

Craig Dumart

From: Christine Goulet
Sent: Wednesday, July 19, 2023 1:33 PM
To: Craig Dumart
Subject: 332 Charles St E - OPA/ZBA

Hi Craig,

Engineering and Kitchener Utilities have reviewed the functional servicing and water distribution and find it acceptable. The development is approved for a maximum sanitary peak flow of 6.24L/s.

Thanks,

Christine Goulet, C.E.T.

Project Manager | Development Engineering | City of Kitchener
519-741-2200 Ext. 7820 | TTY 1-866-969-9994 | christine.goulet@kitchener.ca



Craig Dumart

From: Trevor Heywood <theywood@grandriver.ca>
Sent: Thursday, June 15, 2023 8:52 AM
To: Craig Dumart
Subject: RE: Circulation for Comment - 332 Charles Street East (OPA/ZBA)

Hey Craig,

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

Thanks,

Trevor Heywood

Resource Planner
Grand River Conservation Authority

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Wednesday, June 14, 2023 4:20 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Heuchert <Dave.Heuchert@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Kayes <Ellen.Kayes@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Planning <planning@grandriver.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; Tom Ruggle <Tom.Ruggle@kitchener.ca>; UW-WUSA (Feds) (<pres@wusa.ca> <pres@wusa.ca>); WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (<elaine_burns@wrdsb.ca> <elaine_burns@wrdsb.ca>); WRDSB - Planning <planning@wrdsb.ca>
Cc: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: Circulation for Comment - 332 Charles Street East (OPA/ZBA)

Please see attached. Additional documentation can be found in AMANDA folders 23-113009 & 23-113013 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener
200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7
519-741-2200 ext. 7425 | TTY 1-866-969-9994 | christine.kompter@kitchener.ca



Craig Dumart

From: Deeksha Choudhry
Sent: Friday, July 14, 2023 4:07 PM
To: Craig Dumart
Subject: Fw: Circulation for Comment - 332 Charles Street East (OPA/ZBA)
Attachments: department & agency letter -332 Charles Street East.pdf

Hi Craig,

No heritage planning concerns or issues for this application.

Thanks,

Kind Regards,

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



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

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Wednesday, June 14, 2023 4:20 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Heuchert <Dave.Heuchert@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Kayes <Ellen.Kayes@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; Tom Ruggle <Tom.Ruggle@kitchener.ca>; UW-WUSA (Feds) (pres@wusa.ca) <pres@wusa.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>



Region of Waterloo

PLANNING, DEVELOPMENT
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Community Planning

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Melissa Mohr 1-226-752-8622

File: D17/2/23007

C14/2/23011

July 19, 2023

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

Dear Mr. Dumart,

**Re: Proposed Official Plan Amendment OPA 23/10 and
Zoning By-law Amendment ZBA 23/016
332 Charles Street
MHBC Planning (C/O Pierre Chauvin) on behalf of 332
Charles Street GP Inc. (C/O Vive Developments)
CITY OF KITCHENER**

MHBC Planning has submitted a site-specific Official Plan Amendment and Zoning By-law Amendment Application for a development proposal at 332 Charles Street (referred to as subject lands) in the City of Kitchener.

The applicant has proposed to demolish the existing building located on site to construct a 17-storey residential building that is to contain 163 residential units, 63 vehicular parking spaces and 170 bicycle parking spaces. Two ground floor commercial units have been proposed along Charles Street East with pedestrian access from Charles Street East. Vehicular access is proposed from Betzner Avenue South.

The subject lands are located in the Urban Area and designated Built Up Area in the Regional Official Plan. The site is designated Mixed Use Corridor in the King Street East Secondary Plan of the City of Kitchener Official Plan and zoned High Intensity (MU-3)

Document Number: 4436461

Version: 1

Zone with Special Regulation 544R in the Zoning By-law. The Applicant has requested an **Official Plan Amendment** to add a special policy to permit an FSR of 8.8 (whereas the maximum FSR is 4.0). The Applicant has requested a **Zoning By-law Amendment** to add special use provisions for a maximum floor space ratio of 8.8; a reduction in parking to 0.4 spaces/dwelling unit with 8% of the required parking as visitor parking; to permit a rear yard building setback of 3 metres; and, to permit a stairwell setback of 0 metres.

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

Regional Comments

Consistency with Provincial Legislation and Regional Official Plan Conformity

The subject lands are designated “Urban Area” and “Built Up Area” on Map 1 and Map 2 of the Regional Official Plan (ROP) and the site is designated Mixed Use Corridor in the King Street East Secondary Plan of the City of Kitchener Official Plan. The subject lands are also located within the Kitchener Market Major Transit Station Area (MTSA).

