

From: Pegah Fahimian
Sent: Tuesday, July 11, 2023 1:33 PM
To: Katie Anderl
Subject: RE: Recirculation OPA/Zba 130-142 Victoria St

Hi Katie,
No concerns, they have greatly improved the design. Thanks for all your help and efforts.
I have some detailed comments that could be addressed at the site plan stage.

Thanks,

Pegah Fahimian, B.Arch, M.Arch, MUD

Senior Urban Designer / Planning Division / City of Kitchener
519-741-2200 ext. 7342 / TTY 1-866-969-9994
Pegah.Fahimian@kitchener.ca



From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Tuesday, July 11, 2023 12:25 PM
To: Deeksha Choudhry <Deeksha.Choudhry@kitchener.ca>; Pegah Fahimian <Pegah.Fahimian@kitchener.ca>; Taylor Stapleton <Taylor.Stapleton@kitchener.ca>; MMohr <MMohr@regionofwaterloo.ca>
Cc: Lenore Ross <Lenore.Ross@kitchener.ca>; 'Josh Graham' <JGraham@regionofwaterloo.ca>; Niall Melanson <Niall.Melanson@kitchener.ca>
Subject: RE: Recirculation OPA/Zba 130-142 Victoria St

Hi
Just wanted to follow up on my email below.
Please let me know if you have any further comments regarding this proposal based on the resubmission.
Thanks,
Katie

From: Katie Anderl
Sent: Thursday, June 15, 2023 12:13 PM
To: Deeksha Choudhry <Deeksha.Choudhry@kitchener.ca>; Pegah Fahimian <Pegah.Fahimian@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Taylor Stapleton

City of Kitchener
Zone Change Comment Form

Address: 130-142 Victoria St S

Application: OPA/ZBA

Comments Of: City of Kitchener – Urban Design- Planning

Commenter's Name: Pegah Fahimian

Email: Pegah.fahimian@kitchener.ca

Phone: 519-741-2200 Ext. 7342

Date of Comments: May 25, 2022

- 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:

- Cover Letter
- Urban Design Brief- IBI Group
- Wind Study – GradientWind
- Shadow Study- Core Architects
- Site Plan, Elevations and Floor Plans- Core Architects

2. Site-Specific Comments & Issues:

I have reviewed the documentation (as listed above) to support the official plan and Zoning By-Law for the properties located at 120, 138 and 142 Victoria Street South. The applicant is proposing to develop the subject lands with a 25-story mixed-use development including 4 ground floor commercial units, second-floor space and 294 dwelling units.

- The tall building design guidelines are an excellent compatibility test for proposals exceeding their zoning permissions. The proposal meets the tall building guidelines, specifically with regards to separation.
- The proposed angled wall (chamfer) on the corner is not well integrated with the rest of the podium and has not been reflected in the tower design. There is an option to have a square design on the corner, marked by the main feature of the building. You may use the proposed chamfered entrance on the ground floor to accentuate the main entrance proposed on the corner.
- The proposed corner treatment is to be further enhanced to create visual interest at the street edge. This could be achieved by special massing and architectural treatments on both streets to give prominence along the frontages and visually distinguish these sites.
- This project should play a significant role in reinforcing the character of Victoria Street. There is a need for public art at the corner, well integrated into the architecture of the building, and 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 (colored, programmable, patterned, etc.)

City of Kitchener
Zone Change Comment Form

- Incorporate creative facade ideas on curtain wall 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, Photometric system for 'interactive skin' to illuminate the screen after dark, Digitally printed fritted glass)
- The proposed towers should have unique top features that are architecturally excellent, highly visible and make a positive contribution to the image of Kitchener developing skyline.
- Residential and commercial entrances should be clearly identified and offer access from both the public realm and the private parking side of the building. The use of natural or built canopies /cantilevers to enhance pedestrian refuge and define the public realm is encouraged
- Confirmation must be provided that the proposal maintains daily access to 5 hours of cumulative direct sunlight to nearby sidewalks and open spaces under equinox conditions, beginning with the sidewalk located on the opposite side of adjacent ROWs.
- The underground parking structure should have sufficient setback from the property lines to accommodate the necessary soil volume to support required large-statured, high canopy trees. Perimeter trees should not be located on the garage slab roof. Within the site, required tree plantings can be accommodated on the garage slab but will still require standard minimum soil volumes.

3. Comments on Submitted Documents

The following comments should be addressed at this time.

Urban Design Brief, IBI Group

- Additional details to be provided for the pedestrian entrance, architectural style, elements, detailing and material selection.
- Details of the streetscape are to be provided. Any streetscape elements proposed are to be reviewed and approved.
- The property is located very close to the major transit station area, therefore the site should be designed to prioritize people, pedestrians and cyclists.
- Wind assessment and Noise feasibility study required for outdoor amenity and the pedestrian realm.
- 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 and seamless private, semi-private and public spaces.
- 3-bed units are desirable as they provide more living space for families. A higher percentage of these units might help with community engagement.

City of Kitchener
Zone Change Comment Form

Site Plan, Elevations and Floor Plans- Core Architects

- Show ventilation and mechanical elements on the elevations. Incorporate unit vents into the facade design on all elevations to minimize their visibility. Locate visible elements to the rear wherever possible.
- All utilities should be coordinated with the landscape design and with building elevations to provide a high-quality pedestrian experience with the site and from the public realm. Infrastructure should be located within the building in mechanical/electrical rooms and exterior connections located discretely and incorporate physical screens or landscape plating as required. Surface transformers or service connections visible from the public realm are not supported.
- Wind assessment and Noise feasibility study required for outdoor amenity and the pedestrian realm.
- **Wind Study - Pedestrian Level Wind Assessment-**

The submitted Preliminary Wind Study indicates less than ideal wind conditions at the northwest corner of the proposed development and within two regions across Bramm Street. To provide conditions suitable for sitting over most of the terrace during the summer, the proposed development will incorporate a tall wind barrier along the perimeter of the terrace in place of a standard height guard.

A full Wind Assessment should be provided for review at the site plan application stage. A revised design proposal should be developed that addresses the wind impacts outlined in the submitted wind study.

City of Kitchener
Heritage – OPA/ZBA Comment Form

Project Address: 130-142 Victoria Street South

File Number: OPA22/004/V/KA, ZBA22/006/V/KA

Comments Of: Heritage Planning

Commenter's Name: Deeksha Choudhry

Email: deeksha.choudhry@kitchener.ca

Phone: 519-741-2200 ext. 7291

Date of Comments: July 14, 2023

Heritage Planning staff have reviewed the updated revised plans that were submitted in support of this application and are generally supportive of the proposed development at this point. The comments provided by staff have been well-integrated into the overall design, and the option included with the proposed development would be the preferred option from a heritage commemoration perspective.

Staff have also done a preliminary review of the HIA and are generally in agreement with the conclusions of the heritage evaluation of the existing building at 142 Victoria Street South, and with the conservation strategy. Staff can confirm that since the proposal is still to demolish 142 Victoria Street South, that the revised HIA will not need to go back to Heritage Kitchener Committee.

Staff would like the applicant to consider the following, which will be dealt at the site plan process:

- A salvage and documentation plan must be prepared prior to any demolition work taking place. According to the recommendation of the HIA, this would include photographic documentation, measures elevation drawings, photographic comparisons pre- and post-conditions, and photographic documentation while removal and/or demolition is taking place should be prepared. The Salvage and Documentation Plan should also include all the building elements the applicant intends to salvage, and how they will be re-used in the new development.
- Staff would require some form of commemoration in addition to the photographic curtain wall, such as a plaque, that would convey the history and heritage value of the existing building.

- According to the Ontario Heritage Act, **at least** 60 days' notice needs to be given for demolishing listed properties. This applicant is advised that this application will first go before the Heritage Kitchener Committee, and then Council.

Date: May 24, 2022
To: Katie Andrel, Senior Planner
From: Deeksha Choudhry, Heritage Planner
cc: Garrett Stevenson, Manager of Development Review
Subject: OPA22/004/V/KA
ZAB22/006/V/KA
130-142 Victoria Street South
Heritage Planning Comments

Heritage Planning staff have reviewed the following documents which have informed the comments below:

- Draft Heritage Impact Assessment (HIA) prepared December 2021
- Cover Letter dated December 20, 2021
- OPA Application Form signed December 17, 2021
- Urban Design Brief prepared December 2021
- Planning Justification Report prepared December 2021

Heritage Status

The subject lands municipally addressed as 130-142 Victoria Street South contain one heritage resource; 142 Victoria Street South is listed as a non-designated property of cultural heritage value or interest on the City's Municipal Heritage Register.

The subject lands are also located adjacent to 131 Victoria Street South, which is also listed as a non-designated property of cultural heritage value or interest, and to 120 Victoria Street South, which is on the Inventory of Historic Buildings.

