



PLANNING, DEVELOPMENT
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Community Planning

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Melissa Mohr 1-226-752-8622
File: D1920/2/24204

March 26, 2024

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

Dear Mr. Dumart,

**Re: Proposed Vacant Land Plan of Condominium
30CDM-24204
20 Ottawa Street North
Zehr Group C/O Kevin Muir on behalf of 20 Ottawa GP
Inc. (General Partner of 20 Ottawa LP)
CITY OF KITCHENER**

The Region has prepared the following comments relating to the above noted Vacant Land Plan of Condominium at 20 Ottawa Street North in Kitchener. The purpose of these comments is to identify any items that need to be address prior to draft approval and those that can be imposed as conditions of approval.

The applicant is proposing a vacant land plan of condominium consisting of three units accessed by a common element road. Unit 1 shall contain a 29 storey tower containing 301 residential dwelling units. Unit 2 shall contain a 6-storey building containing 120 residential dwelling units. Unit 3 shall contain a four (4) storey building containing 47 residential dwelling units. Internal drive aisles, landscaped areas, and walkways make up the common elements.

The subject lands are designated Urban Area and Delineated Built Up Area in the Regional Official Plan. Furthermore, the subject lands are located in the Borden Station Major Transit Station Area. In addition, the subject lands are designated Mixed Use Corridor in the King Street East Neighbourhood Secondary Plan in the City of Kitchener

Official Plan and zoned MU-3 with site specific regulation 777R and Holding Provision 92H in the City of Kitchener Zoning By-law. The subject lands were the subject of an Official Plan Amendment and Zoning By-law Amendment (OPA21/12 and ZBA21/18) which is now in force and effect (subject to the release of the holding provision). This site also has a conditionally approved Site Plan (Municipal File No. SP22/174/O/CD).

These comments relate to the Draft Plan of Vacant Land Plan of Condominium prepared by City of Kitchener; dated February 16, 2024:

Regional Comments

Community Planning

The subject lands are designated "Urban Area", and "Delineated Built Up Area" on Map 2 of the Regional Official Plan (ROP). The site is designated Mixed Use Corridor in the City of Kitchener Official Plan. Permitted uses of the Urban Area and Delineated Built-Up Area in the ROP include urban uses such as residential and commercial uses, among others.

Regional staff have no objection to the application, and have the following technical comments and conditions related to the proposal:

Corridor Planning:

Approval of the noise study, regional road dedication, lot grading and servicing plans, stormwater management report and access permits are being addressed through the concurrent site plan application (File No.SP22/174/O/CD). The Owner/Developer is advised that implementation measures associated with the Noise Study will need to be implemented as a condition(s) of draft plan approval.

Noise

Through the previously reviewed Official Plan Amendment and Zoning By-law Amendment, a holding provision was implemented on the subject lands to obtain a satisfactory detailed noise study. The most recent response to the submission of the noise study is attached to these comments. Regional staff require an updated report and the peer review fee for the third party review. The fee for this third party review is \$4,500 + HST (\$5,085.00 Total). Please submit payment for the third party review along with the updated noise report. Additional fees may apply depending on scope of review required.

Payment can be made either by cheque payable to the Region of Waterloo, or by contacting Ms. Peggy Walter (PWalter@regionofwaterloo.ca) via other methods at the time of submission.

Please be advised that the Owner/Developer is responsible for implementing all accepted noise mitigation measures as a condition of draft plan approval. Furthermore,

a development agreement may be required with the Regional Municipality of Waterloo and/or the City of Kitchener for the implementation of the accepted mitigation measures within the noise study, as a condition of draft plan approval.

Regional Cultural Heritage:

The Region does not require the submission of an archaeological assessment, however, the applicant should be made aware 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.

Hydrogeology and Salt Management:

As more than 8 surface vehicular car spaces or 200m² or more of surface asphalt is anticipated for this development, Regional staff require the submission of a salt management plan as a condition of draft plan approval for this proposal. In addition, the accepted implementation measures shall be implemented within the Condominium Declaration, all to the satisfaction of the Regional Municipality of Waterloo, as a condition of draft plan approval.

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. Staff recommend that the applicant consider providing a number of affordable housing units on the site, as defined in the Regional Official Plan. 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	\$418,100
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	\$679,300

*Based on the most recent information available from the PPS Housing Tables (2022).

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$418,100.

