

City of Kitchener
ZBA Comment Form

Project Address: 328-330 Mill Street

Application Type: Zoning Bylaw Amendment

Comments Of: Planning- Urban Design

Commenter's Name: Rojan Mohammadi

Email: Rojan.mohammadi@kitchener.ca

Phone: 519-741-2200 ext: 7326

Date of Comments: August 6, 2024

- ☐ 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:

- Urban Design & Tall Building Analysis (March 2024), Prepared by Masri O Architects.
- Site Plan (March 2024), prepared by Masri O Architects.
- Pedestrian Wind Comfort Assessment (February 2024), prepared by RWDI.
- Tree Management Plan (February 2024), prepared by Hill Design.
- Lighting Plan (March 2024), prepared by Mantric Engineering.
- Renderings, prepared by Masri O Architects.
- Shadow Study (2024), prepared by Masri O Architects.

2. Site-Specific Comments & Issues:

- The proposed separation distances do not comply with regulations and are therefore unacceptable. Buildings placed too closely together pose privacy and safety concerns for occupants. Ultimately, our goal is to achieve a design that is both aesthetically pleasing and safe for the public.
- The provided justification for physical separation is insufficient and lacks thoroughness. The setbacks were not properly applied, and the brief does not adequately explain why a reduced setback is a reasonable approach.

- There is ambiguity in the brief regarding the parking layout. Floor plans are required to better visualize and articulate the design. Additionally, a clearer explanation is needed on how floors 2, 3, and 5 are providing social community spaces.
- Ensure entrances are clearly defined and emphasized through architectural elements that are clean, recognizable and appropriately scaled and detailed to suit the building mass.
- Details regarding the proposed retaining walls should be provided. This could be added to the landscaping plan.
- Wind mitigation measures recommended by RWDI including local wind control features and landscaping should be coordinated and implemented.
- Relocation and/or direct access is required for the bike storage located adjacent to the ramp.
- Landscaping plan should include any proposed landscaping for the above grade amenity areas (floor 5, 16 and 18).
- It is recommended to enhance the design for the ground floor (outdoor) including landscaping, seating options, public arts and etc to utilize the space more efficiently and inviting.

2. Comments on Submitted Documents:

Tree Management Plan

- Written permission for removal of or impact to trees in joint ownership along property line is required. This would be required at the site plan stage.

Urban Design Brief

- The brief should be revised to include comments indicated above.

Craig Dumart

From: Niall Melanson
Sent: Tuesday, July 30, 2024 9:44 AM
To: Craig Dumart
Cc: Parmi Takk
Subject: 328-330 Mill Street - ZBA24/017/M/CD - Engineering and KU clearance

Morning Craig.

While the site already has as of right zoning please be advised that Engineering and KU have reviewed the Functional Servicing Report and can provide our clearance. Please let me know if you have any questions.

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 4G7

City of Kitchener

ZBA comments

Application type: Zoning By-law Amendment ZBA24/017/M/CD
Project address: 328-330 Mill Street
Comments of: Transportation Services
Commenter's name: Dave Seller
Email: dave.seller@kitchener.ca
Phone: 519-741-2200 e 7369
Date of comments: August 6, 2024
Comments due: August 6, 2024

As part of a complete Zoning By-law amendment application, a Transportation Impact Study (TIS), Parking Study and TDM Plan was submitted (February 2024) by Paradigm Transportation Solutions Limited. Transportation Services reviewed the report and offer the following comments.

Development proposal

The applicant is proposing a mixed-use development with a multi-storey tower with 293 residential units and 212m² (6180ft²) of ground floor retail space. The development is estimated to generate 59 AM and 82 PM peak hour vehicle trips. The site will be serviced by one full moves access along Mill Street and a total of 166 parking spaces are being proposed.

Intersection analysis

The following four intersections below were reviewed under 2023 Base Year traffic conditions and are all operating within acceptable levels of service and within capacity.

- Mill Street at Stirling Avenue South - signalized
- Mill Street at Heiman Street - unsignalized
- Mill Street at Borden Parkway - unsignalized
- Mill Street at Ottawa Street South (Regional Road 4) - signalized

The following four intersections below were reviewed under 2028 Future Background traffic conditions and are all operating within acceptable levels of service and within capacity with no problem traffic movements.