The subject lands are also located within the Warehouse District Cultural Heritage Landscape.

Draft Heritage Impact Assessment (HIA) for 130-142 Victoria Street South

A Draft Heritage Impact Assessment (HIA) dated December 2021 has been prepared for the subject lands in support of application OPA22/004/V/KA and ZAB22/006/V/KA. The HIA made the following observations:

- 130 Victoria Street South does not meet criteria for designation under *O. Reg. 9/06*;
- 138 Victoria Street South does not meet criteria for designation under *O. Reg. 9/06*; and
- 142 Victoria does meet criteria for designation under *O. Reg. 9/06*.

142 Victoria Street South's heritage value resides in the following attributes:

- Stepped roofline with a parapet wall on the façade;
- Engaged brick pilasters at either side of the façade that flare out at the top with sandstone inlays at their centres;

- Entrance façade door case with stepped brick surround;
- Date Stone reading “1931”;
- Symmetrical façade windows; and
- Brick construction.

The proposed development includes the demolition of all three existing buildings located on the subject lands. Since 130 and 138 Victoria Street South did not meet criteria for designation, the potential impacts of the proposed development have only been assessed for 142 Victoria Street South. The HIA noted the proposed demolition of 142 Victoria Street South would have an adverse impact on all the heritage attributes of 142 Victoria Street South.

The draft HIA recommended that there should be partial demolition/selective deconstruction and integration into the proposed development as it partially conserves the subject properties’ heritage attributes and avoids the potential for negative impact on the subject lands and the adjacent heritage resources. Some heritage attributes might require selective deconstruction while others, like the stepped parapet, might be integrated into the development more effectively through panelization. Furthermore, the proposed development will also see the extensive use of salvaged materials from 130 and 142 Victoria Street South and the incorporation of heritage features from the properties as design features in communal spaces. The details of what materials will be salvaged and how they will be incorporated has not been finalized yet.

The HIA is still in its draft stages and has not yet received clearance from the Director of Planning. The HIA was formally considered by the Heritage Kitchener committee at its June 7, 2022, meeting. The committee was concerned regarding the salvaged materials – wanting to be informed as to what exactly would be salvaged and how it will be reused.

Heritage Planning Staff Comments

After reviewing all the materials in support for these applications, Heritage Planning Staff provide the following comments for consideration as part of the OPA/ZBA:

- The mass of the podium should be similar to the mass of the Huck Glove building (120 Victoria Street South) that is located adjacent to 130 Victoria Street South at the corner of Bramm Street and Victoria Street South. The total height of the podium should not exceed the total (m/ft) of the Huck Glove Building to maintain a cohesive streetscape. The maximum height should be regulated via a special provision in the zoning by-law.
- Staff would like the applicant to explore the opportunity of integrating 142 Victoria Street South into the proposed development. Since the building meets the criteria for designation *under O. Reg 9/6*, and is one of the oldest apartment buildings in Kitchener, and staff would like to explore all options before complete demolition can be considered.
- If integration of the building is not possible, is there a possibility to relocating the building to an alternate location off-site? However, prior to doing that, it must be demonstrated that the building is a good candidate for relocation, through confirmation from a qualified engineer and qualified building mover that the building can be safely re-located, and that a suitable receiving site has

been retained. If this is possible, it is critical for Heritage Planning staff to understand the feasibility of how and where the building can be relocated.

- In addition to the above point, staff would also like the applicant to explore the opportunity of having the access to the parking garage to rear of the proposed building, off Bramm Street, so that 142 Victoria Street South can be retained with the proposed development.
- If integration into the proposed development is not possible, staff would also like further clarification regarding what materials are proposed to be salvaged from 130 and 142 Victoria Street South and how they will be incorporated into the proposed development and how the demolished buildings will be commemorated.

In addition to the comments above, heritage planning staff provide the following comments for consideration as part of a future Site Plan application process:

- Heritage planning staff will require a 3D massing model, including the adjacent Huck Glove building, and elevation drawings as part of a complete site plan application;
- Heritage planning and urban design staff will review and approve the elevation drawings;
- Heritage planning staff will require a sample material board for review and approval;
- Heritage planning staff will require a Salvage and Documentation Plan if 142 Victoria Street South cannot be integrated into the proposed development, to document all elevations and architectural details of all the existing buildings that are proposed to be demolished, as well as the proposed materials for salvage and how they will be integrated into the proposed development; and
- A commemoration plan to commemorate all the buildings that are proposed to be demolished.

City of Kitchener
Heritage – OPA/ZBA Comment Form

Project Address: 130-142 Victoria Street South

File Number: OPA22/004/V/KA, ZBA22/006/V/KA

Comments Of: Heritage Planning

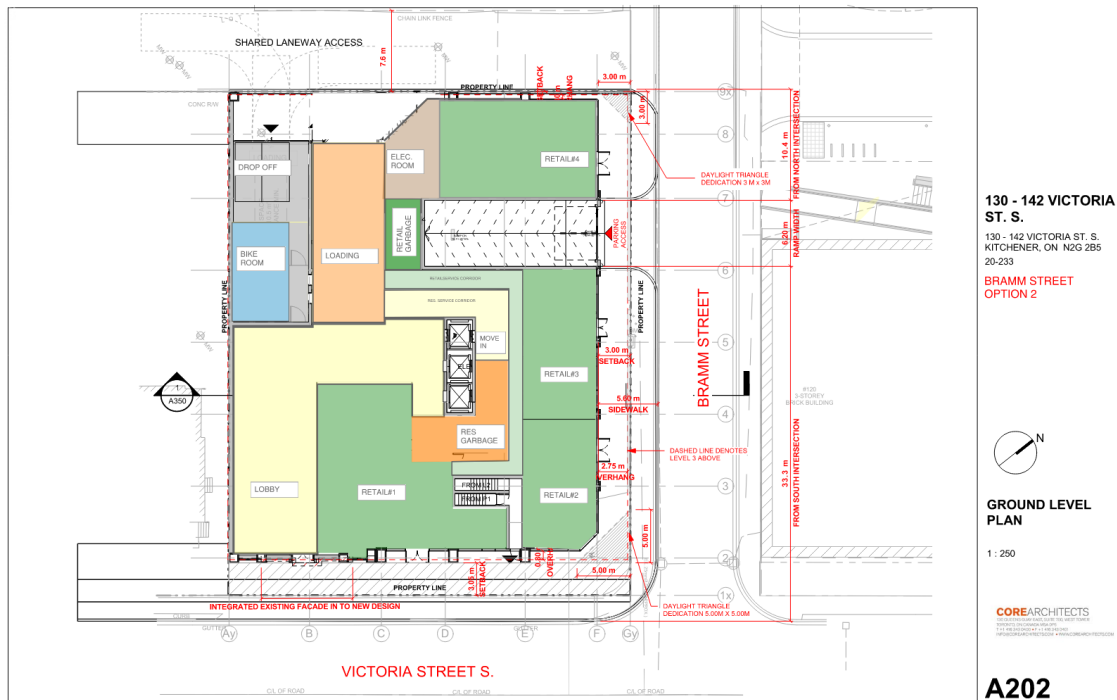
Commenter's Name: Deeksha Choudhry

Email: deeksha.choudhry@kitchener.ca

Phone: 519-741-2200 ext. 7291

Date of Comments: January 31, 2023

Heritage Planning staff have reviewed the updated revised plans that were submitted in support of this application and are of the opinion that Option 2 would be the preferred design option from a heritage perspective.



This design option would help achieve the following:

- Having the driveway access along Bramm Street would help in retaining the façade of the existing building.
- Minimal alterations to the façade of the existing building which would help in retaining most of its original architectural features.
- This design option would also help the existing façade integrate more efficiently with the proposed development and would be at less risk of being isolated from the rest of the development.
- The feasibility and process of incorporating the façade into the new development would have to be confirmed by the applicant's heritage consultant and engineers. Staff would be willing to work with the applicant's heritage consultant to address how this can be achieved.