Built Up Area Policies:

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

Major Transit Station Area Policies:

The subject lands are located in the Kitchener Market Station Major Transit Station Area (MTSA). The minimum density target within the Market Station MTSA is 160 people and jobs/ha. The density proposed through this application exceeds the density target of 160 people and jobs/ha on a site specific basis and the proposed development will contribute to the achievement of the overall density target for the Kitchener Market Station MTSA.

This development proposes a higher density mixed use residential/commercial development with apartment units that includes ground floor commercial space adjacent

to Charles Street. Higher density, mixed use developments are encouraged within MTSA's through the policy framework contained in the ROP.

In addition to the above, Regional staff have the following technical comments for review:

Environmental Noise (Road and Stationary Noise) Study:

An Environmental Noise report entitled "Noise Feasibility Study, Traffic and Stationary Sources, Proposed Mixed Use Development, 332 Charles Street East, Kitchener, Regional Municipality of Waterloo, Ontario" prepared by HGC Engineering, dated May 12, 2023 has been received. Regional staff require the peer review fee of \$4,520.00. Once the review fee has been received, the study will be sent to the peer reviewer, with comments generally being received within three (3) weeks of the noise study being sent.

In the absence of the fee and peer review comments, Regional staff shall require the implementation of a holding provision until the noise study has been reviewed and implementation measures accepted to the satisfaction of the Region. The required wording for the holding provision is:

That a holding provision shall apply to the entirety of the subject lands until a detailed transportation (road) and stationary noise study has been completed and implementation measures recommended to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

Please be advised that once the Region is in receipt of a satisfactory Environmental Noise study, any accepted mitigation measures shall be implemented within the building through the site plan and building permit process and secured through registered development agreement with the Region of Waterloo through a future consent or condominium application.

Corridor Planning:

Official Plan Amendment and Zoning By-law Amendment Stage:

Stormwater Management and Site Grading:

The Site Servicing Feasibility Study entitled "Site Servicing Feasibility Study, Proposed Mixed Use Building Development" prepared by SBM, dated May 9, 2023, revision dated June 29, 2023, has been reviewed by Regional staff. The following comments relating to the study are provided at this time:

Water Service:

Water service is proposed from a 600mm watermain on the north side of Charles Street. Please note that the 600mm watermain on the north side of the road is a Regional transmission watermain, and **no services are permitted to be connected to this Regional transmission watermain.** Therefore, City of Kitchener staff (water division) must confirm that the water service for the proposed development can connect to the City of Kitchener 300mm watermain, rather than the 600mm watermain.

In addition, it is necessary to extend a lateral water and storm service connection under the ION (LRT) tracks (towards the west). These lateral connections must be directionally drilled, not open-cut. The Region must review and approve the servicing drawings for depth and potential conflict with LRT infrastructure.

Storm Service:

The report in notes that stormwater management quantity controls will be designed to attenuate the increase in storm flows from post to pre-development levels for the 5 to 100-year storm flow (section 4.1 of the report). In addition, the report indicates that detailed stormwater management calculations and grading design will be prepared at the time of detailed design for Site Plan Approval (section 4.2 of the report).

The report indicates that full retention of the storm flows generated from the increased building footprint might not be possible. Regional staff advise that the Regional storm system is designed to receive only the flows from the Regional right-of-way and is generally not sized to receive any flows from private development. **The consultant must confirm that the Detailed SWM Report will be designed not to cause any additional storm flows than the existing flows from the subject lands.**

Furthermore, the report must include preliminary grading plans showing the areas and the approximate quantities of the storm flows under the existing conditions. In addition, final confirmation regarding how and to which of the existing storm sewers (existing 375mm and 2100mm) the storm connection from the proposed development will be connected. The report should provide the details of the existing storm service connections from the subject lands.

Based on the above, the Region requires clarification on the water connection and storm flows within the Functional Servicing Report and the FSR is not acceptable at this stage (Official Plan Amendment and Zoning By-law Amendment stage). To address the region's concerns relating to the Site Servicing Feasibility

study, a holding provision is required. The required wording of the holding provision shall be:

That a holding provision shall apply to the entirety of the subject lands until a detailed Site Servicing Study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo.

Please be advised that Regional approval is required at the site plan stage through a separate process of Municipal Consent.