- Mill Street at Stirling Avenue South - signalized
- Mill Street at Heiman Street - unsignalized
- Mill Street at Borden Parkway - unsignalized
- Mill Street at Ottawa Street South (Regional Road 4) - signalized

The four intersections noted below were reviewed under 2028 Total Future Traffic conditions. Future traffic includes background traffic plus site generated traffic. All operating within acceptable levels of service and within capacity with no problem traffic movements.

- Mill Street at Stirling Avenue South - signalized
- Mill Street at Heiman Street – unsignalized
- Mill Street at (*NEW*) site access/Borden Parkway - unsignalized
- Mill Street at Ottawa Street South (Regional Road 4) - signalized

Left turn lane analysis

A left turn lane analysis was completed along Mill Street at the new site access utilizing the Ministry of Transportation (MTO) Design Supplement for TAC Geometric Design Guide for Canadian Roads, which provides guidance on the assessment for an auxiliary left turn lane. Based on the analysis completed for the 2028 Total Future Traffic conditions, a left turn lane is not warranted. Transportation Services supports Paradigms conclusion.

Parking supply analysis

The analysis included reviewing other municipalities in Ontario and Alberta, ITE Parking Demand 5th edition, Transportation Tomorrow Survey (2016) - Area Specific Auto Ownership and proxy site locations within Kitchener. The results of the parking analysis indicated a residential parking range of 0.00 to 0.57 spaces per unit (0 to 167 spaces).

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: 3, 35, iXpress 205 and 301 ION Mill 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 on both sides of roadways in the surrounding area. There are existing cycling opportunities in the area, as well as future cycling connections to the downtown cycling grid and the Iron Horse Trail.

Conclusion

Based on the TIS intersection analysis and conclusions within the report, Transportation Services are of the opinion that this development will not negatively impact the surrounding study intersections. Also, based on the parking study analysis and conclusions, Transportation Services can support the proposed total parking supply of 166 spaces. Based on the proposed vehicle parking supply, a minimum of 17 parking spaces be allocated for visitor parking.

To assist in supporting alternative modes of transportation and reducing on-site vehicle parking demand, the following must be provided in support for a reduced parking rate:

- 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.

- Indoor bike fix-it station.

Also, consideration be given to providing a portion of the Class A bicycle parking from within the units.

No justification was included within this report to support a reduced Class A bike parking requirement; therefore, an update to the parking study must be provided for the proposed reduction in Class A bike parking requirement from 1 sp/unit, where 0.535 sp/unit. Is being proposed Transportation Services will review and consider this request.



PLANNING, DEVELOPMENT
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Community Planning

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Will Towns; 1-226-752-8622
File: C14/2/24017
August 12, 2024

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: Zoning By-law Amendment ZBA 24/017
328 & 330 Mill Street
Masri O Architects on behalf of 1658194 Ontario Ltd. (c/o
Gurbeant Singh Bajwa)
CITY OF KITCHENER**

The applicant has submitted an application for a site-specific zoning by-law amendment (ZBA) pertaining to a development proposal at 328 and 330 Mill Street in the City of Kitchener. The owner proposes to demolish two existing commercial/industrial buildings and construct a 20-storey mixed-use building consisting of 293 residential units with 212 square metres of at-grade commercial space. The neighbourhood is in transition from predominantly industrial and commercial uses, and the subject lands are adjacent to a range of existing commercial, industrial and residential uses.

The subject lands are designated Urban Area and Delineated Built Up Area in the Regional Official Plan (ROP) and located in the Mill Station Major Transit Station Area (MTSA) (as per Map 7b); designated Strategic Growth Area B in the City of Kitchener's Official Plan; and zoned Strategic Growth Area-3. The ZBA seeks site-specific relief from lot line setback, building length, and parking requirements. The Region previously provided pre-submission comments on a similar concept that included lands at 334 and 338 Mill Street in 2023.

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

Community Planning

Regional staff have reviewed the application for consistency with the Regional Official Plan (ROP), the Provincial Policy Statement, 2020 (PPS) and A Place to Grow: The

Growth Plan for the Greater Golden Horseshoe (the Growth Plan). In particular, the Planning Justification Report (PJR) prepared by JVV Planning & Development (dated March 2024) provides analysis in regard to the application's consistency with provincial plans and conformity to ROP policies.