City of Kitchener - Comment Form

Project Address: 130-142 Victoria Street South

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: May 6, 2022

Date of comments: May 5, 2022

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

- Preliminary Sustainability Statement, prepared by IBI Group, dated December 20, 2021
- Energy Strategy Report, prepared by Design Works Engineering, dated December 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 25 storey mixed use development including 4 ground floor commercial units, second floor office space and 249 dwelling units, regarding sustainability and energy conservation and provided 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.
- **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.**
- 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 Energy Strategy Report, and can further explore and/or confirm which additional sustainable measures are best suited to the development. Potential items for consideration are:
 - Use of alternative water supply and demand management systems such as rainwater harvesting and grey water reuse, or design of the site and buildings for readiness to add these systems in the future
 - Use of alternative or renewable energy systems to meet new energy demand created by the development (i.e. ground source or air source heat pumps, roof-top solar

photovoltaic panels, solar thermal hot water system, capture of waste heat from industrial processes to use for thermal energy needs, etc), or design of the site and building for readiness to add these systems in the future

- EV ready parking spaces
- Material choice and detailing to address bird collision avoidance guidelines

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>

From: Mike Seiling
Sent: Wednesday, April 13, 2022 2:51 PM
To: Katie Anderl
Subject: FW: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)
Attachments: [department & agency letter - 130-142 Victoria St S.pdf](#); [OPA22004VKA_MAP4.pdf](#); [ZBA22006VKA_MAP1.pdf](#)

Building; no concerns

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Wednesday, April 13, 2022 2:36 PM
To: CNR <proximity@cn.ca>; _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 <gcameron@kwhydro.on.ca>; Laura Anderson <Laura.Anderson@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 - 130-142 Victoria Street South (OPA/ZBA)

Please see attached. Additional documentation is saved in [ShareFile](#). 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: Niall Melanson
Sent: Wednesday, June 21, 2023 2:34 PM
To: Katie Anderl
Cc: Josh Zehr; Angela Mick
Subject: 130-142 Victoria St S, ZBA22/006/V/KA - Engineering Comments

Good morning Katie

Please be advised that Engineering has reviewed the recently resubmitted Functional Servicing and Stormwater Management Report (WalterFedy, May.31/23). There have been no changes from the original functional servicing design and therefore Engineering has no concerns with sanitary capacity and Kitchener Utilities has no concerns with water demand. We can provide our clearance for the ZBA.

Of note the detailed SWM design will be reviewed during SPA.

Thanks

Niall Melanson, C.E.T.
Project Manager, Development Engineering, City of Kitchener
niall.melanson@kitchener.ca, 519-741-2200 x 7133
200 King St. W., Kitchener, ON N2G 4GX

From: Sylvie Eastman
Sent: Thursday, April 14, 2022 8:26 AM
To: David Paetz; Michele Kamphuis; Katie Anderl
Cc: Christine Kompter
Subject: FW: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)
Attachments: [department & agency letter - 130-142 Victoria St S.pdf](#); [OPA22004VKA_MAP4.pdf](#); [ZBA22006VKA_MAP1.pdf](#); [Excavation Near Gas Pipelines WI-5.6.pdf](#)

Hi David and Michele. Please see attached and provide any additional comments regarding servicing.

Katie, in addition to any comments Michele and David may have, please note that gas main is located at ~1.0m from PL on Bramm and ~0.2m from PL on Victoria. I notice that zero lot line has been approved for this development, and if the proponent is planning to install shoring/piles right at PL or into the public right-of-way that would be a problem. By code, infrastructure must be minimum 0.3m from gas infrastructure, and minimum 1.0m separation is required to use mechanical equipment. In other words, nothing can be installed within 0.3m of the existing gas pipes, infrastructure may be installed by hand dig only between 0.3-1.0m from the existing gas pipes, and mechanical equipment may be used at least 1.0m away from the existing gas pipes. Also note that I have seen many instances of excavations 1.0m or more away that slump and damage gas mains to the proponent will need to follow the requirements for excavating near gas mains (attached).

Thanks, Sylvie
519-498-9553

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Wednesday, April 13, 2022 2:36 PM
To: CNR <proximity@cn.ca>; _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 <gcameron@kwhydro.on.ca>; Laura Anderson <Laura.Anderson@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 - 130-142 Victoria Street South (OPA/ZBA)

Please see attached. Additional documentation is saved in [ShareFile](#). 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



City of Kitchener
OPA/ZBA COMMENT FORM

Project Address: 130 – 142 Victoria Street South

Date of Meeting: No meeting

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: May 2, 2022

- 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:

- Traffic Impact study comments:
 - A thorough analysis of the 2030 Total Traffic Operations was completed and indicates that the site driveway access should operate with a Level of Service (LOS) B, with an average vehicle delay of 14s and a volume-to-capacity (v/c) ratio of 0.10;
 - This is acceptable for the operation of a site driveway;
 - It is acknowledged that sightlines will not be a concern for the proposed development based on the typical standards through TAC;
 - The recommendation of the study to monitor traffic volume on Victoria St S and optimize traffic signal timing along the corridor is noted, but falls under the purview of the Region of Waterloo;
 - The recommendation to widen Victoria St S between Park St and Bramm ST to include a two-way left turn lane is noted, but also falls under the purview of the Region of Waterloo;
 - The site will be serviced by a GRT transit route (Route 20 Victoria-Frederick) with approximately 30-minute headways;
 - The site also falls approximately 500m from the Central Station stops for the ION Rail LRT that operate with approximately 30-minute headways;
- Parking Study comments:

- Given that this property will eventually be zoned with a zero minimum parking rate under the future Zoning By-law (2019-051), Transportation Services can support the proposed supply of 51 parking spaces on-site;
- Under ZBL 2019-051, the UGC zones require:
 - Multiple dwelling – No minimum
 - Retail uses – No minimum
 - Office uses – Minimum 1 space per 50 sq.m GFA *where GFA exceeds 4,000 sq.m* (proposed 414 sq.m);
- What is the planned allocation of provided vehicle parking spaces for each use on-site (residential, office and retail)?
 - Will these spaces be unbundled from units?
 - If so, an agreement on title may be required to ensure the unbundled spaces;
- Bicycle parking minimums under ZBL 2019-051:
 - Multiple dwelling – Minimum 1 space per dwelling unit (249 spaces for this proposal)
 - Retail uses – Minimum 1 space per 500 sq.m GFA (2 spaces for this proposal)
 - Office uses – Minimum 1 space per 333 sq.m GFA (2 spaces for this proposal)
- The parking study notes that a total of 60 long-term (Class A) bicycle storage spaces are proposed for this development, which is 193 spaces below the minimum required under ZBL 2019-051;
 - If the applicant is intent on aligning with the requirements of the future ZBL (2019-051), Transportation Services will require that the applicant must, at a minimum, meet the minimum parking rates for bicycles in ZBL 2019-051, which equals 253 Class A spaces, with them located conveniently for each use within the building;
 - If the applicant wishes to provide a reduced amount of Class A bicycle spaces than required under ZBL 2019-051, further, in-depth justification will be required for Transportation Services to consider;
 - A recommendation of the study also notes that more secured, long-term bicycle parking should be provided;
- The final recommendation of the study urges the applicant/developer to commit to TDM measures outlined in the study – any TDM measures that will be committed to by the applicant need to be clarified prior to the approval of any parking reduction;
- Site Plan advisory notes:
 - The loading space located at the rear of the site must use a “shared laneway access” as noted by the site plan provided in this study:
 - Is there a shared access agreement in the works (or currently existing) with the owner of the lands directly adjacent the subject properties?
 - There will be a requirement for a comprehensive Truck Turning Movement Plan (TTMP) as part of a complete site plan application that illustrates adequate truck circulation for this site (ie. loading, garbage, etc.)

- Staff would like to see a direction connection from bicycle storage areas to Bramm St / Bramms St lot at the rear of the site. This will provide a direct and convenient connection to the future Transit Hub Trail.

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

-

3. Anticipated Requirements of full Site Plan Approval:

- N/A

4. Policies, Standards and Resources:

- N/A

5. Anticipated Fees:

- N/A

From: Dave Seller
Sent: Tuesday, August 1, 2023 10:09 AM
To: Katie Anderl
Subject: Updated comments recirculation OPA/ZBA 130-142 Victoria St

City of Kitchener

Application Type: Zoning By-law Amendment ZBA22/006/V/KA
Official Plan Amendment OPA22/004/V/KA

Project Address: 130-142 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: August 1, 2023

- a. As part of a complete Zoning By-law amendment application, a Transportation Impact Study (TIS), Parking Study and Transportation Demand Management Plan was submitted (May 2023) by Paradigm Transportation Solutions Limited in support of this OPA/ZBA application. Transportation Services review focused on roadways that are under the jurisdiction of the City of Kitchener.

Development proposal

The applicant is proposing a mixed-use development with a multi-storey tower with 249 units, 574m² (6180ft²) of ground floor commercial space and 576m² (6200ft²) of office space. The development is estimated to generate 75 AM and 98 PM peak hour vehicle trips. The vehicle trips included the residential, commercial and office components, as well as trip reductions for mode split and internal capture trips. The site will be serviced by one full moves access along Bramm Street. There are a total of 27 parking spaces are being proposed for all uses.

Intersection analysis

The three intersections noted below were reviewed under existing 2020 traffic conditions and are all operating within acceptable levels.

- Victoria Street South (Regional Road 55) at Park Street - signalized
- Victoria Street South (Regional Road 55) at Bramm/Michael Streets - unsignalized
- Victoria Street South (Regional Road 55) at Joseph Street - signalized

The following traffic movements were considered critical under the existing 2020 conditions and are expressed as level of service (LOS), volume to capacity ratios (v/c) and 95th percentile queues.

