



Edgehill Dr., Kitchener, ON – February 6, 2025

PINEGROVE UPDATE REPORT

Official Plan Amendment OPA24/012 and Zoning By-law
Amendment ZBA24/024 for 4611 King Street East.

ABSTRACT

This report provides a further update to the concerns identified and recommendations suggested by the Pinegrove Community Association as they pertain to the potential development of 4611 King Street East, Kitchener. The initial report highlighted numerous deficiencies with the conceptual nature of this development. This update report summarizes additional and equally significant concerns and presents preliminary recommendations to address issues outlined in both reports. It remains hard to envision how the development, even in a revised configuration, will meet the broader objectives of the City, existing and future communities. The application for this development should be rejected or further deferred until such time as resolutions to those deficiencies can be properly addressed.

prepared by

PINEGROVE COMMUNITY ASSOCIATION
EXECUTIVE COMMITTEE
FEBRUARY 8, 2025

INTRODUCTION

This update report is intended to further document the concerns of the Pinegrove Community as related to the proposed Official Plan Amendment OPA24/012 and Zoning By-law Amendment ZBA24/024. These pertain to the proposed development at 4611 King Street East, Kitchener ON. In addition, it is intended to advance recommendations related to some of these concerns for additional consideration.

Initial concerns around Access and Parking, U-turns, Transportation (Traffic, Walking, Cycling and Transit), Amenities, Compatibility, Water and Contamination were outlined in the original Pinegrove Summary Report submitted January 27, 2025. Other concerns have been submitted via letters from the residents and/or in the various submissions and presentations by community members to members of the Planning and Strategic Initiatives Committee at their meeting on Monday, January 27, 2025. Not all of this information was captured in the original Pinegrove Summary Report, so additional information is included in the present Update Report. Since that time also, new information has been found and various additional meetings have been held regarding the proposed Official Plan and Zoning By-law Amendments, as well as amongst staff in planning and transportation of City of Kitchener and Region of Waterloo, community members, City councillors and developers. Material known at the time of writing is addressed in the present Update Report. Since this report contains additional material, without reiterating the full content of the original Pinegrove Summary Report, the two reports are intended to be taken together as the present summary of concerns of the Pinegrove Community with the proposed development at 4611 King Street East, Kitchener.

The unifying theme across our two reports, and in previous interactions amongst the Pinegrove Community, City of Kitchener, Region of Waterloo, developers and other parties, continues to focus on the essential principle of sense of community, safety, balance and order in the area that fosters pride in, and meet the needs of, past, current and future residents, current planning standards and requirements of all levels of government.

UPDATE ON THE DEVELOPMENT PLANS

An inconsistency was noted in the documentation around the application for rezoning of the property at 4611 King Street East. It appears to have been incorrectly stated (and transferred to our initial report) that there had formerly been a gas station on the site. However, according to the Phase I Environment Site Assessment, Golder Associates, June 12, 2017 {Former Residence 4607/4611 King Street East, Kitchener, Ontario: SAP No. 88007599} several surrounding sites contained gas stations (and one still exists) but no evidence was presented that the 4611 King Street East site had been used as a gas station.

The site lies in the King Street East Intensification Corridor as Urban Area and Built Up Area. It is located near, but outside of, the Sportsworld Major Transit Station Area (MTSA). The site is designated COM-3 (88) with uses predominately serving those travelling by automobile on King

Street East. The phrase 'those travelling by automobile' is extremely important – transit and bicycle travel are limited and walkability is extremely poor.

Information on the most recent iteration on the proposed development was included in an email from Eric Schneider to the community group on Thursday, February 6, 2025 at 10:33 AM. Since the meeting on January 27, 2025 there has been a reduction in the overall height of the towers. The total number of storeys across the two towers has been reduced by 11 with the front previously 99 m tall tower shortened to 78 m in height. The back tower, closest to the low rise residential area, has been shortened from 66 m down to 54 m in height. The podium is listed as rising 7 storeys in height. The parking ratio has increased from 0.57 to 0.75 with these changes; the maximum floor space ratio (FSR) reduced from 7.9 to 6.7.