Provincial Policy Statement 2020

The PPS encourages the development of liveable communities. It also provides a framework for planning authorities to ensure the wise use of resources while protecting Ontario's long-term prosperity and environmental and social well-being. It directs growth to built-up areas and promotes a mix of land uses that efficiently use resources, minimize negative environmental impacts, and support active transportation and transit use. Policy 1.2.6 requires the assessment of compatibility in instances where sensitive uses are proposed in proximity to industrial facilities and other sources of noise.

A review of applicable PPS policies and land use compatibility more broadly has been provided in Section 5.1 of the Planning Justification Report (PJR) provided by JVV Planning and Development. The proposal represents an intensified use of serviced, underutilized land in an area well-served by transit (both bus and rail) and active transportation connections. It also provides a range of housing options (58 of the 293 units will be larger than one bedroom) and commercial space (in lieu of that proposed to be demolished) in the neighbourhood. On this basis, Regional staff are satisfied that the proposal is consistent with the PPS. Additional technical comments related to noise and compatibility are provided in a subsequent section.

A Place to Grow: The Growth Plan for the Greater Golden Horseshoe

The Growth Plan recognizes the Greater Golden Horseshoe (GGH) as a fast-growing and dynamic region. It directs development in a way that supports economic prosperity, the environment, and quality of life – specifically emphasizing intensification, compact built form, and housing choice in built-up areas, and supporting higher densities in MTSAs.

The PJR provides an analysis of applicable Growth Plan policies in Section 5.2, including comments on the proposed development's ability to achieve a diverse mix of uses and density targets. The proposal's emphasis on intensification, proximity and connectivity to ION LRT and a connecting bus route, and support for cycling (through enhanced parking and storage facilities on-site) are highlighted in this section as key sources of alignment with Growth Plan priorities. The proposed site density (calculated at approximately 519 residents and 14 jobs on a 0.3 hectare site) exceeds the Growth Plan's minimum of 160 people and jobs per hectare for MTSAs. Regional staff are satisfied that the application is consistent with the Growth Plan.

Regional Official Plan

In 2023, ROP Amendment No. 6 (ROPA 6) came into force and effect. The subject property is designated Urban Area and Built-Up Area in the Regional Official Plan (ROP). It is also within the Mill Station MTSA. Policy areas relevant to this application

were identified through the pre-submission process and have been addressed in the PJR.

Section 1.6 of the Regional Official Plan establishes the overview of the Regional Planning Framework and Section 2.B.1 and 2.C establish policies for the Urban System. Section 2.F of the Regional Official Plan establishes policies for intensification targets within the Delineated Built-Up Area, which is set at 60% annually for the City of Kitchener. Furthermore, development in the Built Up Area is intended to provide gentle density that assists in providing opportunities for residents to use alternative forms of transportation (e.g. walking, rolling, strolling). The Delineated Built Up Area is intended to support the 15-minute neighborhood and includes an appropriate mix of jobs, local stores and services as well as a full range of housing and transportation options. Development in these areas should also promote the achievement of 15-minute neighbourhoods – defined as compact, mixed-use, accessible areas that provide the option for daily needs to be met through active transportation and transit trips, reducing automobile dependency. Regional staff understand that the proposal will provide 293 dwelling units in a strategic location that is appropriate for intensive mixed-use development based on its proximity to higher-order transit (i.e. Mill Station). Additional bike parking, proposed car share space, and other proposed transportation demand management (TDM) measures contribute to these objectives as well.

Section 2.D of the ROP outlines policies for strategic growth areas, including MTSA's. These areas are intended to accommodate higher densities and support compact clusters that range in scale and intensity of development. Policies specific to MTSA's are provided in 2.D.2. Table 2 indicates that a minimum density of 160 residents and jobs is proposed for the Mill Station MTSA, which is designed to support the planned transit service level. As described above, the PJR provides a density calculation that exceeds the Mill Station targets, and the proposal contributes to the achievement of Table 2 ROP targets and provides a range of housing options (one-, two-, and three-bedroom units) to the neighbourhood.

The ROP provides transit-supportive development policies through section 2.D.6 to guide the review of development applications. These policies and those described above are assessed in Section 5.3 of the PJR – notably, connections and orientations to the pedestrian realm through site design; compact residential uses in proximity to both the future ION station and conventional GRT services; and the inclusion of commercial space at grade demonstrate the incorporation of transit-supportive development principles. Regional staff are satisfied that these criteria have been met.