- Victoria Street South (Regional Road 55) at Park Street
 - Park Street AM peak hour, southbound left turn: LOS F and v/c ratio of 0.93; queue length exceeds storage length
 - Victoria Street South PM peak hour, westbound through/right turn: LOS D and v/c ratio of 0.87
 - Park Street PM peak hour, northbound left turn: queue length exceeds storage length
- Victoria Street South (Regional Road 55) at Joseph Street

- Joseph Street PM peak hour, northbound left turn: queue length exceeds storage length

The four intersections noted below were reviewed under future 2030 total traffic operations.

- Victoria Street South (Regional Road 55) at Park Street - signalized
- Victoria Street South (Regional Road 55) at Bramm/Michael Streets - unsignalized
- Victoria Street South (Regional Road 55) at Joseph Street – signalized
- Bramm Street at **NEW site access** - unsignalized

The following traffic movements were considered critical under future 2030 total traffic operations and are expressed as level of service (LOS), volume to capacity ratios (v/c) and 95th percentile queues.

- Victoria Street South (Regional Road 55) at Park Street
 - Park Street AM peak hour, southbound left turn: LOS F and v/c ratio greater than 1.00 and queue length exceeds storage length; PM peak hour, LOS F and v/c ratio greater than 1.00 and queue length exceeds storage length
 - Victoria Street South PM peak hour, westbound through/right turn: LOS F and v/c ratio greater than 1.00
 - Park Street PM peak hour, northbound left turn: queue length exceeds storage length
 - Park Street AM peak hour, northbound through/right turn: LOS E and v/c ratio of 1.00; PM peak hour, LOS F and v/c ratios greater than 1.00
- Victoria Street South (Regional Road 55) at Bramm/Michael Streets
 - Bramm/Michael Streets AM peak hour, northbound left/through/right turn: LOS F and v/c ratio of 0.14. Delay is present, however, there is excess capacity.
 - Bramm/Michael Streets AM peak hour, southbound left/through/right turn: LOS F and v/c ratio of 0.77; PM peak hour, LOS f and v/c ratio of 0.82.
- Victoria Street South (Regional Road 55) at Joseph Street
 - Victoria Street South AM peak hour, eastbound left turn: queue length exceeds storage length
 - Joseph Street PM peak hour, northbound left turn: queue length exceeds storage length
 - Joseph Street PM peak hour, southbound left/right turn: LOS F and v/c ratio greater than 1.00

The new site driveway at Bramm Street is forecasted to operate at LOS A and v/c ratio of 0.07 or lower in either the AM or PM peak hours.

Any capacity issues experienced under the 2030 background traffic is expected to continue to occur with or without this development. Site traffic impacts are minimal with minor changes in delay at the study intersections.

Transportation Demand Management (TDM) analysis

This development is well situated to take advantage of the existing alternative modes of transportation available in the area to reduce vehicle dependency. There are several Grand River Transit (GRT) routes and ION light rail that are less than 600m from this development. They include

the following routes: 6, 7, 8, 20, iXpress 204 and ION Central Station. These routes offer connectivity to a broader transit network throughout the Region of Waterloo and within Kitchener itself.

The walkability for pedestrians accessing the site and surrounding area can easily be achieved, as sidewalks are provided generally on both sides of roadways in the surrounding area which provide connections to entertainment, employment and commercial uses.

There are existing cycling opportunities in the area, as well as future cycling connections to the downtown cycling grid and the Iron Horse Trail. To encourage cycling and take advantage of the cycling opportunities in the area, the applicant must provide 249 Class A indoor secure bicycle parking spaces and 10 Class B outdoor bike parking spaces.

Sight distance analysis

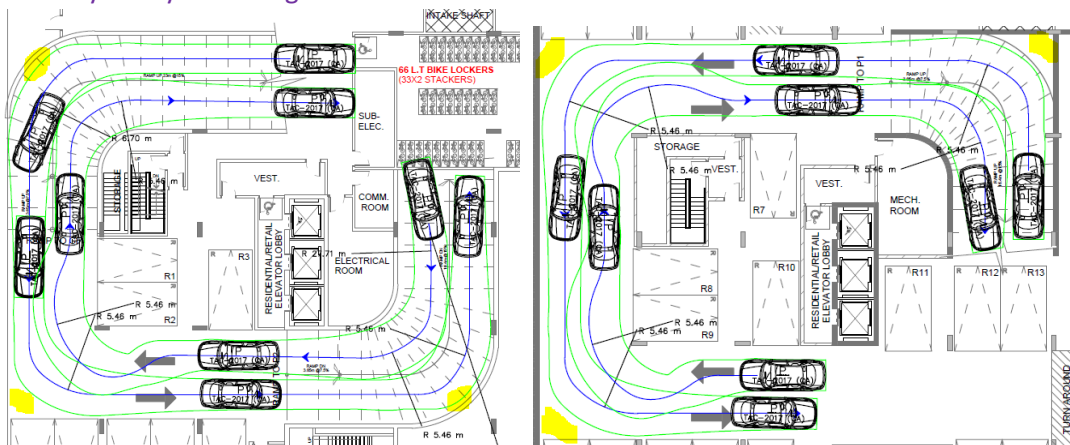
Bramm Street is straight and flat with low vehicle speeds and based on a 50km/h design speed it was determined that there are clear sightlines and visibility is not expected to be a concern. Transportation Services supports Paradigms conclusion.

AutoTURN swept path analysis

The following Transportation Association of Canada (TAC) design vehicles were reviewed for loading/garbage and the parking structure.

- Heavy Single Unit (HSU) - acceptable
- Medium Single Unit (MSU) - acceptable
- Passenger Vehicle (P) – acceptable

Recommend that convex mirrors are placed within the parking structure to provide improved visibility. See yellow heightened areas below.



Parking supply analysis

The applicant is proposing to provide a total of 27 parking spaces for all uses (residential, office, commercial). Transportation Services are supportive of reduced parking rates, and as the lands are located in the Urban Growth Centre (UGC), notwithstanding the analysis in the study, staff are

supportive of applying the UGC parking rates of Zoning By-law 2019-051. Bicycle parking should also be provided in accordance with UGC parking rates of 1 Class A space per unit, and 6 Class B spaces.

It was noted within the report that should the vehicle parking supply be exceeded by the demand, off-street parking is available at the Bramm Street Yards. While this is correct for the short term, this should not be relied upon as a parking solution for this development. The City of Kitchener's medium to long term plans for the Bramm Street Yards are for redevelopment. Further, the Joseph Street parking garage that was referenced in the report for additional parking, cannot be counted, as the parking garage is a private facility and is not under City of Kitchener ownership.

Conclusion

Transportation Services supports Paradigms analysis provided within the TIS portion of their report; and further, support applying the UGC parking rate for this development.

To assist in reducing on-site vehicle parking demand and support a reduced parking rate, the following must be provided and will be further finalized through the Site Plan:

- Residential parking must be unbundled from the cost of a unit.
- Subsidized GRT pass per unit for the residential component for a minimum of two years.
- A portion of the Class A bike parking having direct access to Bramm Street, private lane, Victoria Street South.
- Indoor bike fix-it stations be provided.
- Also, consideration be given to providing a portion of the Class A bicycle parking from within the units.

Dave Seller, C.E.T.

Traffic Planning Analyst | Transportation Services | City of Kitchener
519-741-2200 ext. 7369 | TTY 1-866-969-9994 | dave.seller@kitchener.ca

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

Sent: Thursday, June 15, 2023 12:13 PM

To: Deeksha Choudhry <Deeksha.Choudhry@kitchener.ca>; Pegah Fahimian <Pegah.Fahimian@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Taylor Stapleton <Taylor.Stapleton@kitchener.ca>; MMohr <MMohr@regionofwaterloo.ca>

Cc: Dave Seller <Dave.Seller@kitchener.ca>; Lenore Ross <Lenore.Ross@kitchener.ca>; Jessica Vieira <Jessica.Vieira@kitchener.ca>; Josh Graham <JGraham@regionofwaterloo.ca>; Niall Melanson <Niall.Melanson@kitchener.ca>

Subject: Recirculation OPA/Zba 130-142 Victoria St

Good Morning,

The applicant for the OPA/ZBA proposed for 130 -142 Victoria Street has resubmitted a final plans and supporting documentation for the development proposed at 132 – 140 Victoria Street. Documents are available via Share File: <https://kitchener.sharefile.com/home/shared/fo4b720e-4289-4af5-abff-ef3afd554230/folder>

Please provide your final review and comments by **June 30, 2023**.