Regional Road Dedication:

Through Regional Official Plan Amendment Number 5 (ROPA 5), Schedule 'A'- "Designated Road Allowances", was updated and the road allowance widths and dedication requirements changed in this section of Charles Street East. Although the dedication of the roadway can be deferred to the site plan stage, a dedicated widening of approximately 3.5m (amended through ROPA 5) shall be required to comply with the designated road width for Charles Street of 30.0m as indicated in the Regional Official Plan. The exact road dedication must be determined by an Ontario Land Surveyor (OLS) with all plans being clearly labelled with the existing and future property lines. **Please note that the concept plans submitted with the Official Plan Amendment and Zoning By-law Amendment application show an approximate dedication of 1.5m. The site plan must be updated to reflect the appropriate road dedication (approximately 3.5m) at this stage (Official Plan Amendment and Zoning By-law Amendment Stage). The concept plan shall be updated to reflect the in effect road widening as prescribed in Schedule A of the ROP available here:** https://www.regionofwaterloo.ca/en/resources/Updated-Schedule-A_August-2021_ROPA-5.pdf.

Please note that no encroachments into the Region's right-of-way shall be permitted. Further details regarding this matter can be found below.

Site Plan Application Stage:

Stormwater Management and Site Grading

Pending approval of the Functional Servicing Feasibility Report, a Detailed Stormwater Management Report and Detailed Grading Plans shall be required for review and approval by the Region.

Access Permit/TIS/Access Regulation:

Please be advised that a Regional Road Access Permit shall be required for the closure of the existing access to Charles Street East with no cost for the permit to close the

existing access; however, the Owner/Applicant is responsible for all construction costs relating to the access closure.

The application form for a Regional Road Access Permit can be found on the Region of Waterloo website <https://www.regionofwaterloo.ca/en/doing-business/applications-licences-and-permits.aspx>.

Regional Road Dedication:

At this location, Charles Street East (Regional Road 64) has a designated road width of 30.0m between Cedar Street to Ottawa Street in accordance with Schedule 'A' of the Regional Official Plan (ROP). The existing Charles Street East right-of-way width varies at this location; however, a road dedication of approximately 3.5m is required along the Charles Street East frontage. Please be advised that the exact amount of road widening must be determined by an Ontario Land Surveyor (OLS) in consultation with the Regional Transportation Planner.

The concept plans submitted with the application currently show an approximate road dedication of 1.5m, and this must be updated to show the exact amount of road dedication as indicated above. In addition, please be advised that no encroachment under, at or above the ground shall be permitted in the Regional road right-of-way. It is strongly advised that any walls or structures be designed accordingly, and any underground structures/foundations be located entirely on the subject lands (on private property) at an offset of 150mm (minimum) from the Regional property line.

The applicant must engage an OLS to prepare a draft Reference Plan, which illustrates the required road widening on Charles Street East. Prior to registering the Reference Plan, the OLS shall submit a draft copy of the plan for review by the Transportation Planner. In addition, please be advised that the dedication shall be transferred at the Owner's expense, and be free of encumbrance.

Transportation Demand Management (TDM):

Regional staff are supportive of pursuing further parking reductions using ZBL 2019-051, due to the site's proximity to an ION station. In addition, Regional staff generally support unbundled parking as an impactful TDM/Transit-Supportive measure for the site.

Subsidized Transit Passes were listed in the report as a potential TDM measure, and Regional staff wish to advise the applicant that this initiative requires a commitment from the owner/applicant to manage, administer, and **fund the full cost of monthly transit passes for residents**. If this is to be considered by the Applicant, further

consultation and confirmation of expectations between all three parties (Applicant, City, Region (GRT)) is required as soon as possible.

Car share was also included as a potential TDM measure. The most established car-sharing program in Waterloo Region is Communauto. Communauto offers unique programming to “launch” a car share vehicle through a business agreement with the property owner. The Applicant should contact Janet MacLeod at jmacleod@communauto.ca to learn more about opportunities available locally.

Transit Planning:

The transit stops in close proximity to the subject property were recently improved through the construction of the ION. GRT does not currently plan any further upgrades to these stops. In addition, please note that there are no requirements for easements or stop amenities for the subject development.

Regional Water Services Comments:

Please be advised that no connection to the Region’s watermain on Charlies Street East shall be permitted; therefore, a connection to local services shall be made.

Regional Cultural Heritage comments:

Please be advised that if archaeological resources are discovered during future development or site alteration of the subject property, the applicant will need to immediately cease alteration/development and contact the Ministry of Citizenship and Multiculturalism. If it is determined that additional investigation and reporting of the archaeological resources is needed, a licensed archaeologist will be required to conduct this field work in compliance with S. 48(a) of the Ontario Heritage Act.

In addition, if human remains/or a grave site is discovered during development or site alteration of the subject property, the applicant will need to immediately cease alteration and must contact the proper authorities (police or coroner) and the Registrar at the Bereavement Authority of Ontario in Compliance with the Funeral, Burial and Cremation Services Act, 2002 S. 96 and associated Regulations.