Section 2.I of the ROP requires that lands in proximity to industrial uses be planned to avoid or mitigate impacts related to noise, dust and odour. Additional discussion related to compatibility with industrial uses and noise sources is provided in a subsequent section. From a policy perspective, Regional staff have no concerns provided technical issues with the noise study are addressed, given the recent rezoning and redesignation of the lands through the City of Kitchener's Growing Together initiative.

In sum, staff are satisfied that the proposal conforms to the ROP.

Future Draft Plan of Condominium Application

Should a Draft Plan of Condominium be contemplated, a pre-submission meeting will be facilitated by the Region of Waterloo to discuss the requirements for a complete application. Please note that additional comments and requirements may arise through the review of a subsequent condominium proposal, including the requirement for an additional application and fees. Should occupancy occur prior to the application for a Draft Plan of Condominium being deemed complete, the application will need to conform to the condominium conversion policies of the ROP (Policy 3.A.5).

Corridor Planning

Condition of Approval for this ZBA application

Approval of the Noise Study and Transportation Impact Study (TIS) are required prior to final approval of the ZBA application. Comments on each are provided below.

Environmental & Stationary Noise Study

Staff note that a transportation, rail and stationary noise study entitled Road/Rail Traffic and Stationary Noise Impact Study, 328-330 Mill Street, Kitchener, ON (dated November 22, 2023, prepared by JJ Acoustic Engineering Ltd.) was submitted in support of this application in response to requirements identified during pre-submission (noise sources associated with nearby roads and rail operations, as well as industrial and commercial stationary sources). This study has been peer reviewed by a third-party consultant and revisions are required prior to acceptance of the study. Key areas for revision include:

- Modelling and assessment of the 5th and 18th floor OLAs is required.
- Inclusion of example STAMSON modelling output file.
- Ventilation and warning clause requirements are to be revised, based on mandatory installation of central air conditioning.
- Assess additional stationary noise sources (additional HVAC units, and auto shop).

Peer review comments are attached to this letter for review. These comments are required to be addressed to the satisfaction of the Region prior to City of Kitchener Council considering the application. Please note, however, that comments in the document pertaining to ION light rail refinements do not need to be addressed, on the advice of Regional Corridor Planning staff. The other revisions may be addressed in a letter addendum to the study, unless results and conclusions are altered (in which case a revised report will be necessary). Please note that requested changes and/or additional information identified for detailed design need not be addressed as part of the addendum at this stage. Additional direction in relation to noise study requirements for the detailed design stage will be provided when the Noise Feasibility Study is finalized.

Once confirmed, noise warning clauses identified in the revised Noise Feasibility Study shall apply to the appropriate dwelling units to be implemented through a registered development agreement with the City of Kitchener, included in all purchase and sale/lease/rental agreements, and as part of a future condominium declaration if applicable. Regional staff will require the development agreement as a condition of draft plan approval/condition of approval through a future condominium application.

Transportation Impact Study

Regional staff have reviewed the TIS entitled "Transportation Impact Study, Parking Justification Study & TDM Plan, 328-330 Mill Street Kitchener, ON" dated February 12, 2024, prepared by Paradigm Transportation Solutions Limited, and have no concerns. As an advisory note, the final sentence on page 36 under the subheading "Region of Waterloo TMP" should state: "A decrease in vehicle dependency and therefore a reduction in parking demand."

Conditions of Future Site Plan Application

No further Regional approvals are required prior to final approval of a future Site Plan application. The following comments are provided on an advisory basis.

Transit & Transportation Demand Management

GRT staff note that the applicant is requesting a reduction in the parking rate. The applicant, through the TIS, is committed to pedestrian connectivity, unbundling parking, secure bicycle storage, provision of space for a car share program, and educational packages for residents. Comments are provided below – but in sum, GRT staff would recommend a more robust transportation demand management (TDM) component of the proposal, and advise the applicant to reach out to ibalaban@regionofwaterloo.ca to discuss further.

The PARTS checklist included in the TIS notes "146 bicycle spaces beyond [the] minimum requirement" have been provided, permitting a reduction in vehicle parking of 29 spaces. The plan should be updated to clearly show exactly how many bike parking spaces will be included (146, 155, or 301).