Thanks,

Katie

Katie Anderl

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



From: Taylor Stapleton
Sent: Wednesday, July 12, 2023 12:00 PM
To: Katie Anderl
Subject: RE: Recirculation OPA/Zba 130-142 Victoria St

Hi Katie,

I've reviewed the resubmitted PJR and UDB and have no comments. I would have liked to see some commentary on how they plan to mitigate the impacts to adjacent parks, open space, and community facilities within the revised PJR but believe it might be unreasonable to ask for them to revise again.

Let me know if you need anything else from me.

Thanks,

Taylor Stapleton
(she,her)

Associate Landscape Architect, Parks & Open Space Design and Development | Parks & Cemeteries |
City of Kitchener
1-519-577-3867 | Taylor.Stapleton@kitchener.ca

From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Tuesday, July 11, 2023 12:25 PM
To: Deeksha Choudhry <Deeksha.Choudhry@kitchener.ca>; Pegah Fahimian <Pegah.Fahimian@kitchener.ca>; Taylor Stapleton <Taylor.Stapleton@kitchener.ca>; MMohr <MMohr@regionofwaterloo.ca>
Cc: Lenore Ross <Lenore.Ross@kitchener.ca>; 'Josh Graham' <JGraham@regionofwaterloo.ca>; Niall Melanson <Niall.Melanson@kitchener.ca>
Subject: RE: Recirculation OPA/Zba 130-142 Victoria St

Hi

Just wanted to follow up on my email below.

Please let me know if you have any further comments regarding this proposal based on the resubmission.

Thanks,
Katie

From: Katie Anderl
Sent: Thursday, June 15, 2023 12:13 PM
To: Deeksha Choudhry <Deeksha.Choudhry@kitchener.ca>; Pegah Fahimian <Pegah.Fahimian@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Taylor Stapleton <Taylor.Stapleton@kitchener.ca>; MMohr <MMohr@regionofwaterloo.ca>
Cc: Dave Seller <Dave.Seller@kitchener.ca>; Lenore Ross <Lenore.Ross@kitchener.ca>; Jessica Vieira <Jessica.Vieira@kitchener.ca>; Josh Graham <JGraham@regionofwaterloo.ca>; Niall Melanson

<Niall.Melanson@kitchener.ca>

Subject: Recirculation OPA/Zba 130-142 Victoria St

Good Morning,

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Please provide your final review and comments by **June 30, 2023.**

Thanks,

Katie

Katie Anderl

Project Manager - Planning | Planning Division | City of Kitchener

519-741-2200 x7987 | TTY 1-866-969-9994 | katie.anderl@kitchener.ca



From: Proximity <proximity@cn.ca>
Sent: Friday, August 4, 2023 12:18 PM
To: Katie Anderl
Subject: 2023-08-04_CN_RES_ REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)
Attachments: [2_PTL_Anderl_CommentMatrix_130-142VictoriaStS.pdf](#)

Hello Katie,

Thank you for your follow up regarding the application in subject. CN requests for comments 88 to 92 to be part of the holding provision. Concerning the noise report, CN will ask for a technical memorandum in response to the peer review comments and to CN satisfaction to be submitted at the time of drafting the CN development agreement. Since the site is in proximity to a Spur line, the updated noise dose not need to be part of the holding provision.

Best regards

Ashkan Matlabi, Urb. OUQ. MBA

Urbaniste sénior / Senior Planner (CN Proximity)
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Montréal (Québec)
H3H 1P9 CANADA
wsp.com

From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Tuesday, August 01, 2023 9:14 AM
To: Proximity <proximity@cn.ca>
Subject: FW: 2022-12-15_CN_RES_ REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

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Hi Ashkan,
You had provided Peer Review comments back to the City on this project several month back. I am currently finalizing my report. Please see comments 88-92 and 111 addressing the in the attached

response matrix from the applicant and their consultants addressing your comments/peer review. I can confirm that we will be including a Holding provision for final Stationary Noise Study to address regional comments. Do you need to be part of this holding provision for the Rail Noise as well? Or would you be satisfied with addressing the standard criteria through Site Plan/Plan of Condo?

Thanks,
Katie

From: Labreche, Victor <victor.labreche@arcadis.com>
Sent: Monday, July 17, 2023 3:39 PM
To: Katie Anderl <Katie.Anderl@kitchener.ca>
Cc: Tsimenidis, Christian <christian.tsimenidis@arcadis.com>
Subject: RE: 2022-12-15_CN_RES_ REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

Good afternoon Katie.

Gradient responded to the last set of CN comments in the Comment Matrix. See attached, line item 111. Also, there is a Holding Provision for a Detailed Noise Study we are implementing (as per the Region comments) these comments are to be further addressed at the Site Plan Stage.

Thank you,

Victor Labreche, MCIP, RPP
Associate Director | Practice Lead, Planning
Arcadis Professional Services (Canada) Inc.
410 Albert Street, Suite 101 | Waterloo, ON | N2L 3V3 | Canada
T +1 519 585 2255 ext 63252

http://secure-web.cisco.com/1I9bd34_PZUhQn6woyUE5ZsXObVSJJpZIJdfLFv1dvm7SG3RUnjVPVIK46LguU0v5OIBTmvJflJLNm2OfApzu41C_PKHzsHH9N0jziOHVzN-vD1dt_D6s900kOFBg9rux922WXoz6I34RAR9mw7fiBujEukhKxHMLj1pXQ5ykPT601KVdFCifDyvbdCe_mzx0xMftme7d-kbdd-ckuRIQc6bbU8Q0HF57sDPiNEcOcd0UyMmQ7XKdA-z1oE9sTPM5TeEozitxGgDMqlxTCCurC0nALcsN8UEbKt9o_zinOKHv_hT2uDUUn3S_87ob_DpM/http%3A%2F%2Fwww.arcadis.com



From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Monday, July 17, 2023 3:21 PM
To: 'Victor Labreche' <Victor.Labreche@ibigroup.com>
Cc: Tsimenidis, Christian <christian.tsimenidis@arcadis.com>
Subject: RE: 2022-12-15_CN_RES_ REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

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Hi,

Just wanted to follow-up on the CN comments – I don't recall seeing updated comments from CN – was this completed by Gradient?

Thanks,

Katie

From: Victor Labreche <Victor.Labreche@ibigroup.com>

Sent: Friday, December 23, 2022 9:22 AM

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

Subject: FW: 2022-12-15_CN_RES_ REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

Hi Katie,

Thank you for providing the attached, which is all understood and our noise consultant (Gradient) is working on the reply/update as requested.

Would you have a few minutes at some point before 3pm today to discuss results of our discussions with the adjacent development (DOV Capital) about our development using their rear lane to access a relocated underground parking to our development? This was one of the main action items for us to complete based on our last Teams meeting call on October 6th.

Please advise, thanks again Katie.

Victor Labreche MCIP, RPP

Associate Director - Practice Lead, Planning

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

Sent: Friday, December 16, 2022 8:35 AM

To: Victor Labreche <Victor.Labreche@ibigroup.com>

Subject: FW: 2022-12-15_CN_RES_ REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

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Hi Victor,

Please see CN peer review comments attached.

From: Proximity <proximity@cn.ca>
Sent: Thursday, December 15, 2022 10:42 PM
To: Katie Anderl
Subject: 2022-12-15_CN_RES_ REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)
Attachments: [22-172 Dec 14-22 130 -142 Victoria St South Peer Review.pdf](#)

Hello Katie,

You will find in attached document CN peer review comments with regards to the noise and vibration report prepared by Gradient Wind Engineering, dated March 2022, for the application mentioned in subject. The report is generally made to CN satisfaction however, the applicant's consultant should submit an updated report or a technical memorandum addressing the peer review comments and concerns.

Best regards

Ashkan Matlabi, Urb. OUQ. MBA

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From: Proximity
Sent: Monday, October 31, 2022 7:24 PM
To: Katie Anderl <Katie.Anderl@kitchener.ca>
Subject: 2022-10-31_CN_RES_ REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

Hello Katie,

Thank you for following up. I will verify with CN acoustics expert and will get back to you shortly.

Best regards

Ashkan Matlabi, Urb. OUQ. MBA

Urbaniste sénior / Senior Planner (CN Proximity)
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From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Tuesday, October 25, 2022 12:46 PM
To: Proximity <proximity@cn.ca>
Cc: Victor Labreche <Victor.Labreche@ibigroup.com>
Subject: RE: 2022-04-20_CN_RES_ REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

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Hi Ashkan,
Just wanted to follow up on CN's review of the Noise Study for this project. You had indicated early in September that you were going to be completing a Peer Review.
Regards,
Katie

From: Katie Anderl
Sent: Thursday, September 8, 2022 2:03 PM
To: Proximity <proximity@cn.ca>
Subject: RE: 2022-04-20_CN_RES_ REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

Hi Ashkan,
Do you have an expected timeframe for a response/feedback on the report? I'd like to pass this on to the applicant.
Thanks,
Katie

From: Proximity <proximity@cn.ca>
Sent: Thursday, September 8, 2022 1:54 PM
To: Katie Anderl <Katie.Anderl@kitchener.ca>
Subject: FW: 2022-04-20_CN_RES_REVISÉ: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

Hello Katie,

Thank you for providing the attached report. CN will conduct a peer review.