Housing Services

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

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

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

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

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

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

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

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

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

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

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income renter households	\$1,470
--	---------

A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$950 1-Bedroom: \$1,134 2-Bedroom: \$1,356 3-Bedroom: \$1,538 4+ Bedroom: \$3,997
--	--

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

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

Fees:

Please be advised that the Region is in receipt of the Official Plan Amendment review fee of \$7,000.00 and the Zoning By-law Amendment Review fee of \$3,000.00 (total \$10,000) received July 12, 2023.

Follow Up:

The Region requires an updated concept plans showing the correct road dedication of approximately 3.5m to ensure conformity with the Regional Official Plan.

Conclusions:

Once the above concerns relating to road dedication has been addressed, the following must be implemented within the Zoning By-law:

1. That a Holding Provision apply to the entirety of the subject lands until a transportation, rail and stationary noise study is acceptance of the study and related implementation measures to the satisfaction of the Regional Municipality of Waterloo. The required wording for the holding provision is:

That a holding provision shall apply to the entirety of the subject lands until a detailed transportation (road) and stationary noise study has been completed and implementation measures recommended to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

2. That a holding provision apply to the entirety of the subject lands until a detailed Site Servicing Study has been submitted to the satisfaction of the Region. The required wording for the holding provision is:

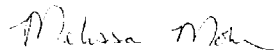
That a holding provision shall apply to the entirety of the subject lands until a detailed Site Servicing Study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo.

Next Steps:

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

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

Yours truly,



Melissa Mohr, MCIP, RPP
Senior Planner

C. MHBC Planning Inc. C/O Pierre Chauvin (Applicant), 332 Charles GP Inc. C/O Vive Developments (Owner)

Craig Dumart

From: Brandon Coveney <planning@wrdsb.ca>
Sent: Wednesday, June 14, 2023 5:50 PM
To: Craig Dumart
Cc: Christine Kompter
Subject: Re: [Planning] Circulation for Comment - 332 Charles Street East (OPA/ZBA)

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

June 14, 2023

Re: Circulation for Comment - 332 Charles Street East (OPA/ZBA)
Municipality: Kitchener
Location: 332 Charles Street East
Owner/Applicant: 332 Charles GP Inc.

Hi Craig,

The Waterloo Region District School Board (WRDSB) has reviewed the above-noted application that proposes amendments in order to facilitate the construction of a 17 storey building including 163 residential units. The WRDSB offers the following comments.

Student Accommodation

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

- Sheppard PS (Junior Kindergarten to Grade 6);
- Courtland Avenue PS (Grade 7 to Grade 8); and
- Cameron Heights CI (Grade 9 to Grade 12).

The WRDSB's 2020-2030 Long-Term Accommodation Plan provides information on student enrolment and accommodation at these schools. Please be advised that accommodation pressures exist at Cameron Heights CI and are projected to persist. Portable classrooms may be located on-site to provide additional capacity on an interim basis.

Noise and Debris

The proposed development is situated across the street from Cameron Heights CI on Charles St E - roughly 90 meters from the main facility. The WRDSB asks that the appropriate debris containment and noise considerations are enacted to avoid negative school site impacts.

Shadow Study

The WRDSB has reviewed the completed shadow study included within the urban design brief to assess the impact of the proposed development on the Cameron Heights CI school site and facilities. Based on the provided modelling, WRDSB does not have any concerns regarding the resultant shadows from the proposed development.

Student Transportation

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

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

Given the close proximity to a primary access point of Cameron Heights CI, the WRDSB asks that construction related vehicle traffic on Charles St E be scheduled to avoid peak drop-off and pick-up times. If needed, WRDSB can provide bell times for consideration.

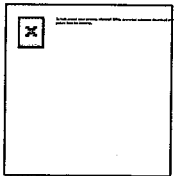
Education Development Charges

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

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

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

Regards,



Brandon Coveney

Senior Planner

Waterloo Region District School Board

51 Ardelet Avenue, Kitchener ON, N2C 2R5

Email: brandon_coveney@wrdsb.ca

On Wed, Jun 14, 2023 at 4:20 PM Christine Kompter <Christine.Kompter@kitchener.ca> wrote:

Please see attached. Additional documentation can be found in AMANDA folders 23-113009 & 23-113013 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

Craig Dumart

From: Dave Seller
Sent: Thursday, June 29, 2023 9:44 AM
To: Craig Dumart
Subject: OPA/ZBA comments: 332 Charles Street East

City of Kitchener

Application Type: Official Plan Amendment Application OPA23/010/C/CD
Zoning By-law Amendment Application ZBA23/016/C/CD

Project Address: 332 Charles Street East

Comments of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: June 29, 2023

- a. As part of a complete Zoning By-law amendment application, a Transportation Impact and Parking Study was submitted (May 2023) by Paradigm Transportation Solutions Limited in support of this OPA/ZBA application.