UPDATES ON THE PINEGROVE EXECUTIVE COMMITTEE CONCERNS

This report summarizes additional concerns, again recognizing the importance of intensification, redevelopment and the need to increase housing supply. But this has to be accomplished with intent of achieving safe and healthy communities, promoting accessibility, social equity and efficient use of land, resources and existing infrastructure. We fully embrace the City of Kitchener desire to move toward '*well-connected, accessible 15-minute neighbourhoods*' and '*vibrant and active streetscapes [that] attract businesses, talent and investment through lively shopping districts, stress-free commuting options and efficient movement of goods and people*'. It is in this light that this report is written.

THE CONCERNS

Additional concerns are summarized under similar headings in the original report: access and parking, a need for U-turns, accessibility to walking, cycling and transit, amenities and fit with 15-minute neighbourhood concepts, overall compatibility and water supply and contamination. Additional sections on traffic are also included.

ACCESS

The applicant states that the site acts as a gateway to the City of Kitchener as it is located adjacent to the municipal boundary to Cambridge, and a gateway to the Region of Waterloo as it is located adjacent to the Highway 401 off ramp into the City of Kitchener/City of Cambridge. Let us examine this concept further.

A key question arises: ***What would be the ideal plan for all the lands from Limerick (or Baxter Place) to Highway 401 along King Street East? What should this 'entrance to Kitchener' look like?*** Such a discussion should surely begin by taking a broader, more strategic view than can be taken in assessing the challenges and impacts in the context of only a single development. ***If the towers are approved and built, what is to stop all the COM-3 properties along King St from following suit? Where and how will the City provide the necessary infrastructure, parkland, amenity space, accessibility and safe passage to make sure this a thriving community for its residents and taxpayers?*** These are critical questions that require the City to hit '*pause*' until a

Master Plan for development in this area is established. Otherwise, this area of King St stands to turn into a row of high rises developed in haphazard and ad hoc way. ***Is that what the entrance to the city should look like?*** In the absence of a well-considered, comprehensive ***Master Plan*** for the area and for the long-term build out of this gateway to the city, approval of even a single development on the south side of King Street East will lead to a huge domino effect. **This will forever eliminate the ability to develop this area into a safe, well supported and vibrant gateway to the City of which we can all be proud!**

It is generally acknowledged that road access is severely limited and experience indicates that the distance to amenities, coupled with very poor walkability and limited transit and bicycle access, require existing residents to rely on automobile travel to and from the community for daily activities {Pinegrove Summary Report, January 27, 2025}. Access from the proposed high rise building complex is right in and right out only onto King Street East. All of Pioneer Tower West (Pinegrove, Settlers Grove and Deer Ridge) is served by only two main access points (Baxter Place-Pioneer Tower-King Street and Deer Ridge-King Street) with secondary access severely limited, and U-turns needed, due to the planned LRT. Installation of the LRT and the distance between the Limerick intersection and Highway 401 has made it more difficult to implement a plan even for the commercial properties. ***If existing properties don't have good public access, how can any type of development be built to thrive in this area? If it is difficult for commercial properties, with relatively low traffic volumes, then how can the area on the south side of King Street East accommodate an avenue of intense residential properties?*** Creative solutions are needed to subvert endless problems in this area for the foreseeable future.... problems which will only get much worse and difficult to resolve as many more residents (taxpayers) move into the area. The potential cost and safety (liability) ramifications should weigh heavily into the considerations as well.

Taking all factors into consideration, the Pinegrove community strongly supports the current, well-thought through strategic plan that includes the provision of COM-3 zoning along the south side of King Street East. In contrast, the building of a wall of high rise developments along the south side of King Street East will perpetuate and exacerbate numerous problems already identified by the City of Kitchener, Region of Waterloo and the neighbourhood, for the latter outlined in Pinegrove Summary Report submitted January 27, 2025, presentations, correspondence and herein. On this basis, the Pinegrove Community strongly recommends

Recommendation #1: that a new Master Plan, taking due consideration of Growing Together East and current pressures in municipal planning, be developed for this area to proactively guide 'best possible' new development being approved along the south side of King Street East.