Best regards

Ashkan Matlabi, Urb. OUQ. MBA

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From: Katie Anderl <Katie.Anderl@kitchener.ca>
Sent: Wednesday, September 07, 2022 3:07 PM
To: Proximity <proximity@cn.ca>
Cc: Victor Labreche <Victor.Labreche@ibigroup.com>
Subject: RE: 2022-04-20_CN_RES_REVISÉ: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

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Hi Ashken,

Thanks for your comments on this application for OPA/ZBA. The applicant has submitted a noise study (see attached) which is also being review by the Region of Waterloo.

The noise consultant has considered surrounding noise sources and identified the CN Huron Park spur line more than 75 m to the northwest and a main line CN/GO rail corridor more than 300 m north of the site. They have indicated that under the railway guidelines these are ruled as insignificant sources of transportation noise and were not included in this assessment.

Can you please confirm if you require any additional work with respect to noise to satisfy CN's requirements?

Thanks,
Katie

From: Ashkan Matlabi <Ashkan.Matlabi@cn.ca> **On Behalf Of** Proximity
Sent: Wednesday, April 20, 2022 3:00 PM
To: Katie Anderl <Katie.Anderl@kitchener.ca>
Subject: [EXTERNAL] 2022-04-20_CN_RES_REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

Hello Katie,

Thank you for consulting CN on the application mentioned in subject. I notice, CN commented in the past for an application regarding this site. Please replace any previous comments with the following recommended conditions.

CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

1. The Owner shall engage a consultant to undertake an analysis of noise. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
2. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

3. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the Noise isolation measures

implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.

4. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
5. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

CN anticipates the opportunity to review a N&V study taking into consideration the CN development guidelines.

Thank you and do not hesitate to contact me with any questions.

Best regards

Ashkan Matlabi, Urb. OUQ. MBA

Urbaniste sénior / Senior Planner (CN Proximity)
Planning, Landscape Architecture and Urban Design
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wsp.com

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

Sent: Thursday, April 14, 2022 10:13 AM

To: Proximity <proximity@cn.ca>; _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' <gcameron@kwhydro.on.ca>; Laura Anderson <Laura.Anderson@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: REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

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AVERTISSEMENT : ce courriel provient d'une source externe au CN : NE CLIQUEZ SUR AUCUN lien ou pièce jointe à moins de reconnaître l'expé

My apologies – original email contained incorrect ShareFile link. This has now been corrected – see below.

Please see attached. Additional documentation is saved in [ShareFile](#). 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





PLANNING, DEVELOPMENT
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Kitchener Ontario N2G 4J3 Canada
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Melissa Mohr 226-752-8622
File: D17/2/22004
C14/2/22006
November 2, 2022

Katie Anderl
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 22/04 and
Zoning By-law Amendment ZBA 22/06
130-142 Victoria Street South
IBI Group Inc. (Victor Labreche) on behalf of 1936026
Ontario Inc. (C/O Matthew Laing)
CITY OF KITCHENER**

IBI Group Inc. on behalf of 1936026 Ontario Inc. has submitted an Official Plan Amendment and Zoning By-law Amendment for a development proposal at 130-142 Victoria Street South in the City of Kitchener.

The applicant is proposing a mixed-use development that includes a 25 storey residential tower with four (4) ground floor commercial units. The applicant has proposed office space on the second floor. Floors 3-25 include a total of 249 residential units. Access is proposed from Victoria Street South. Fifty-one (51) vehicle parking spaces as well as secured bike parking spaces are contained in two underground parking levels. Amenity areas are located on the top of the 6-storey podium and through private balconies.

The subject lands are located in the Urban Area of the Region and designated Urban Growth Centre in the Regional Official Plan. The subject lands are designated Mixed Use in the City of Kitchener Official Plan and zoned Low Intensity Mixed Use Corridor (MU-1) Zone with Special Use Provision 401IU in the City's Zoning By-law. The

Document Number: 4215405

Version: 1

applicant has proposed an Official Plan Amendment to permit a maximum FSR of 12.73 (whereas a max FSR of 4.0 is currently permitted). A Zoning By-law Amendment is required to permit the rezoning of the subject lands from the Low Intensity Mixed Use Corridor (MU-1) Zone with Special Use Provision 401IU to the Low Intensity Mixed Use Corridor Zone (MU-1) Zone with Special Regulations 1R and 525R and Special Use Provision 401U with a New Special Regulation Provision and New Holding Provision to permit the following:

New Special Regulation Provision:

- Permit a minimum side yard setback abutting a street of 0 metres; whereas 4.5 metres is required;
- Permit a minimum rear yard setback of 0 metres; whereas 7.5 metres is required;
- Permit a minimum façade height of 5.0 metres; whereas 6.0 metres is required;
- Permit a maximum building height of 85.95 metres; whereas 13.5 metres is required;
- Permit a maximum floor space ratio of 12.73; whereas a maximum of 2.0 is permitted;
- Permit an off-Street Parking rate for:
 - Multiple dwellings at 0.20 spaces per dwelling unit; whereas 1.0 space per dwelling unit is required;
 - Retail uses at 0 spaces; whereas 1.0 space per 20.0m² of the gross floor area is required;
 - Office uses at 0 spaces, whereas 1.0 space per 28.0 m² of the gross floor area is required;
- Permit an off-street visitor parking rate of 0 spaces; whereas 20% of the total parking is required;
- Permit three (3) barrier-free parking spaces; whereas eight (8) spaces are required.

New Holding Provision:

- To add a Holding Provision to the zone to require the Record of Site Condition.

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

Regional Comments

Consistency with Provincial Legislation and Regional Official Plan Conformity

The subject lands are designated “Urban Area” and “Urban Growth Centre” on Schedule 3a of the Regional Official Plan (ROP) and the site is located in the Major Transit Station Area of the City of Kitchener and is designated Mixed Use in the City of Kitchener Official Plan.

Planned Community Structure:

The Urban Area designation of the ROP has the physical infrastructure and community infrastructure to support major growth and social and public health services (ROP Section 2.D). 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).

Most of the Region's 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). The density and mixed-use nature of the development is encouraged within the Urban Growth Centres of the Region.

Regional staff acknowledge that the subject lands are located within 500-800 m of multiple Stage 1 ION stops and this development proposes a higher density on site that contributes to the minimum density targets established within the Growth Plan and Regional Official Plan for the Urban Growth Centre of Kitchener. Furthermore, Regional staff acknowledge that the development proposal includes a development fronting onto a Regional Road and existing transit route (Victoria Street South) and proposes a reduced vehicular parking rate for future residents of the site. Higher density development with reduced parking rates are supported within Urban Growth Centres and Major Transit Station Areas of the Region.

Regional Official Plan Amendment 6 (ROPA 6):

The subject lands are located within the Urban Growth Centre of Kitchener and are located within the Regional Council Adopted Central Station Major Transit Station Area (MTSA). The development concept proposes a higher density mixed-use development that contributes to the minimum density target established for the Urban Growth Centre Central Station MTSA of 200 people and jobs per hectare and 160 people and jobs per hectare respectively. As Urban Growth Centres and Major Transit Station Areas are identified as Strategic Growth Areas where the highest levels of growth and development will be directed, the Region is supportive of the increased density and uses within these areas. The density and mixed-uses proposed through these applications are supported within ROPA 6.

Development within Major Transit Station Areas are to be transit-supportive and prioritize access to the transit station. Regional staff understand that the development has street presence and includes pedestrian access to the sidewalk along Victoria Street South. In addition, the development concept proposes a reduction in the minimum required parking spaces and includes indoor bicycle stalls facilitating access

to multiple multi-use transit routes within the vicinity of the site. The development conforms to these policies.

Finally, the housing form proposed through these applications include apartment style residential units. The type of housing proposed through this development will contribute to the mix of housing form within this area. Furthermore, the addition of residential and commercial uses will add to the diverse mix of uses within the Central Station MTSA.

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:

Record of Site Condition/Environmental Threats

There are medium and high environmental threats located on the subject lands due to past land uses according to the Region's Threats Inventory Database. Regional staff acknowledge that the applicant is proposing a density increase of a sensitive land use on the property that contains a medium and high environmental threat; therefore, a Record of Site Condition and Ministry Acknowledgement Letter shall be required for the entirety of the subject lands prior to the approval of the Zoning By-law Amendment.