Development proposal

The applicant is proposing to develop a 17-storey mixed use building with 163 apartment units and ground floor commercial space. The development is estimated to generate 33 AM and 46 PM peak hour vehicle trips. For a conservative approach, no trips reduction were applied to the site. The site will be serviced by one full moves access along Betzner Avenue South and a total of 65 parking spaces are being proposed.

Intersection analysis

The intersection below was analyzed under existing and future traffic conditions.

- King Street East & Betzner Avenue South - unsignalized

Under 2023 existing traffic conditions, the AM and PM peak hour analysis indicated that the intersection is operating with acceptable levels of service and within capacity.

Under 2031 future background traffic and 2031 future total traffic conditions, the AM and PM peak hour analysis indicated that the intersection is operating with acceptable levels of service, within capacity and no critical traffic movements.

Left turn lane analysis

A left turn lane analysis was completed along King Street East at Betzner Avenue South, utilizing the Ministry of Transportation (MTO) Design Supplement for TAC Geometric Design Guide for Canadian Roads. The analysis determined that under the 2031 future total traffic conditions, a left turn lane along King Street East is not warranted. Transportation Services supports Paradigms recommendation.

Transportation Demand Management (TDM)

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 over 20 Grand River Transit (GRT) routes that are less than 500m from this development. The site also has access to ION 301 Kitchener Market and Borden Stations. These routes offer greater 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 on both sides of roadways in the surrounding area which provide connections to entertainment, employment and commercial uses.

Car sharing is another option available that allows someone to rent a vehicle that is intended to substitute the ownership of a personal private vehicle. This makes vehicle use affordable for occasional use. There is a car sharing station located near the site at King Street East and Cameron Street.

There is existing cycling in the area, as well as future cycling connections to the downtown cycling grid. To encourage cycling and take advantage of the cycling opportunities in the area, the applicant will be providing 82 Class A indoor secure bicycle parking spaces and 6 Class B outdoor bike parking spaces. Consideration be given to providing a portion of the Class A bicycle parking from within the units.

Parking supply analysis

Paradigms analysis indicates that other municipalities (Ottawa, Edmonton, London) have reduced their parking requirements when in proximity to Light Rail Transit, outside of the downtown core and within the downtown core. Based on this criteria and this developments location, a parking supply ranging from 0 to 84 parking spaces would be required.

To assist with reducing the vehicle parking supply, parking spaces must be unbundled for the cost of a unit. Unbundled parking allows residents to only pay for parking that they need, rather than the cost being automatically included in the unit.

On-street parking is available along King Street East, Betzner Avenue and Pandora Avenue should someone not be able to locate a visitor parking space on-site.

Conclusion

Based on the analysis and conclusions within the TIS, Transportation Services are of the opinion that this development will not negatively impact the surrounding road network. Also, based on the analysis and conclusions of zoning by-law requirements in other municipalities, parking demand forecasts, off-street parking supply, coupled with above TDM options, Transportation Services can support the proposed total parking supply of 65 spaces, of which, 52 are allocated for residents and 13 spaces for visitor parking. This equates to a parking ratio of 0.40 space per unit.

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

City of Kitchener
Zone Change Comment Form

Address: 332 Charles St E

Owner:

Application: OPA/ZBA

Comments Of: Urban Design- Planning

Commenter's Name: Pegah Fahimian

Email: Pegah.fahimian@kitchener.ca

Phone: 519-741-2200 Ext. 7342

Date of Comments: July 15, 2023

I plan to attend the meeting (questions/concerns/comments for discussion)

No meeting to be held

I do NOT plan to attend the meeting (no concerns)

1. Documents Reviewed:

- Architectural Drawings by NEO Architects Inc.
- Shadow Study by NEO Architects Inc.
- Urban Design Brief- MHBC, May 2023
- Wind Study - Pedestrian Level Wind- Boundary Layer Wind Tunnel Laboratory

2. Site-Specific Comments & Issues:

I have reviewed the updated/ revised documentation noted below that has been submitted in support of an OPA and ZBA to allow for a Floor Space Ratio (FSR) of 8.8 and proposing a Zoning By-law Amendment to Zoning By-law 85-1 to add a Special Use Provision to allow for; a maximum floor space ratio of 8.8; a reduction in parking to 0.4 parking spaces per dwelling unit with 8% of the required parking as visitor parking; and to permit a rear yard building setback of 3 meters and stairwell setback of 0 meters. The proposed amendments will allow for the development of 17 multiple-dwelling residential buildings with a Floor Space Ratio of 8.8 with 163 residential units, 65 vehicle parking spaces and 170 bicycle parking spaces.