If this is not done, the community is deeply concerned that the City of Kitchener and all of its taxpayers are going to have to find 'solutions' for a string of disastrous consequences and serious issues that will result. In the past, and as was the case with the 1986 Secondary Plan (see below), the neighbourhood has done our part to participate in all of these discussions. The neighbourhood, of course, is more than pleased to actively and constructively participate in that process again.

The difficulties along this stretch of King Street East were acknowledged and much discussed in developing the 1986 Secondary Plan. That plan outlined a commercial artery along King Street East with only commercial lands on the south side (including Goeman's, Casa Life, etc) interconnected with common access points to King Street East {Pioneer Tower West Service Commercial Secondary Plan, PD169/86, January 1987}. At one time, it was discussed that Limerick could be closed off within the Pinegrove neighbourhood and a signalized intersection installed to serve the commercial properties on the south side of King and also benefit Gateway Park Drive. A second access out of developments on the south of King Street East, including 4611 King Street, and into the community would tax the infrastructure and resolve little because the intersection at Baxter Place has very little capacity which is already regularly exceeded. As noted in the Pinegrove Summary report submitted January 27, 2025, suggestions of routing traffic through the local roads in the Pinegrove/Pioneer Tower West Community has been of serious and on-going concern, with restrictions carried through from the 1986 Secondary Plan into Section 13: C.4.20: clause a) and b) of the City of Kitchener Official Plan.

a) The City will minimize the number of access points onto King Street East between Baxter Place and Highway 401 by requiring mutual points of access, where possible.

b) The City will restrict new access points to Baxter Place, Cressman Avenue and Limerick Drive from new or expanded development on lands designated as Commercial.

The Pinegrove Community strongly recommends that

Recommendation #2: Council comply with the previous thorough analysis and resulting commitment captured in the Pioneer Tower West Secondary Plan and the current City of Kitchener Official Plan: A Complete & Healthy Kitchener, Section 13, and not ever permit new access onto Limerick Drive from development properties on the south side of King Street East.

The very poor walkability, limited transit and bicycle access and reliance on automobile travel are three key challenges that face any development in the Pinegrove area of Pioneer Tower West, including 4611 King Street East. Initial discussion of each is in the Pinegrove Summary Report submitted January 27, 2025. The present report contains new information and recommendations for action with recommendations also summarized in a final section.

TRAFFIC

Many concerns have been raised around traffic for the development and its impact on the surrounding area by many of the major stakeholders. City staff and Regional transportation staff indicate that traffic near the development is 'not ideal'. The traffic at this site is some of the highest, if not the highest, in major developments across the City of Kitchener (see Figure 1). While a reduction in traffic as shown in Figure 1 may occur with the potential build out of a westbound flyover (15-20+ year timeframe), this will not solve the traffic concerns along King Street East. According to Region of Waterloo information, despite there being a flyover to 401 eastbound, over 500 vehicles per hour still used King Street East to access Highway 401 eastbound at peak times. Even if a significant amount of the traffic to Highway 401 westbound

in the area of this site was redirected, there is so much traffic past the site that it would still be busier than the majority of active developments in Kitchener. As such, the additional traffic generated from this development can impact more road users than anywhere else in the area – it is therefore critical to ensure the use of values as close to realistic as possible in determination of the traffic impacts of the site.

	4611 King St. East *2031 Forecast	4396 King St. East *2032 Forecast	808 Courtland Avenue *2032 Forecast	1198 Fischer-Hallman Rd. *2032 Forecast	236 Victoria Road North *2030 Forecast
Driveway Peak Traffic Volume	2621/hr	1668/hr	1149/hr	1419/h	799/h
Forecast with 100% 401 WB Traffic Reduction	1708/hr				
Forecast with 70% 401 WB Traffic Reduction	1978/hr				

Figure 1 Traffic volume projections at major developments (extracted from Paradigm Traffic Impact Assessments for the corresponding developments)