The Region acknowledges that the applicant has included a Holding Provision on the entirety of the subject lands until the RSC has been filed with the Ministry of Environment, Conservation and Parks and the RSC and Ministry Acknowledgement letter have been submitted to the satisfaction of the Regional Municipality of Waterloo. The Region is supportive of this Holding Provision and 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 on or after July 1, 2011 and the Ministry Acknowledgement letter has been submitted to the satisfaction of the Region.

Please ensure the lands that are to be dedicated as part of the road widening and daylight triangle to the Region of Waterloo are excluded from the Record of Site Condition required above.

Corridor Planning

Environmental Noise:

Regional staff have reviewed the study entitled "Environmental Noise Feasibility Assessment, 130-142 Victoria Street South, Kitchener, Ontario" dated March 23, 2022, completed by Gradient Wind Engineers & Scientists in support of the above noted Official Plan and Zoning By-law Amendment and have the following comments that must be addressed as part of the detailed design stage:

The study notes the correct major source of roadway traffic in the area is Victoria Street South and Park Street, but references noise from the CN Huron Park Spur Line, which is too far away. The area of influence for a spur rail line is 250m. The report must be updated accordingly.

In addition, the report indicated that the noise levels along Victoria Street South exceed the noise level guidelines and require noise warning clauses and specific building components incorporated into the design and construction of the site. The report does not include a section on the recommended building facade components, but contains a brief note in the Conclusions and Recommendations section that “Standard OBC 2020 compliant double pane windows will be sufficient to maintain indoor sound levels to acceptable levels. These windows typically have STC rating of more than 30.” Please provide more specifics related to the building components recommended and the façade construction assumptions used to come to the STC ratings.

Stationary Noise:

Regional staff have reviewed the study entitled “Environmental Noise Feasibility Assessment, 130-142 Victoria Street South, Kitchener, Ontario” dated March 23, 2022, completed by Gradient Wind Engineers & Scientists in support of the above noted applications and have the following comments:

Impacts from Existing Stationary Noise Sources

GO Layover Site

The existing GO layover site is located sufficiently from the development that the noise impacts from idling locomotives are expected to be insignificant and the report concluded that the noise levels at the subject lands are approximately 49 dBA, well below the specific NPC-300 stationary noise level criteria of 55 dBA for layover sites.

Hardware Store, Storage Yard - 166 Park Street

A sample calculation was performed utilizing Equation 1 and a reference impulsive sound power level of 104 dBA, equal to 72 dBA at 15 m, to extrapolate noise levels at the study site. This results in a noise level of 43 dBA at the study site, falling below the NPC-300 exclusionary limits summarized in Table 1 of the assessment. Furthermore, the property is beyond the 70 m potential influence area for Class 1 industries, as defined by the D-Series guidelines.

The adjacent property at 305 Joseph Street may also be a Class 1 industry, however this property already has an Environmental Compliance Approval (ECA) for air (ECA #4613-C8VMEP) and no sources of stationary noise are identified.

Adjacent Condominium Buildings

HVAC equipment on surrounding condominium buildings includes air-handling units, cooling towers and emergency generators, which are typically the greatest contributors.

These sources will have been designed with mitigation for the surrounding condominium towers, such as noise screens or silencers. Because the study site has similar or greater setback distance, it is expected to be compatible with these existing properties.

Although detailed building designs have yet to be provided, the study did not identify potential on-site noise sources such as cooling towers; air handling equipment and underground garage exhaust system that may be associated with the development. These will require further assessment to determine any impacts to the on-site and off-site sensitive receptors.

Regional Staff recommend that the assessment of these aspects of the proposal including the mitigation detail (if any) be further studied through a detailed stationary noise study and that a Holding Zone be implemented until this information is obtained all to the satisfaction of the Regional Municipality of Waterloo.

Regional staff are satisfied with the conclusions and recommendations within the Noise Impact Study at this stage (Official Plan and Zoning By-law Amendment stage) subject to the implementation of a Holding Provision for a detailed Stationary Noise Study. The detailed noise study should include 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.

In addition to the above, Regional staff recommend the following noise-warning clause be registered on title for all dwelling units. It is recommended that the owner to enter into an agreement with the City of Kitchener and that the following clause(s) be included in agreements of Offers of Purchase and Sale, lease/rental agreements at the Site Plan stage and draft approval of Condominium application stage (if applicable).

1. *“Purchasers/tenants are advised that due to the proximity of the adjacent Commercial/Industrial facilities and Residential Tower roof-top units and other noise sources, sound from these facilities and roof-top units and other noise sources may at times be audible.”*
2. The Acoustical Consultant for the proposed development shall prepare a noise study addendum when floor plans, building elevations and mechanical drawings and equipment selections are available and confirm that mechanical equipment sound emissions comply with MECP Guideline NPC-300 at the development itself and other noise sensitive receptors in the neighbourhood.
3. That prior to the issuance of any building permits, the City of Kitchener’s Building Inspector will certify that the noise attenuation measures (if any) are incorporated in

the building plans and upon completion of construction, the City of Kitchener's Building Inspector will certify that the dwelling units have been constructed accordingly.

Regional Road Dedication:

The subject lands have direct frontage on Victoria Street South (Regional Road 55) which has a dedicated road width of 26.213m (86ft) in accordance with Schedule 'A' of the Regional Official Plan. The existing Victoria Street South right-of-way measures approximately 20.117m (66ft) and Regional staff estimate that an approximate road dedication of 3.048m (10 ft) is required across the entire property frontage of Victoria Street South. In addition, a daylight triangle measuring 7.62m x 7.62m (measured after the road widening) is also required at the intersection of Victoria Street South and Bramm Street (the intersection), but the Region can accept a 5m x 5m or 3m x 3m daylight triangle at the intersection of Bramm and Victoria Street South due to the constrained nature of this site and its location within the historic area of Kitchener.

The concept plans provided with the application appear to show a number of building features (e.g. doorways) that abut the Victoria Street South right-of-way. Please ensure that the proposed building features are located fully within the private property including and doorways and architectural features. Please ensure that all site features (e.g. below, at and above grade) are all located on private property.

In addition, please be advised that a Phase I ESA (and possibly a Phase II ESA) shall be required for the portion of lands to be dedicated to the Region of Waterloo. Please ensure the lands that are to be dedicated to the Region of Waterloo as indicated above are excluded from the Record of Site Conditions required above.

Access Permit/TIS/Access Regulation:

The subject lands currently have access to Victoria Street South, which is a road under the jurisdiction of the Regional Municipality of Waterloo with one access to Bramm Street (under the Jurisdiction of the City of Cambridge). The drawings and plans provided in support of the Official Plan Amendment and Zoning By-law Amendment Application propose the amalgamation and closure of the existing accesses with one new vehicular access on the westerly side of the property along Victoria Street South and an access to the shared laneway from Bramm Street. Regional staff have no objection to the amalgamation and closure of existing accesses with one new vehicular access on the westerly side of Victoria Street South as it is currently proposed.

In addition to the above, a Transportation Impact Study and Transportation Demand Management study entitled "130-142 Victoria Street South, Kitchener, ON, Transportation Impact Study, Parking Study & Transportation Demand Management Plan" dated December 2021, completed by Paradigm Transportation Solutions Limited has been submitted in support of the application. Regional staff have no objection to

the report at this stage (Official Plan Amendment and Zoning By-law Amendment stage). Detailed comments will be provided under separate cover.

Please be advised that if any improvements to the Regional Road network are identified through the study and approved by the Region of Waterloo, the developer may be responsible for any financial and property requirements associated with the road improvements. In addition, please be advised that the TIS review fee of \$500.00 has been received (and deposited) by the Regional Municipality of Waterloo.

Stormwater Management and Site Grading:

Regional staff have reviewed the report entitled “Functional Servicing and Stormwater Management Report” dated November 30, 2021, completed by WalterFedy in support of the above noted Official Plan Amendment and Zoning By-law Amendment applications. Regional staff accept the report at this stage and detailed comments regarding the report will be sent through the future site plan application.

Transit Planning:

Grand River Transit (GRT) currently operates Route 20 along this section of Victoria Street South with an existing transit stop within close proximity to the subject lands. GRT staff have been circulated this application and specific Regional conditions of approval related to transit will be provided through a future site plan application.

Region of Waterloo Transportation Capital Program

This section of Victoria Street South is identified within the Region’s 10-Year Transportation Capital Program for reconstruction in 2029. For additional information regarding this project, please contact William Gilbert at wgilbert@regionofwaterloo.ca

Region of Waterloo International Airport/NAV Canada:

Although the proposed development falls outside of the Region of Waterloo International Airport, NAV Canada requires to be notified of the construction of buildings and the use of construction cranes for development above 30.48m (100 ft) above ground level. The developer of the project must complete and submit a Land Use Submission form to NAV Canada. The form can be found here:

<https://www.navcanada.ca/en/products-and-services/Pages/land-use-program.aspx>.