3. Comments on Submitted Documents

There are key design considerations that must be addressed through a redesign of the site to create a more functional site for residents and ensure the project fits in the context of the neighbourhood, as detailed below:

The City's Tall Building Guidelines should be consulted to inform the revised design of the site with respect to the following:

- a. Tower design
- b. Podium characteristics

City of Kitchener
Zone Change Comment Form

Planning Justification Report: MHBC

Physical separation:

- The tall building design guidelines are an excellent compatibility test for proposals exceeding their zoning permissions. The proposal meets %76 of the required off-site separation.

Podium Design:

- From the urban design standpoint and activation of the streetscape, we support keeping the podium at three or four storeys and redistributing some of the units from the proposed tower to the podium. The height of the podium should be proportional to the right-of-way width. The podium height is normally expected to be in a range of 4 to 6 storeys in order to achieve a satisfactory human scale.
- Contemporary architectural style and details are to be refined through the site plan process. The building facades facing Charles Street should contain an appropriate amount of detailing and articulation, particularly at the podium and tower. Consider adding further architectural expression to the street-facing elevations; explore options to maximize interest and expressiveness of exposed podium facades. This can include strategically incorporating public art and visual elements into the exposed facades. For the podium design along Charles Street, you may utilize different digital art on the curtain wall with enhanced lighting to provide further detailing and a distinguished design.

Tower Design :

- The tower should step back from its base a minimum of 3m along any street-facing elevations.
- The proposed podium along Charles Street should be broken down using enhanced detailing and articulation.

Amenity area :

- Required amenity space calculations are contained in the Urban Design Manual and include two parts – one for a general amenity area and one for children’s play facilities in multiple residential developments. $(2m^2 \times \#units) + (2.5m^2 \times \#bedrooms - \#units) = \text{outdoor amenity space}$.
- The Urban Design Brief should include text and conceptual images that demonstrate the commitment to providing sufficient and appropriate amenity space for all potential residents on site
- Wind assessment is required for outdoor amenities and the pedestrian realm.

City of Kitchener
Zone Change Comment Form

Streetscape:

- Details of the streetscape are to be provided. Any streetscape elements proposed are to be reviewed.
- The area between the building's face and the property line should be well integrated with the street and public realm to deliver high-quality, seamless private, semi-private and public spaces.

Shadow Studies, NEO Architecture Inc,

The submitted study should indicate the date and months used for Shadow Analysis

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

A further quantitative wind study coupled with a detailed wind tunnel analysis will be required as part of the full site plan application package. Due to the site exposure and the height of the proposed development, wind speeds are expected to be higher than desired around all building corners. Mitigation measures that can help to reduce wind speeds are recommended in the submitted wind study.

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

4. Comments on Submitted Documents

Architectural Floor plans- NEO Architecture Inc,

- For tall buildings with retail or other active uses at grade, provide a ground floor height of 4.5m (minimum) to permit a variety of retail types and activities.
- The building facades fronting Charles Street should contain an appropriate amount of glazing and articulation, particularly along the lower 5m where the building addresses the sidewalk.
- The underground parking structure should have a sufficient setback from the property lines to accommodate the necessary soil volume to support required large-statured, high-canopy trees.
- The location of residential and commercial garbage storage, loading area and Passenger pick up /drop-off area should be noted on the site plan.
- The area between the building's face and the property line should be well integrated with the street and public realm to deliver high-quality, seamless private, semi-private and public spaces.
- Provide natural surveillance by employing high percentages of glazing, active uses at ground level and incorporating more units with windows and balconies on the main facade with views onto the street

City of Kitchener
Zone Change Comment Form

- The building 's interface and relationship with the street and adjacent properties should be thoroughly explored.
- 3-bed units are desirable as they provide more living space for families. A higher percentage of these units might help with community engagement.
- The proposed tower should have unique top features that are architecturally excellent, highly visible and makes a positive contribution to the image of Kitchener developing skyline.
- Provide materiality and texture shifts at the podium and across the towers and incorporate variations in tower setbacks from the base to distinguish the tower form from the podium.
- 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 proposed main entrance will be further enhanced to create visual interest at the street edge. (for example, cantilevered entrance canopy, corrugated-metal panels and fritted glass.
- Balconies may be staggered in a creative pattern to lighten the structure and provide private outdoor space for the units.
- All utility locations, including the meter room and transformer room to be shown on the layout. Building-mounted or ground-based AC units should be located away from public view and fully screened.
- Wind assessment and shadow study is required for outdoor amenities and the pedestrian realm.