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	\$1,960
A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$1,075 1-Bedroom: \$1,245 2-Bedroom: \$1,469 3-Bedroom: \$1,631 4+ Bedroom: n/a

*Based on the most recent information available from the PPS Housing Tables (2022)

In order for a rental 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 shown above.

Draft Plan of Condominium Conditions:

The Region has **no objections** to draft approval of Vacant Land Plan of Condominium 30CDM-24204, subject to the inclusion of the following conditions of Draft Approval set out below:

- 1) THAT the Owner/Developer agrees to phase/stage development of this condominium in a manner satisfactory to the Commissioner of Planning, Development and Legislative Services and the City of Kitchener, including any easements or other requirements as a result of staging;
- 2) THAT prior to final approval, the Owner/Developer shall submit an updated detailed Environmental Noise Study to assess transportation and stationary noise and enter into a Registered Development Agreement with the Regional Municipality of Waterloo and/or the City of Kitchener (if required) to implement the recommendations of within Environmental Noise Study; all to the satisfaction of the Regional Municipality of Waterloo;
- 3) THAT prior to final approval, the Owner/Developer shall include any recommendations of the Environmental Noise Study including any noise warning clauses (if required) within the Condominium Declaration and all Purchase and Sale/Lease/Rental Agreement(s) to the satisfaction of the Regional Municipality of Waterloo;
- 4) THAT prior to final approval, the Owner/Developer shall prepare and submit a Salt Management Plan and include provisions for the Unit Owners and Condominium Corporation within the Condominium Declaration all to the satisfaction of the Regional Municipality of Waterloo;
- 5) THAT prior to final approval, the Regional Municipality of Waterloo be provided with a copy of the registered development agreement between the Owner/Developer and the City of Kitchener; and,
- 6) THAT prior to final approval, the final draft of the Condominium Declaration be forwarded to the Commissioner of Planning, Development and Legislative Services at the Regional Municipality of Waterloo.

Fees

The Region acknowledges receipt of the Region's condominium application review fee of \$3,450.00 (deposited March 21, 2024).

General Comments

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. Zehr Group Inc. C/O Kevin Muir (Applicant)

Craig Dumart

From: Dave Seller
Sent: Monday, March 11, 2024 8:45 AM
To: Craig Dumart
Subject: TS comments: Draft Plan of Vacant Land Condominium (20 Ottawa Street North)

Transportation Services offer the following comments.

- Visitor and barrier free parking signs be noted on the site plan.
- Barrier free parking spaces and access aisle must be flush with the curb and noted on the site plan.
- Barrier free access aisles shall be marked with high tonal contrast diagonal lines and noted on the site plan.

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: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Tuesday, March 5, 2024 10:57 AM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Canada Post - Brad Biskaborn (brad.biskaborn@canadapost.postescanada.ca) <brad.biskaborn@canadapost.postescanada.ca>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Kayes <Ellen.Kayes@kitchener.ca>; Enbridge - Mat Robson (Mat.Robson@enbridge.com) <Mat.Robson@enbridge.com>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Feras AbdulHadi <Feras.AbdulHadi@kitchener.ca>; Fire Prevention (SM) <FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Landuse Planning <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Jordan MacLaughlin <Jordan.MacLaughlin@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; MPAC - Kelly Button (kelly.button@mpac.ca) <kelly.button@mpac.ca>; MPAC (LPUconsents@mpac.ca) <LPUconsents@mpac.ca>; Nancy Steinfield <Nancy.Steinfield@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Amalia Walker <AmWalker@regionofwaterloo.ca>; Regional Clerk <regionalclerk@regionofwaterloo.ca>; Region - Howard Chang (SChang@regionofwaterloo.ca) <SChang@regionofwaterloo.ca>; Planning Applications <planningapplications@regionofwaterloo.ca>; Region - Tim Walden (TWalden@regionofwaterloo.ca) <TWalden@regionofwaterloo.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Rogers (SWOGR-PERMITS@rci.rogers.com) <SWOGR-PERMITS@rci.rogers.com>; Sanitary Storm Approvals (SM) <SanitaryStorm.Approvals@kitchener.ca>; UW-WUSA (Feds) (pres@wusa.ca) <pres@wusa.ca>; Viamonde School Board - Daniel Stojc <stoicd@csviamonde.ca>; WCDSB - Planning <planning@wcsb.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 - Draft Plan of Vacant Land Condominium (20 Ottawa Street North)

Please see attached. Comments or questions should be directed to **Craig Dumart**, Senior Planner (craig.dumart@kitchener.ca; 519-741-2200 x7073).

Christine Kompter

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