Staff note that the bicycle room appears not to have interior access for residents – consider improving connectivity and access. Further suggestions from GRT TDM staff on how to improve bike room access and features are available upon request. Staff are supportive of unbundling parking as described in the TIS.

Car Share

The TIS notes that car share programs are a feasible method to reduce vehicle ownership and parking demand, and notes an existing car share location 1.6km (20 minute walk) from the site. This is not considered close enough to help reduce automobile dependence at the site. The PARTS checklist notes that one car share space will be provided on-site. The most established car sharing program in Waterloo Region is Communauto (which is noted in the TIS). The applicant should contact Janet

MacLeod jmacleod@communauto.ca to learn more about opportunities available locally.

Staff recommend indicating on the submitted plans which spaces would be reserved for a car sharing service. These spaces should be placed at a convenient location for residents. Please note that locating car share parking spaces in a parking garage may not be possible.

Additional TDM Measures

The TIS also includes additional TDM measures which may be provided but have not been committed to, including Transit information provided on-site, providing fully subsidized transit access for all occupants for a period of two years, and having a TDM coordinator.

- Providing subsidized transit passes incurs significant financial and administrative costs. 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 (the applicant, City, and Regional/GRT staff) is required as soon as possible.

Region of Waterloo International Airport

Regional staff have reviewed the application and have no concerns with the development. The Land Use application to NAV Canada for the building has been submitted with the application along with a letter of no objection reflecting the assessed height of 391.7m ASL (1285 feet). This matches the building height shown on the drawings. The Airport Zoning Regulation height on the property is at 437.5m ASL, which would permit a crane up to 45.8 metres above the building, which is expected to be sufficient.

The developer will need to update the Land Use application to include the crane information once confirmed and receive a letter of no objection to the satisfaction of the Region. The letter should be sought from NAV Canada as soon as possible to account for 8-12 week review times, and will need to be provided as part of a future site plan application.

Source Water Protection & Risk Management

The subject lands are located in an area subject to provisions of Part IV of the Clean Water Act, as well as within a Wellhead Protection Sensitivity Area (WPSA 8) as identified on Map 6 of the ROP. The applicant has submitted a valid Notice of Source Protection under Section 59 of the Clean Water Act.

In accordance with Regional Council's endorsed position on geothermal energy, vertical closed-loop geothermal is prohibited at this location. Vertical open-loop geothermal energy may be considered subject to the submission of a hydrogeology study. As no Hydrogeology Study was submitted in support of a vertical open-loop geothermal

system, Regional staff request that a prohibition on geothermal energy be required within the site-specific amending zoning by-law for the subject lands.

HWP staff note that an underground parking garage is proposed. The Region does not support permanent active or passive dewatering controls for below-grade infrastructure, including foundations, slabs, parking garages, footings, piles, elevator shafts, etc. therefore, waterproof seals should be used in lieu of permanent dewatering infrastructure.

Fees:

Please be advised that the Region is in receipt of the ZBA review fee of \$3,000 and the noise study peer review fee of \$4,500 + HST (\$5,085 total; both received July 25, 2024).

Conclusions:

The Region has no objection to the above-noted ZBA application, provided the following items are addressed:

1. Noise study revisions as described above and in the attached peer review comments.
2. A prohibition on vertical closed-loop geothermal energy systems is written into the amending by-law for the site.

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 the undersigned.

Yours truly,



Will Towns, RPP
Senior Planner

C. Gurbeant Singh, 1658194 Ontario Ltd. (Owner)
Reema Masri, Masri O. Architects (Applicant)



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August 9, 2024

Will Towns, RPP
Regional Municipality of Waterloo
150 Frederick Street, 8th Floor
Kitchener, ON N2G 4J3
wtowns@regionofwaterloo.ca

Re: Peer Review – Noise
328 & 330 Mill Street, Kitchener
RWDI Reference No. 2300540.57

Dear Will,

The Region of Waterloo has retained RWDI to conduct a peer review of a noise study for 328 & 330 Mill Street development in Kitchener, completed in support of a Zoning Bylaw Amendment application. The applicant is proposing a 20-storey mixed-use building with 293 residential units and 212 m² of at-grade commercial space. 166 parking spaces are proposed, with access via Mill St. The review considered the letter titled "Road Traffic and Stationary Noise Impact Study 328-330 Mill Street, Kitchener, Ontario", JJ Acoustic Engineering project number JJ-00535-NIS1 and dated November 22, 2023 (Noise Study).