Preliminary Comments

Craig Dumart

From: Dave Seller
Sent: Thursday, June 29, 2023 9:44 AM
To: Craig Dumart
Subject: OPA/ZBA comments: 332 Charles Street East

City of Kitchener

Application Type: Official Plan Amendment Application OPA23/010/C/CD
Zoning By-law Amendment Application ZBA23/016/C/CD

Project Address: 332 Charles Street East

Comments of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: June 29, 2023

- a. As part of a complete Zoning By-law amendment application, a Transportation Impact and Parking Study was submitted (May 2023) by Paradigm Transportation Solutions Limited in support of this OPA/ZBA application.

Development proposal

The applicant is proposing to develop a 17-storey mixed use building with 163 apartment units and ground floor commercial space. The development is estimated to generate 33 AM and 46 PM peak hour vehicle trips. For a conservative approach, no trips reduction were applied to the site. The site will be serviced by one full moves access along Betzner Avenue South and a total of 65 parking spaces are being proposed.

Intersection analysis

The intersection below was analyzed under existing and future traffic conditions.

- King Street East & Betzner Avenue South - unsignalized

Under 2023 existing traffic conditions, the AM and PM peak hour analysis indicated that the intersection is operating with acceptable levels of service and within capacity.

Under 2031 future background traffic and 2031 future total traffic conditions, the AM and PM peak hour analysis indicated that the intersection is operating with acceptable levels of service, within capacity and no critical traffic movements.

Left turn lane analysis

A left turn lane analysis was completed along King Street East at Betzner Avenue South, utilizing the Ministry of Transportation (MTO) Design Supplement for TAC Geometric Design Guide for Canadian Roads. The analysis determined that under the 2031 future total traffic conditions, a left turn lane along King Street East is not warranted. Transportation Services supports Paradigms recommendation.

Transportation Demand Management (TDM)

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 over 20 Grand River Transit (GRT) routes that are less than 500m from this development. The site also has access to ION 301 Kitchener Market and Borden Stations. These routes offer greater 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 on both sides of roadways in the surrounding area which provide connections to entertainment, employment and commercial uses.

Car sharing is another option available that allows someone to rent a vehicle that is intended to substitute the ownership of a personal private vehicle. This makes vehicle use affordable for occasional use. There is a car sharing station located near the site at King Street East and Cameron Street.

There is existing cycling in the area, as well as future cycling connections to the downtown cycling grid. To encourage cycling and take advantage of the cycling opportunities in the area, the applicant will be providing 82 Class A indoor secure bicycle parking spaces and 6 Class B outdoor bike parking spaces. Consideration be given to providing a portion of the Class A bicycle parking from within the units.

Parking supply analysis

Paradigms analysis indicates that other municipalities (Ottawa, Edmonton, London) have reduced their parking requirements when in proximity to Light Rail Transit, outside of the downtown core and within the downtown core. Based on this criteria and this developments location, a parking supply ranging from 0 to 84 parking spaces would be required.

To assist with reducing the vehicle parking supply, parking spaces must be unbundled for the cost of a unit. Unbundled parking allows residents to only pay for parking that they need, rather than the cost being automatically included in the unit.

On-street parking is available along King Street East, Betzner Avenue and Pandora Avenue should someone not be able to locate a visitor parking space on-site.

Conclusion

Based on the analysis and conclusions within the TIS, Transportation Services are of the opinion that this development will not negatively impact the surrounding road network. Also, based on the analysis and conclusions of zoning by-law requirements in other municipalities, parking demand forecasts, off-street parking supply, coupled with above TDM options, Transportation Services can support the proposed total parking supply of 65 spaces, of which, 52 are allocated for residents and 13 spaces for visitor parking. This equates to a parking ratio of 0.40 space per unit.

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City of Kitchener
Zone Change / Official Plan Amendment Comment Form

Address: 332 Charles St E
Owner: 332 Charles GP Inc
Application: OPA23/010/C/CD and ZBA23/016/C/CD

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

Date of Comments: July 18 2023

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

1. Documents Reviewed:

I have reviewed the documentation noted below submitted in support of an Official Plan Amendment and Zoning By-law Amendment to allow for the development of a 17-storey multiple dwelling residential building with a Floor Space Ratio of 8.8 with 163 residential units, 65 vehicle parking spaces and 170 bicycle parking spaces.