In this vein, it has been suggested that the estimate of background traffic on King Street East used in calculating the full traffic load is too low a value. The documentation is not entirely clear as to **whether/how appropriate fractions of the traffic that will be generated from the existing approved developments along King Street East has been added into the calculations** {Paradigm Transportation Solutions: Transportation Impact Briefs 4396 King Street East, May 2021; Stantec Memo Reference: 4220 King Street East and 25 Sportsworld Crossing Drive Development- Traffic Brief, December 24 2021} or **whether the inevitable truck traffic from the 248 acre East Lands Industrial area has been accounted for** {Paradigm Transportation Solutions: iPort Industrial Lands Cambridge ON Traffic Impact Study and Update August 2020}. In addition, **the right-turn into the property directly from the right lane on King Street East, and potential for queuing along King Street East, should be more carefully studied. Queuing on the property should likewise be more carefully studied.** Another major concern in terms of traffic flow into and out of the proposed development is the need (with the present layout) for nearly all pedestrians walking to and from the development, as well as pedestrians otherwise travelling along King Street East, to cross the driveway in front of cars trying to enter or leave the driveway. **The movement of pedestrians just from the development, estimated to be 120 during peak hours, was also not accounted for in the analysis.** This will lead to a very high risk of pedestrian-

vehicular accidents and injuries { <https://kitchener.citynews.ca/2024/11/25/staff-report-details-most-dangerous-intersections-in-waterloo-recommends-improvements/#:~:text=Top%2010%20dangerous%20intersections%20for%20pedestrians%3A&text=Columbia%20Street%20at%20Hagey%20Boulevard,Albert%20Street%20at%20Central%20Street>}. The increased foot traffic due to low number of parking spots may delay turning vehicles, with backups that block through traffic on King Street. ***Since account was not taken for this, any impact is presently unknown and should be studied in relation to the proposed development.***

Including pedestrian impacts in traffic studies is not unusual. The City of Kitchener has included walking and cycling impacts a few hundred meters down the road in documentation for Growing Together East. The City of Toronto requires pedestrian impact studies even for developments far outside of the downtown core. The Pinegrove Community recommends that

Recommendation #3 Council charge staff to further analyze and rectify concerns identified in the traffic studies due to considerations in the paragraphs above to ensure that conclusions made around traffic impact are consistent with actual known traffic movements along King Street East

and further that

Recommendation #4 Council charge staff to provide wording in the final zoning documentation regarding arrangement of the on-site walking / biking routes in the final site plan, to reduce interactions with King Street traffic movements and increase overall pedestrian and cyclist safety before the development is finally approved.

Adding to the concerns is the build out, service level and impact of the LRT on overall traffic along this stretch of King Street East. A WSP study {STAGE 2 ION: Light Rail Transit From Kitchener to Cambridge Traffic Impact Assessment Report (Appendix B9)} evaluated traffic movements along the 17 km route for the ION Phase 2. There are seven intersections at which the LRT will degrade traffic service levels to 'Poor' — four of these intersections are within 1 km of the proposed development site. To mitigate the adverse impacts on traffic flow due to LRT service, the WSP Report proposes changes to several intersections, as well as potentially widening King Street from four lanes to six along this stretch of King Street. Needless to say, this is a costly endeavor that is not likely to happen over the shorter term. While the LRT will have positive impact in terms of transit options for residents in the area, it is critical to note that these documented negative impacts have not been included in the traffic impact analysis. The Pinegrove Community recommends that

Recommendation #5 Council ask the applicant to further justify and revise existing traffic estimations to ensure that these address any impacts with the LRT and identify how this will affect the final traffic movements and conclusions of the traffic study.

As caring residents of the City of Kitchener, and thus proponents of the commercial and retail establishments within Kitchener, one added observation is in order. When people exit the proposed development by car onto the very busy section of King Street East for their 'local' trips (groceries, parks, the library, etc), the right out only option will encourage them to make Cambridge their destination of choice. Likewise, the very long walking distances to the nearest transit stops for buses and the ION towards Kitchener will again encourage people to take the GRT down Shantz Hill, again making the amenities in Cambridge more accessible than those in Kitchener thus taking business away from the retail establishments in our own City!