This review reflects best practices for land-use planning, as well as guidelines and policies mandated by the Regional Municipality of Waterloo (RMOW) and, where applicable, the Province of Ontario. Where differences in guidance may exist, the RMOW has provided direct guidance to this peer reviewer on their expectations. In all cases, the direction and policies of the RMOW take precedence. Comments requiring action by the applicant are highlighted throughout this document for ease of identification.

Assessment Approach

1. The Noise Study reviews the potential sources of environmental noise in the area.
 - a. Road traffic noise from Mill Street, which is appropriate.
 - b. Rail traffic was considered from the CN Huron Park Spur for freight and ION traffic, which is appropriate.
 - c. Onsite stationary sources were not assessed on the development itself and the surrounding noise sensitive buildings, which is appropriate at this stage in the development.
 - d. Offsite stationary sources were assessed from surrounding residential and commercial buildings, which is appropriate.
2. The Noise Study includes a blank Owner's Declaration Statement, and was submitted separately.
3. The Noise Study includes 2023 Consultant's Declaration Statement.



Surface Transportation Noise

4. The report uses the NPC-300 guideline for assessment of the transportation sources, which is consistent with the current practice in the Region.
5. A review was completed of the road and rail traffic data. The following is noted:
 - a. 10-year future road traffic information for Mill Street was provided by the Region. The data was valid at the time of the Noise Study.
 - b. The exclusion of other roadways as insignificant is considered acceptable.
 - c. 10-year future rail traffic information CN line was provided by the CN Rail. The data was valid at the time of the Noise Study
 - d. 10-year future rail traffic information ION traffic was taken from another study, which was referenced but not provided. **No documentation was provided to support modelled volumes. Documentation is required to validate predictions.**
6. A review was completed of the roadway noise modelling. The following is noted:
 - a. Off-site line-of-sight obstructions were not included in the noise modelling. This is considered conservative and acceptable, as surrounding buildings would provide a level of screening.
 - b. Modelling of road and rail traffic noise was completed using the STAMSON software package, which is appropriate.
 - c. Sample calculations were not provided, and therefore modelled volumes and road contributions shown in tables cannot be verified. **Sample calculations must be provided for verification (e.g. including ground absorption, geometry, etc.).**
7. An assessment of OLA sound levels was discussed in **Section 2.4** of the Noise Study. The following is noted:
 - a. An assessment of impacts was completed for the amenity area at grade (OLA), as shown in **Attachment A** of the Noise Study. However, there is no discussion or assessment of the 5th and 18th floor amenity spaces. **Given their different exposures to traffic sources, the 5th and 18th floor amenity spaces should be assessed.**
 - b. The exclusion of private terraces less than four meters in depth, based on the definitions in NPC-300 is considered appropriate.
8. The applicable guidelines for road traffic noise façade levels are summarized within a table in **Section 2.4** of the Noise Study.
9. An assessment of façade sound levels is included in **Section 2.4** of the Noise Study and summarized in **Table B1 of Appendix B**, for all facades and all floors. The following is noted:
 - a. As STAMSON modelling files are not provided in the Noise Study, a review of the modelled results could not be completed. Per the RMOW Guidelines, noise studies are required to provide numerical support for the noise modelling, preferably as a modelling output file. **Please provide complete sample calculations.**



- b. The predicted sound levels from STAMSON modelling are applied to the four facades of the development as appropriate.
10. Recommendations are provided in the Noise Study concerning the excess sound levels. The following is noted:
- a. The Noise Study states that the building has a “requirement for air conditioning” on the north, east, south and west facades in **Table B1** of **Appendix B** of the Noise Study.
 - b. In **Section 6 – Recommendations** of the Noise Study, JJA and the client “will require air conditioning for the entire building”. This is considered an acceptable requirement in lieu of “provision for future installation of central air conditioning”.
 - c. Façade construction compliant with the Ontario Building Code on the south and west facades is considered appropriate, assuming exterior wall compositions having minimum of STC 45.
 - d. A minimum of STC 29 is required for all exterior glazing for the North and East façades based on road and rail modelling results is considered appropriate but require example STAMSON files for verification.
 - e. As central air conditioning would be required for the development, an MECP NPC-300 **Type D** warning clause is considered appropriate and is required to replace the **Type C** warning clause recommendation.
 - f. The application of warning clauses should be identified in the report as being required in agreements of Offers of Purchase and Sale, lease/rental agreements and condominium declarations consistent with RMOW policies.