- Planning Justification Report
- Wind Study
- Urban Design Report
- Concept Site Plan and Floor Plans
- Noise Study
- Arborist Report

2. Site Specific Comments & Issues:

Parks and Cemeteries cannot support OPA23/010/C/CD and ZBA23/016/C/CD applications as submitted and revisions are required to the preliminary site layout, building design and relevant supporting documents (PJR, UDB, wind) to reflect required on-site active amenity spaces suitable for all ages.

The proposed development is within the King East Planning Community and, as identified in Places and Spaces: An Open Space Strategy for Kitchener, this Planning Community is currently underserved with active neighbourhood park space; the proposed redevelopment will exacerbate this deficit. The development proposed does not include any on-site common amenity space either indoor or outdoor and only 44% of units have a usable private balcony or terrace space.

The provision of on-site amenities and specifically common outdoor amenity space suitable to all ages, including children's play facilities, will be critical for future residents of the development and so that no adverse impacts are created for the existing neighbourhood. The preliminary site plan, building design, Planning Justification Report, Urban Design Brief and supporting technical studies such as the

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

Wind and Shadow analyses, should be revised to reflect and accommodate sufficient and suitable on-site outdoor amenity spaces. Sufficient conceptual details should be provided in the UDB to guide detailed design at the site plan stage.

In July 2022 an informal design charette meeting was held with City staff and the applicant's team. At this meeting Parks and Cemeteries indicated a concern with lack of outdoor amenity space shown on the preliminary concept plan and that active outdoor amenity space should be provided and the Planning Justification Report and/or Urban Design Brief should contain conceptual details for robust onsite amenity spaces. The design proposal that has been submitted in the formal OPA/ZBA application has not been revised to reflect required outdoor amenity spaces.

3. Policies, Standards and Resources:

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

4. Anticipated Fees:

Parkland Dedication

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

Parkland dedication is required for the application ***preferably as land within the Planning Community or 500m of the site.***

Dedication requirements are subject to the Parkland Dedication Policy and rates in effect. Please be advised that an updated Parkland Dedication Policy and By-law were approved by City of Kitchener Council on August 22 2022. This update includes but is not limited to changes to the classes of lands requiring Parkland Dedication, standard land assessment values for determining Parkland Dedication, Parkland Dedication exemption categories and transition provisions for in-progress applications. The Bylaw is under appeal. Further changes to the Bylaw may be required as a result of the Bill 23 – More Homes Built Faster Act.

City of Kitchener - Comment Form

Project Address: 332 Charles Street East

Application Type: OPA/ZBA

Comments of: Environmental Planning (Sustainability) – City of Kitchener

Commenter's name: Raida Chowdhury

Email: raida.chowdhury@kitchener.ca

Phone: 519-741-2200 ext. 7078

Written Comments Due: July 19, 2023

Date of comments: July 19, 2023

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

- Sustainability Statement, 332 Charles Street East, prepared by MHBC, dated May 19, 2023.

2. Comments & Issues:

I have reviewed the supporting documentation (as listed above) to support a OPA/ZBA application proposing 163 residential units, as well as 180 m² of commercial space, regarding sustainability and energy conservation, and provide the following comments:

- Although the Ontario Building Code (OBC) is progressive, going forward all developments will need to include energy conservation measures that go beyond the OBC as the City (and Region of Waterloo) strive to achieve our greenhouse gas reduction target.
- A Sustainability Statement (as per the City's Terms of Reference) will be required as part of a complete Site Plan Application which can further explore and/or confirm additional sustainability measures that are best suited to the development as the design evolves.
- **Upon review of the supporting documentation, the Official Plan and Zoning Bylaw Amendments can be supported as several sustainable measures have been proposed or are being considered for the development. However, further clarification is needed as the development progresses through the building design process and more details become available, particularly clarifying the following:**
 - o Whether the building envelope (wall, roof, and window thermal performance) will be designed beyond OBC requirements
 - o Whether the use of alternative water supply and demand management systems such as rainwater harvesting and grey water reuse, or readiness of the development to incorporate such systems in the future, will be considered
- The development considers or proposes several sustainable measures including:
 - o The compact and efficient design of an underutilized lands
 - o Individually metered units

- The use of low or no VOC paints and finishes to minimize air pollutants in interior materials
- On-site waste management, including garbage, recycling, and compost
- On-site secure bike parking promoting active transportation
- Potential items for consideration are:
 - Measures to incorporate net zero emissions or LEED standards
 - If further landscaped and/or green space can be incorporated
 - Roof design to support future Solar Panel installation
 - The use of low-flush toilets and low-flow shower heads
 - Electric vehicle parking spaces, fitted with re-charge stations

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>