



October 30, 2023

Committee of Adjustment  
City of Kitchener  
200 King Street West  
Kitchener ON N2G 4V6  
[CofA@kitchener.ca](mailto:CofA@kitchener.ca)

**Re: Minor Variance Application A2023-125  
787-851 King Street East, 432 Charles Street East & 5 Stirling Avenue South  
Kitchener Stirling Developments / Kitchener Charles Developments**

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

### **Recommendation**

The GRCA has no concerns with the application. Details around floodproofing have been requested as a condition of site plan approval.

### **Documents Reviewed by Staff**

Staff have reviewed the architectural plans (Kirkor, revised October 5, 2023) submitted with this application. We also reviewed a topographical survey (Van Harten, revised April 3, 2023) and site grading plan (WalterFedy, revised March 24, 2023) submitted with the related site plan application (SP23-035-S-KA).

### **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 south edge of 432 Charles Street East is affected by the Schneider Creek floodplain. This is in the flood fringe of a Two-Zone Floodplain Policy Area, which permits development subject to provincial, City and GRCA policy.

We understand part of the application is requesting relief from sightlines and daylight visibility triangles, as well as permission for a daycare use within lands affected by Special Regulation 1R.

Provincial, City and GRCA policy require residential buildings to be floodproofed, and sensitive institutional uses such as a daycare to be located outside of natural hazards. GRCA is satisfied that the applicant can meet these requirements in principle, but more detail has been requested as a condition of site plan approval. We believe this is sufficient to ensure the natural hazards policies applicable to the development are met.

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We received fees for our review of the site plan, and no further fees are required. 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](mailto:theywood@grandriver.ca).

Sincerely,



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Trevor Heywood  
Resource Planner  
Grand River Conservation Authority

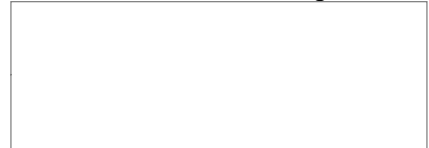
Encl. Resource Mapping  
September 15, 2023 GRCA Letter re: Site Plan Application SP23-035-S-KA

cc: Dave Aston, MHBC  
Melissa Visser, MHBC





787-851 King St E, 432  
Charles St E & 5 Stirling Ave S,

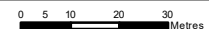


Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
  - Special Policy Area
- Slope Valley (GRCA)
  - Steep
  - Oversteep
  - Steep
- Slope Erosion (GRCA)
  - Oversteep
  - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

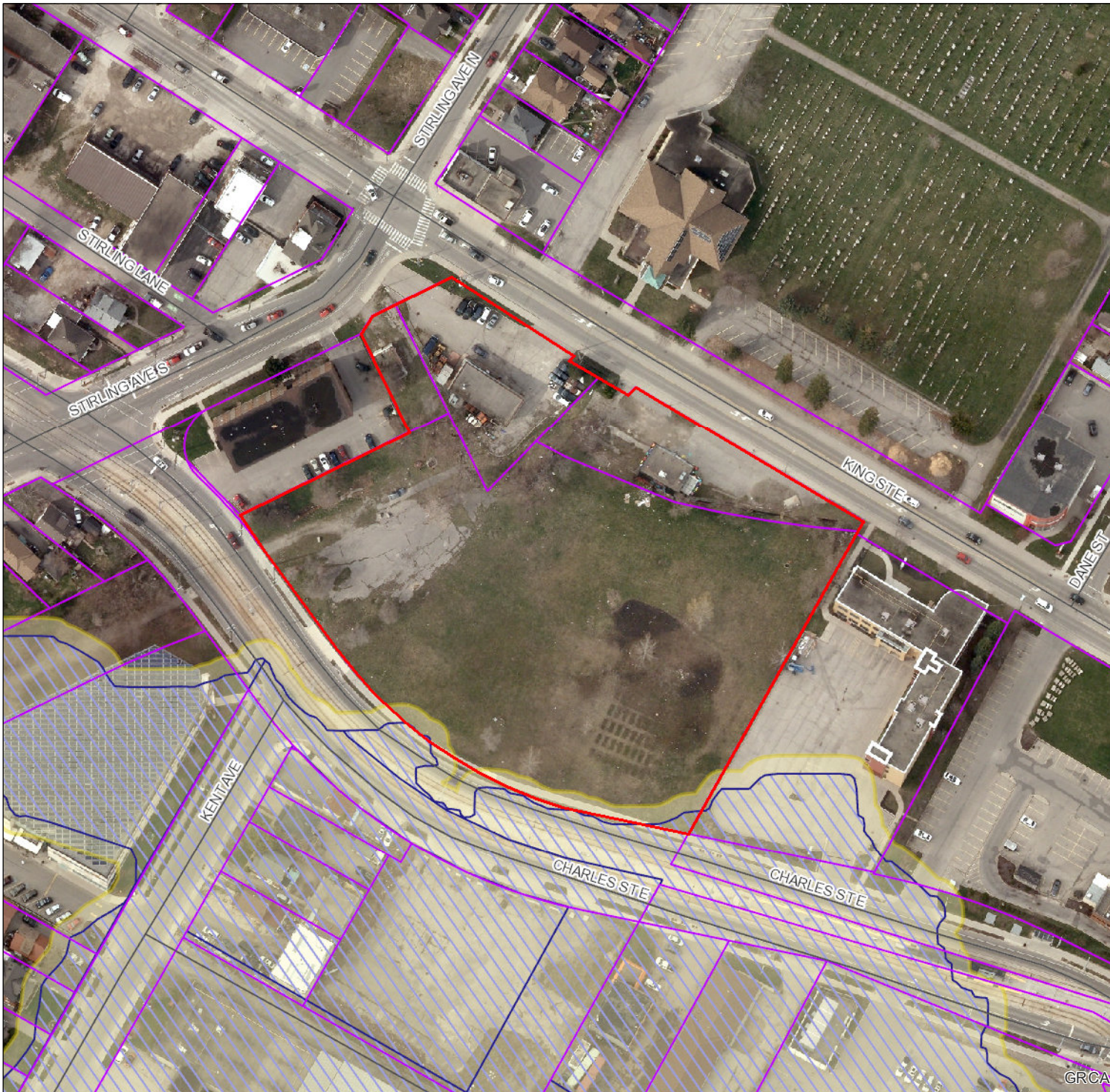
This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.  
The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>