Development Stationary Source Noise

11. An assessment of stationary noise on the surroundings and itself could not be completed, as the development mechanical systems have not been designed. Given the stage of development, this is acceptable. The development’s cooling equipment is expected to be significant and an assessment of noise impacts on the development itself and surroundings will be required prior to site plan approval. RMOW strongly advises PTAC units for air conditioning individual units be carefully considered due to high noise levels at the windows of onsite residences and difficulty in applying noise controls. The development will be required to meet stationary noise limits at onsite windows from such equipment.

Surrounding Stationary Noise

- 12. The report uses the NPC-300 guideline for assessment of the stationary sources, which is consistent with the current practice in the Region.
- 13. The surrounding area is described as a Class 1 acoustic environment, and is appropriate.



14. Noise impact modelling was completed using CadnaA modelling software, which is acceptable.
15. Modelling noise parameters were described in **Section 3.2** of the Noise Study. The modelling parameters are appropriate with the exception of the ground absorption coefficient which was modelled as 0.7. As the intervening lands from the stationary source to receivers are primarily reflective, localized ground absorption using a 0.0 to 0.4 level should be used.
16. Significant stationary noise sources identified in the Noise Study includes HVAC units, idling trucks, and heavy truck movements. These are appropriate but the following sources are required to be assessed:
 - a. HVAC units modelled as S2, S3, and S4 are assessed for 300 Mill Street. Satellite imagery shows potentially up to 14 units that are required to be assessed or justified for exclusion.
 - b. An auto shop is located at 338 Mill Street. Noise from roll up doors is required to be assessed including impact tools and air compressors.
17. Modelled noise impacts are summarized in tables included in **Section 5** of the Noise Study for each façade of the development and the outdoor PORs. The sound levels indicated appear to be reasonable for stationary noise impacts on the development.

Conclusions

18. The Recommendations section of the Noise Study summarizes the mitigation requirements in the Noise Study. The following is noted:
 - a. The **Type C** Warning Clause is required to be revised to a **Type D** Warning Clause.
 - b. As indicated above, ventilation requirements are to be updated for "mandatory air conditioning".
 - c. Façade construction compliant with the Ontario Building Code on the south and west facades is considered appropriate, assuming exterior wall compositions having minimum of STC 45.
 - d. A minimum of STC 29 is required for all exterior glazing for the North and East façades based on road and rail modelling results is considered appropriate.
 - e. Recommendation of the Canadian National Railway Company Warning Clause for all units, is appropriate.

Summary

The environmental noise study provided for 328 & 330 Mill Street development in Kitchener presents an assessment for transportation and stationary noise sources. At this time, the required changes are not significant. However, a revised report is required to clarify and revise the results and conclusions presented in the Noise Study. Key items to be revised in the Noise Study are outlined below:



- Provide supporting documentation for ION rail traffic volumes.
- Modelling and assessment of the 5th and 18th floor OLA is required.
- Inclusion of example STAMSON modelling output file.
- Ventilation and Warning Clause requirements are to be revised, based on mandatory installation of central air conditioning.
- Assess additional stationary noise sources (additional HVAC units, and auto shop).

As an assessment of stationary noise from the development's mechanical systems on the surroundings and itself could not be completed, as insufficient information is available at this time. The following is recommended:

- Sufficient information on the mechanical systems is expected to be available at the Site Plan Approval stage, where an assessment of stationary noise impacts on the development itself and the surroundings is recommended. Significant stationary noise sources are anticipated to include cooling equipment associated with central air conditioning for the development.
- Should noise controls be required for the mechanical systems (e.g. low-noise chiller/condenser), an Environmental Noise Certification is recommended to review the installed equipment and confirm the MECP NPC-300 guideline limits are met on the development itself and the surrounding noise sensitive buildings.

Yours truly,

RWDI

A handwritten signature in black ink, appearing to read 'D. Kremer', is positioned above the printed name.