U-TURNS

The right in-right out only access and need for U-turns across King Street East places significant restrictions on residents. It affects the fundamental accessibility to their new homes in the 4611 King Street East development, as well as to Kitchener-Waterloo. In the submitted traffic study {Paradigm Transportation Solutions: Transportation Impact Briefs 4611 King Street East, July 2024 and revised December 2024}, it is indicated that zero drivers are currently making U-turns along King Street East in the study area. This is not the case. The owners of existing commercial properties along this strip of King Street East are quick to verify that they see people making U-turns on a regular basis. Some have also reported regular motor vehicle accidents resulting from these U-turns as well. Yet, implicit in the outcome of the traffic analysis as it presently stands is the assumption that no drivers, other than those from this site, will make U-turns at the intersections, now or in the future. Further concerns with respect to this underlying reliance on U-turns as a requirement for access to the 4611 King Street East development center on the observation that the U-turn queue at Tu Lane Street is very close to overcapacity and has high potential to block a through lane of King Street. The study data used comes from information collected when there was a center left turn lane (both directions) down the middle of King Street East, and thus no U-turns were necessary {Paradigm Transportation Solutions: Transportation Impact Briefs 4611 King Street East, July 2024 and revised December 2024}. Now that the median for the future LRT has been installed, these left turns have become U-turns. The Pinegrove Community recommends that

Recommendation #6 Council ask the applicant to ensure that the traffic calculations fully account for present conditions, with background U-turn data accounted for and the median in place, as well as appropriate future conditions with necessity for U-turns to identify how this will affect the final traffic impacts and thus conclusions of the traffic study.

There is an existing concrete median along King Street East, with a break for U-turns in front of the subject lands. Since this break will be removed with the LRT, the Pinegrove Community

Recommendation #7 fully agrees with inclusion of a rider clearly explaining the future loss of ability to make U-turns at this point on each of the units within the new development.

IMPACT ON A MAJOR TRANSPORT CORRIDOR

The section of King Street East where the proposed development is situated is a major goods movement corridor between Kitchener/Waterloo and Highway 401 that supports growing nearby industrial zones. Initial concerns related to the impact of traffic from this development are outlined in the Pinegrove Summary Report submitted on January 27, 2025. Some additional concerns and recommendations are outlined here.

Provincial policies emphasize the importance of avoiding gridlock and minimizing the impacts of development traffic on major goods movement corridors. In this instance, in addition to obvious impacts from added automobile traffic, there will also be impacts due to a) the number of automobiles that have to make U-turns to access the development (as noted above), b) the presence of the LRT (as outlined in the WSP report), c) the additional cyclists from the proposed 404 bicycles that have to travel on the main highway due to lack of access to dedicated cycling lanes, d) the disruption of traffic flow due to significantly increased use of GRT bus stops that do not have lay-overs and e) the additional pedestrian traffic generated from the site. The Pinegrove Community recommends that

Recommendation #8 Council ask the applicant to ensure that the traffic calculations explicitly discuss, and where possible account for, the above-mentioned factors in a revised study to further understand how these will impact the original conclusions and thus how the proposed development at 4611 King Street East will impact traffic along this major goods corridor.

WALKING, CYCLING AND TRANSIT

The availability of active transportation, pedestrian or transit network is very limited and difficult to access for the properties along the south side of King Street East, and significantly worse for 4611 King Street East due to its remote location relative to the boundary of the MTSA. This makes it **extremely challenging to provide the 'Transit Supportive Development' desired by the City of Kitchener**. As such, while the proposed high density building typology may result in a compact built form that would 'foster walkability within a pedestrian-friendly environment that allows walking to be safe, comfortable, barrier-free and a convenient form of urban travel' when located in many other areas of Kitchener, that is definitely not the case at this location. As noted in the Pinegrove Summary Report submitted January 27, 2025, sidewalks extend in only one direction, west, from the development and are located immediately adjacent to the major goods corridor outlined above. King Street East is not a pleasant road to walk along as it is a major highway - always noisy and with a steady stream of over 2600 cars and large trucks that travel through this area per hour (approximately 40/minute). In fact there is a holding provision proposed for the site zoning {98H} that a Noise Study be completed and approved, and recommended implementation measures be established, before any construction can begin. If there is need for this holding provision, which has also been required on other sites in this area in the past, then there is a very real concern over noise within the building units. **Walking will not be a safe and comfortable form of urban travel in this background level of traffic noise and confusion, coupled with exhaust**

emissions generated due to the projected level of traffic flow or gridlock and queueing both on-site and on King Street East around the development.