NAD 1983 UTM Zone 17N

Scale: 1,552







September 15, 2023

Katie Anderl  
Senior Planner  
City of Kitchener  
200 King Street West  
Kitchener ON N2G 4V6  
[katie.anderl@kitchener.ca](mailto:katie.anderl@kitchener.ca)

**Re: Site Plan Application SP23-035-S-KA  
787-851 King Street East, 432 Charles Street East & 5 Stirling Avenue South  
Kitchener Stirling Developments / Kitchener Charles Developments**

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Dear Ms. Anderl,

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

### **Recommendation**

The GRCA recommends conditional approval of the site plan. Additional details will be required to demonstrate the building is floodproofed.

### **Documents Reviewed by Staff**

Staff have reviewed the following documents submitted with this application:

- Topographical Survey (Van Harten, revised April 3, 2023)
- Architectural Plans (Kirkor, revised August 21, 2023)
- Functional Grading Plan (WalterFedy, revised September 13, 2023)

### **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

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Regulation 150/06, GRCA's Board approved policies, and our MOU with the Region of Waterloo.

The south edge of 432 Charles Street East is affected by the flood fringe of the Schneider Creek floodplain. Site grading will alter the floodplain extent, but we consider these alterations minor. All other floor space (including residential floor space) is confirmed to be above the regulatory floodplain elevation (RFE).

There is one parking entrance to Tower A that is below the RFE, and will allow flood waters from a regulatory storm to extend into the building envelope, partially up the ramp to Floor P1. GRCA policy and practice typically requires residential parking structures in a two-zone flood fringe or Special Policy Area to have their entrances floodproofed at or outside of the building envelope.

Given the circumstances of the site grades, that there are two other dry accesses into the parking garage, and that this is an upward gradient ramp, we will permit this design. However, does not bind or imply that this is an accepted precedent and practice, or that GRCA permission will be granted for any other similar designs elsewhere in the watershed.

We will require additional details to verify that the building is floodproofed. As such, we recommend site plan approval, subject to the following condition:

1. Prior to any grading or construction on the site, the owners or their agents submit the following to the satisfaction of the Grand River Conservation Authority:
  - a) A detailed lot grading plan;
  - b) A letter from a professional engineer licensed in Ontario, stating that:
    - i. Floodplain-affected parking entrance ramp and building(s) will be floodproofed; and,
    - ii. The underground structure is designed for controlled seepage and filling by flood waters;
  - c) Additional plans and/or letters demonstrating:
    - i. The flood-affected parking entrance ramp has no openings below the regulatory floodplain elevation;
    - ii. Underground access by elevator during flood events is prevented;
    - iii. The underground structure contains facilities for pump out;
  - d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the GRCA prior to grading or construction in a regulated area.

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](mailto:theywood@grandriver.ca).

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Heywood', written over a horizontal line.

Trevor Heywood  
Resource Planner  
Grand River Conservation Authority

cc: Dave Aston, MHBC