Daniel Kremer, P.Eng., M.Sc.
Senior Noise and Vibration Engineer



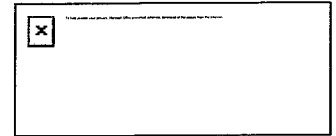
Statement of Limitations

This report entitled "Peer Review – Noise, 328-330 Mill Street, Kitchener", dated August 9, 2024, was prepared by RWDI AIR Inc. ("RWDI") for the Region of Waterloo ("Client"). The findings and conclusions presented in this report have been prepared for the Client and are specific to the peer review described herein ("Project"). The conclusions and recommendations contained in this report are based on the information available to RWDI when this report was prepared. Because the contents of this report may not reflect the final design of the Project or subsequent changes made after the date of this report, RWDI recommends that it be retained by Client during the final stages of the project to verify that the results and recommendations provided in this report have been correctly interpreted in the final design of the Project.

The conclusions and recommendations contained in this report have also been made for the specific purpose(s) set out herein. Should the Client or any other third party utilize the report and/or implement the conclusions and recommendations contained therein for any other purpose or project without the involvement of RWDI, the Client or such third party assumes any and all risk of any and all consequences arising from such use and RWDI accepts no responsibility for any liability, loss, or damage of any kind suffered by Client or any other third party arising therefrom.

Craig Dumart

From: WRDSB Planning <planning@wrdsb.ca>
Sent: Wednesday, July 31, 2024 10:08 AM
To: Craig Dumart; Planning
Subject: Re: [Planning] Circulation for Comment - 328-330 Mill Street (ZBA)



Craig Dumart
Senior Planner

July 31, 2024

Re: Notice of Application for Zoning By-law Amendment

File No.: ZBA24/017/M/CD

Municipality: Kitchener

Location: 328 and 330 Mill Street

The Waterloo Region District School Board (WRDSB) has reviewed the above-noted application for a zoning by-law amendment to permit the development of a 20-storey mixed use building with 293 residential units. The WRDSB offers the following comments.

Student Accommodation

At this time, the subject lands are currently assigned to the following WRDSB schools:

- Queen Elizabeth Public School (Junior Kindergarten to Grade 6);
- Courtland Public School (Grade 7 to Grade 8); and
- Cameron Heights Collegiate Institute (Grade 9 to Grade 12).

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. Most future students from this development will be within walking distance limits of all three of the above listed schools.

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 Draft Conditions

Concerning any future declaration or agreement, the WRDSB requests the following inclusions in the conditions of Draft Approval:

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."*

Emily Bumbaco

Senior Planner

Waterloo Region District School Board

51 Ardelt Avenue, Kitchener ON, N2C 2R5

Email: emily_bumbaco@wrdsb.ca

Website: www.wrdsb.ca

On Mon, Jul 8, 2024 at 11:51 AM Christine Kompter <Christine.Kompter@kitchener.ca> wrote:

Please see attached. Additional documentation can be found in AMANDA folder 24 118310 (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 | Development Services Department - Planning | 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 - Comment Form

Project Address: 328-330 Mill St

Application Type: ZBA

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

Commenter's name: Mike Balch

Email: mike.balch@kitchener.ca

Phone: 519-741-2200 x7110

Written Comments Due: August 6, 2024

Date of comments: August 2, 2024

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

- Sustainability Statement for 328-330 Mill St prepared by Masri O Architects dated February 2024.

2. Comments & Issues:

I have reviewed the supporting documentation (as listed above) to support a site plan application proposing a mixed-use apartment tower , 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.**
- The development proposes several sustainable measures including:
 - The compact and efficient design of an underutilized lands
 - The consideration to encourage greater public transit use
 - Pedestrian supportive design
 - On-site secure bike parking promoting active transportation
 - Proposed low-flush toilets and low-flow shower heads

- Cool/light coloured roofing material
- Community gardens
- Drought tolerant/native plant species
- Low VOC materials and finishes
- Efficient building envelope
- Potential items for consideration are:
 - Will electric vehicle charging infrastructure be applied to the limited personal vehicle parking
 - Opportunities for 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.

3. Conditions of Site Plan Approval:

- To submit a revised Sustainability Statement to the satisfaction of the City’s Director of Planning. Further, the approved sustainability measures recommended in the Sustainability Statement will be implemented in the landscape, stormwater management, and building design, to the satisfaction of the City’s Manager of Development Review.

4. 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.

5. 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](https://www.kitchener.ca/SustainabilityStatement)' can be found on the City's website under 'Planning Resources' at ... <https://www.kitchener.ca/SustainabilityStatement>