



PLANNING, DEVELOPMENT  
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File: C14-60/230017  
June 30, 2023

Garett Stevenson  
Interim Director of Planning  
City of Kitchener  
City Hall, P.O. Box 1118  
200 King Street West  
Kitchener, ON N2G 4G7

Dear Mr. Stevenson:

Re: **Removal of Holding Provision – 95H**  
Re: ZBA Application ZBA23/0017/D/CD  
The Knossos Housing Corporation of Waterloo Region  
206-210 Duke Street and 46-50 Madison Avenue  
City of Kitchener

In accordance with By-law No. 17-035 of the Regional Municipality of Waterloo, please accept the following recommendation regarding the above-noted application on behalf of the Council of the Regional Municipality of Waterloo.

In 2022, the applicant submitted an Official Plan Amendment and Zoning by-law amendment application to rezone the entirety of the lands to facilitate the construction of an eight (8) storey residential building with structured parking. The Official Plan Amendment and Zoning By-law Amendment were adopted and Zoning By-law Amendment 2022-140 included a Holding Provision 95H. Holding Provision 95H required the submission of a Traffic and Stationary Noise Study both to the satisfaction of the Regional Municipality of Waterloo.

The applicant has submitted a request to lift the holding provision for the site. Holding Provision 95H is as follows:

*Notwithstanding Section 55 of this By-law, within the lands zoned R-7 and shown as being affected by this Subsection on Schedule 120 of Appendix 'A':*

- i) No residential use shall be permitted until such time as a Road Traffic, and Stationary noise Study is submitted and approved to the satisfaction of the Regional Commissioner of Planning, Housing and Community Services, if necessary. This Holding Provision shall not be removed until the City of Kitchener is in receipt of a letter from the Regional Commissioner of Planning, Housing and Community Services advising that such noise study or studies has been approved and an agreement, if necessary, has been entered into with the City and/or Region, as necessary, providing for the implementation of any recommended noise mitigation measures.*

The Region did not require the Transportation Noise study; therefore, this aspect of the holding provision can be released. The Region received a copy of the stationary noise study entitled “Knossos Housing Complex, Kitchener Ontario, Stationary Noise Study” prepared by RWDI, dated June 5, 2023. The study assessed the impacts of on-site noise sources on off-site and on-site sensitive receptors. On-site noise sources assessed within the study include a chiller, two (2) make-up air units and an emergency generator.

On-site receptors:

Predicted noise levels at all on-site building facades and the ground floor outdoor living area (daytime period) are below or meeting noise level criteria. Predicted daytime noise levels for the emergency generator testing are below noise level criteria at the north, south and west facades. Predicted noise level for the east façade is 70 dBA whereas the criteria is 55 dBA in NPC-300 (an excess of 15 dBA).

Off-Site Receptors:

With the exception of the emergency generator testing at receptor (R04), the predicted noise levels at all off-site points of reception (at building façade and outdoor living area/OLA) are below noise level criteria for the NPC-300 Class 1 acoustical area and with the exception of receptor R04, predicted daytime noise levels for the emergency generator testing are below noise level criteria at all off-site points of reception (at building façade and OLA). Predicted noise levels for receptor R04 are 61 dBA at the building façade and 63 dBA at the OLA whereas the criteria is 55 dBA in NPC-300 (an excess of 6 dB and 8 dB respectively).

Recommended Noise Mitigation:

To attenuate the above-noted excesses due to the emergency generator testing, the Study recommends the following (which are considered feasible):

- 1) That the generator be tested for a maximum of 30 minutes per hour during the daytime period (0700 to 1900 hours); and,
- 2) That additional mitigation be installed to reduce sound levels of the generator by a total of 15dB. Mitigation may be in the form of a silencer, or improved enclosure, or a combination of both.

**Implementation**

The accepted stationary noise study recommends a number of mitigation measures be implemented to ensure that the NPC-300 Noise Level Objectives are achieved,

including a silencer and/or enclosure for the emergency generator. **Through the current site plan process and / or other Planning Act application, the City of Kitchener will need to ensure that the recommended mitigation measures are implemented in order for the proposed development to comply with the NPC-300 Noise Level Objectives. Further, the Region recommends that prior to site plan approval the City requests certification from a Professional Engineer qualified in acoustics that the recommended mitigation shown on the site plan reflects the report recommendations.**

Please be advised that should a draft plan of condominium be proposed in the future, the Region will require as a condition of draft approval, certification from a Professional Engineer qualified in acoustics that confirms that the recommended mitigation measures have been installed and that the NPC-300 Noise Level Objectives are met.

Based on the above, the Region has **no objection** to the removal of Holding Provision 95H.

Regional staff acknowledge receipt of the Zoning By-law Amendment fee of \$3,000.00 (received June 29, 2023).

Should you have any questions, please do not hesitate to contact Melissa Mohr, Senior Planner, at [mmohr@regionofwaterloo.ca](mailto:mmohr@regionofwaterloo.ca).

Yours truly,



Amanda Kutler, MCIP, RPP  
Manager, Community Planning

cc. Craig Dumart, Senior Planner, City of Kitchener  
Kate Wills, MHBC Planning (Applicant)