Further, while the low parking rate specified for the development on the surface aligns with transit supportive development, serious issues arise with the practicality of transit for the residents when one considers the distances and challenges involved in reaching transit stations. It has already been noted in the Pinegrove Summary Report submitted January 27, 2025 that the proposed development site is located outside the Major Transit Station Area. The walking distance to transit travelling toward Kitchener is much further than suggested in some of the submitted documentation related to this development. It is actually more than double the recommended 300-400 m distance, when an appropriate legal pedestrian route is followed {Pinegrove Summary Report submitted January 27, 2025}. Like transit, the majority of community facilities/services and local commercial establishments, are not within efficient or convenient walking or cycling distance forcing new residents to remain reliant upon automobiles. Even the closest pedestrian crossing is more than 300 m from the development, resulting in a classification as 'no level of service' under the guidelines of Complete Streets Kitchener: Streets for All {October 28, 2019}.

Although 404 bicycle parking spaces are to be provided, King Street East is not bicycle friendly. It is a major goods corridor and there is no legal route for cyclists to reach the multi-use trail on the north side of the street without walking their bikes 800m west along the sidewalk or cycling east in a main traffic lane along King Street East toward Cambridge and take the nearest U-turn crossing. Together, these factors will significantly increase potential for conflicts between vehicles, pedestrians and cyclists. This is at odds with view that (regardless of street classification), priority is given to the safety of pedestrians, cyclists, public transit users and motorists, in this order {Complete Streets Kitchener: Streets for All, October 28, 2019}. Therefore, the Pinegrove Community requests that

Recommendation #9 Council, in making their final decision around approval of this development, consider the safety, liability and long term financial implications related to movement of large numbers of pedestrians, as well as the numbers and use of bicycles as a major mode of active transportation to/from the development.

Roads within the Pinegrove Community do not meet the preferred layout for 'local streets' as outlined in Complete Streets Kitchener: Streets for All {October 28, 2019}. They might better be classified as 'rural roads' since they have convex tar and chip surfaces, with stormwater management provided through swales on each individual property, no sidewalks, bicycle lanes or streetlights (see picture on front cover of this report). The residents have grave concerns if these streets are even contemplated (now or in future) to be appropriate to serve as secondary access roads into or out of developments along the south side of King Street East. **Contemplating use of Limerick as a second access point for any new development would present a situation that is at complete odds with the premise in Complete Streets Kitchener that 'regardless of**

street classification, priority is given to the safety of pedestrians, cyclists, public transit users and motorists, in this order’.

Due to the nature of the streets and challenges with intersections at Baxter Place and Deer Ridge Drive, access from commercial establishments along the south side of King Street East has long been prohibited. This was outlined above, but it should be added that the difficult intersections at Baxter Place and Deer Ridge Drive with Highway 8 are also of concern. It was noted that these would impact on the total number of new residential units that could be developed within Pioneer Tower West {City of Kitchener Planning and Economic 1996-11-25 Item 7.4c} and that the streets could not accommodate additional traffic {Pioneer Tower West Service Commercial Secondary Plan, PD169/86, January 1987}. In 2001, it was considered in Arterial Commercial Zoning through to the present clauses (outlined above). Access from any of the developments would result in significant additional automobile traffic along streets in the neighbourhood – at first glance Limerick, Edgehill to Baxter Place; but recognizing the difficult intersection at Baxter Place-Pioneer Tower-King Street, likely also extending down Pioneer Tower (which is a Heritage Road and also already has had to have traffic calming measures installed {City of Kitchener Planning and Strategic Initiatives 2022-05-16 Item 7.4c}, through Deer Ridge to the Deer Ridge-King intersection as well. In this situation, the potential for conflicts between vehicles, pedestrians and/or cyclists would increase significantly and would run counter to priority being given to the safety of pedestrians, cyclists, public transit users and motorists, in that order. In fact, the situation would adversely impact all residents, current and future, in terms of pedestrian and cyclist safety along Limerick, Edgehill and other roads within Pioneer Tower West. With increasing emphasis on active transportation, pedestrian or transit networks to serve development, the Pinegrove Community recommends that

Recommendation #10 further study should be conducted to assess the adequacy and appropriateness of the existing infrastructure and the necessity for improved pedestrian and cycling facilities before any development is approved whereby there might be an increase in automobile traffic volume within the neighbourhood from the surrounding King Street East area.

