White@IBIGROUP.COM>; Tsimenidis, Christian <christian.tsimenidis@arcadis.com>
Subject: Fwd: 200 Victoria St., Condo Fire Flow Analysis

Hi Craig - updated fire flow assessment attached.