Hydrogeology and Source Water Programs:

Due to the potential for contamination on the subject lands (as described above) Regional staff require a prohibition on geothermal energy systems 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.

Regional Water Services:

Regional Water Services staff understand that the applicant has proposed a connection to local services available from Bramm Street and have no objection to the application. Please be advised that no connection to the 600 mm Regional watermain on Victoria Street South 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 recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs.

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 \$576,347.

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 \$7,900.00 (Official Plan Amendment, Zoning By-law Amendment, Environmental Noise and TIS review fees).

Conclusions:

Based on comments above, the Region has no objection to the Official Plan Amendment and Zoning By-law Amendment Applications subject to the implementation of the following:

1. Holding Provision related to 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) in accordance with O. Reg. 153/04, as amended, has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry on or after July 1, 2011 and the Ministry Acknowledgement letter has been submitted to the satisfaction of the Region.

2. Holding Provision related to the detailed stationary noise study. The required wording is:

That a holding provision shall apply to the entirety of the subject lands until a detailed 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 the development on itself (e.g. HVAC system on the sensitive points of reception) and the impact of the development on the adjacent sensitive land uses.

3. The implementation of a geothermal well prohibition. 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 to the above, 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. 1936026 Ontario Inc. C/O Mathew Laing (Owner)
Victor Labreche, IBI Group (Applicant)



April 20, 2022

Katie Anderl
Senior Planner
City of Kitchener
200 King Street West
Kitchener ON N2G 4V6
katie.anderl@kitchener.ca

**Re: Official Plan Amendment OPA22-004-V-KA
Zoning Bylaw Amendment ZBA22-006-V-KA
130-142 Victoria Street South
1936026 Ontario Inc.**

Dear Ms. Anderl,

The Grand River Conservation Authority (GRCA) staff have reviewed the above-noted application for a 25-storey, mixed-use development.

Recommendation

We have no objections to the application.

Documents Reviewed by Staff

Staff have reviewed the following documents submitted with this application:

- Topographic survey (JD Barnes, June 17, 2021)
- Functional Survey and Grading Plans (WalterFedy, revised February 1, 2022)
- Architectural Package (Core Architects, December 17, 2021)

This submission follows our pre-consultation comments on July 26, 2021.

GRCA Comments

The GRCA has reviewed this application as per our Provincial delegated responsibility to review natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a public body under the Planning Act, and in accordance with Ontario Regulation 150/06, GRCA's Board approved policies, and our MOU with the Region of Waterloo.

The properties are located in the flood fringe portion of a two-zone floodplain policy area. Development may be permitted in the floodplain subject to meeting the requirements set out in the Kitchener Official Plan (OP). The functional grading plan demonstrates the building and underground parking will be floodproofed, and the topographic survey demonstrates that safe access along Victoria Street South and Bramm Street is available.

As part of a subsequent site plan application, the GRCA requests the following details:

- Revising the architectural cross-section plans to show geodetic elevations;
- Demonstration that:
 - Elevator access to the below-grade parking is prevented during flooding;
 - Sump pump facilities are included; and,
 - Electrical and mechanical services are floodproofed.

This is considered a minor official plan / zoning bylaw amendment. Consistent with GRCA's 2022 approved fee schedule, we will invoice the applicant \$445 for our review. A separate fee will be required for a GRCA permit.

We trust this information is of assistance. If you have any questions or require additional information, please contact me at 519-621-2763 ext. 2292 or theywood@grandriver.ca.

Sincerely,



Trevor Heywood
Resource Planner
Grand River Conservation Authority

cc: Victor Labreche, IBI Group

From: Planning <planning@wcdsb.ca>
Sent: Friday, May 6, 2022 4:06 PM
To: Katie Anderl
Subject: [EXTERNAL] RE: REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)
Attachments: RE: Notice of Pre-submission Consultation - 130, 138 & 142 Victoria Street South (OPA/ZBA)

Good Afternoon Katie,

The Waterloo Catholic District School Board has reviewed the subject application and have no further comments beyond those submitted for the pre-submission consultation.

I have attached those comment for reference to this e-mail.

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: Thursday, April 14, 2022 10:13 AM
To: 'CNR' <proximity@cn.ca>; _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' <gcameron@kwhydro.on.ca>; Laura Anderson <Laura.Anderson@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>; 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: REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)

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My apologies – original email contained incorrect ShareFile link. This has now been corrected – see below.

Please see attached. Additional documentation is saved in [ShareFile](#). 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



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From: WRDSB Planning <planning@wrdsb.ca>
Sent: Tuesday, May 3, 2022 4:14 PM
To: Katie Anderl
Cc: Christine Kompter; Planning
Subject: [EXTERNAL] Re: [Planning] REVISED: Circulation for Comment - 130-142 Victoria Street South (OPA/ZBA)



May 5, 2022

Re: Notice of Application for Zoning By-law and Official Plan Amendment

File No.: ZBA22/006/V/KA and OPA22/004/V/KA
Municipality: City of Kitchener
Location: 130-142 Victoria Street South
Owner/Applicant: 1936026 Ontario Inc.

Dear Katie Anderl,

The Waterloo Region District School Board (WRDSB) has reviewed the above-noted application that proposes the development of a 25 storey mixed use development including 4 ground floor commercial units, second floor office space, and 249 dwelling 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 Public School (Junior Kindergarten to Grade 6)
- Margaret Avenue Public School (Grade 7 to Grade 8)
- Kitchener-Waterloo C.I. (Grade 9 to Grade 12)

The WRDSB's [2020-2030 Long-Term Accommodation Plan](#) anticipates residential development intensification along this segment of the ION and the area will continue to be monitored closely. Interim student accommodation measures, including portable classrooms, may be required until an alternative accommodation solution is in place. Alternatively, the WRDSB may conduct a boundary study or designate this property as a "Development Area" and assign it to Holding Schools before occupancy or sales.

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. WRDSB staff are interested in engaging in a conversation with the City of Kitchener, and applicant to review the optimization of pedestrian access to public transit, and municipal sidewalks so students may access school bus pick-up points.

Student Transportation Services of Waterloo Region (STSWR)'s school buses will not travel privately owned or maintained rights-of-way 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 rights-of-way.

WRDSB Conditions

Concerning any **future declaration or site plan agreement**, the WRDSB requests the following inclusions:

1. That the Owner/Developer shall include the following wording in the condominium declaration to advise all purchasers of residential units and/or renters of same:
 - a. *“Despite the best efforts of the Waterloo Region District School Board (WRDSB), accommodation in nearby facilities may not be available for all anticipated students. You are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may, in future, be transferred to another school.”*
 - b. *For information on which schools are currently serving this area, contact the WRDSB Planning Department at 519-570-0003 ext. 4419, or email planning@wrdsb.ca. Information provided by any other source cannot be guaranteed to reflect current school assignment information.*
 - c. *“In order to limit liability, public school buses operated by the 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 students, and potential busing students will be required to meet the bus at a congregated bus pick-up point.”*
1. That the Owner/Developer enters into an agreement with the City of Kitchener to be registered on the title to the Property that provides:
 - a. *“All agreements of purchase and sale or leases for the sale or lease of a completed home or a home to be completed on the Property must contain the wording set out below to advise all purchasers of residential units and/or renters of same.”*
 - i. *“Despite the best efforts of the Waterloo Region District School Board (WRDSB), accommodation in nearby facilities may not be available for all anticipated students. You are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may, in future, be transferred to another school.”*
 - ii. *For information on which schools are currently serving this area, contact the WRDSB Planning Department at 519-570-0003 ext. 4419, or email planning@wrdsb.ca. Information provided by any other source cannot be guaranteed to reflect current school assignment information.*
 - iii. *“In order to limit liability, public school buses operated by the 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 students, and potential busing students will be required to meet the bus at a congregated bus pick-up point.”*
1. That in cases where Agreements of Purchase and Sale have already been executed, the Owner/Developer sends a letter to all purchasers which include the above statements
2. That the Owner/Developer supply, erect and maintain a sign (at the Owner/Developer's expense and according to the WRDSB's specifications), near or affixed to the development sign, advising prospective residents about schools in the area and that prior to final approval, the Owner/Developer shall submit a photo of the sign for review and approval of the WRDSB.
3. Prior to final approval, the WRDSB advises in writing to the Approval Authority how the above condition(s) has/have been satisfied.

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](#) 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.

Sincerely,



Emily Bumbaco

Senior Planner

Pronouns: she/her

Waterloo Region District School Board

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Website: www.wrdsb.ca

On Thu, Apr 14, 2022 at 10:13 AM Christine Kompter <Christine.Kompter@kitchener.ca> wrote:

My apologies – original email contained incorrect ShareFile link. This has now been corrected – see below.

Please see attached. Additional documentation is saved in [ShareFile](#). Comments or questions should be directed to **Katie Anderl**, Senior Planner (copied on this email).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener

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