This goes hand in hand with Recommendation #1 made above and reiterated here that ***a new Master Plan, taking due consideration of Growing Together East and current pressures in municipal planning, be developed for this area to proactively guide ‘best possible’ new development being approved along the south side of King Street East,***

and further that

Recommendation #11 Council comply with the previous thorough analysis and resulting commitment captured in the Pioneer Tower West Secondary Plan and the current City of Kitchener Official Plan: A Complete & Healthy Kitchener, Section 13, and not ever permit new access onto Limerick Drive from development properties on the south side of King Street East.

AMENITIES AND THE 15-MINUTE NEIGHBOURHOOD

The residents of the Pinegrove community embrace the intent to support a gradual transition of existing neighbourhoods into compact, well connected 15-minute neighbourhoods in which people of all ages and abilities access their needs within 15 minutes by walking, cycling or rolling. Presently, however, the types of support services and community amenities that might reasonably be expected in a 15-minute neighbourhood do not exist in the existing area, so certainly are not there for a high density residential development at 4611 King Street East. As discussed in the Pinegrove Summary Report submitted on January 27, 2025, notably absent are schools, parks, library, full-service grocery store and community use buildings. The proposed development is not within safe and convenient walking or cycling access to daily needs. Within the vision of 15-minute community, it must be re-iterated that **a Master Plan specific to the south side of King Street East be developed in concert with Growing Together East and that the 4611 King Street East site is not an appropriate location for the level of intensification and type of development proposed.**

URBAN DESIGN AND COMPATIBILITY

This proposed development will still loom much higher into the streetscape than is compatible with the existing low rise area even with recent modifications to the concept. The proposed heights are still significant taller than the 8 storey structures outlined for this type of zoning and employed in transition to low rise commercial at 4396 King Street East-Sportsworld Drive. This height is much taller than the 4 and 5 storey podiums in the zoning by-law and that have already been approved for nearby developments – ***why is a 6 or 7 storey podium appropriate in this development particularly when it backs onto low rise residential?*** {GSP Urban Design Brief 4611 King Street East, City of Kitchener Zoning By-law Amendment, June 2024; City of Kitchener DSD-2025-025 Official Plan Amendment Application; OPA24/012/K/ES Zoning By-law Amendment Application ZBA24/024/K/ES 4611 King Street East Imperial Oil Limited c/o LJM Developments, January 10, 2025} ***Why is the transition down to a 3 storey podium included on the side facing King Street East and that abutting MTO lands*** {City of Kitchener, DSD-2025-025, January 10, 2025} ***and not also required all the way around to form a transition to the adjacent low rise residential neighbourhood?*** The requested FSR is also significantly higher than the suggested maximum of 4 or 5 (when there is below-grade parking) in MIX-3 zoning. When weighed against the mounting number of other concerns around the proposed development on this site, there is not sufficient justification for many elements in outlined in the planning and urban design documents.

It was acknowledged in the Pinegrove Summary Report submitted January 27, 2025 that the broader area of the King Street corridor is in transition toward more dense and urban forms of development. Intensification is currently underway on the north side of King Street East in this major transit area. In the Growing Together East Supporting Documents, the lands between

Limerick and Baxter Place along the south side of King Street East are designated to be re-zoned from COM-3 to those stipulated in Strategic Growth Area (SGA) 2 which is intended to create opportunities for moderate growth in mid-rise forms up to 8 storeys in height, permitting a mix of residential and non-residential uses

{<https://www.engagewr.ca/growingtogether#:~:text=for%20this%20growth.-,Stay%20informed,to%20plan%20for%20this%20growth>}. While not directly within the envelope

of lands covered under Growing Together East, the proposed development is one of the first, if not the first, development contemplated on lands on the south side of King Street East directly abutting the Pinegrove Community. As such, it is critical that this project is 'done right', hence the previous recommendation to work together to form a **Master Plan** for the area. If done in a well-considered fashion, this will indeed form the desired welcoming gateway to the City of Kitchener, whilst also acknowledging its proximity to an existing rural, low-rise neighbourhood. Even after the proposed reduction in tower height, however, the buildings and site layout suggest an inward focus, without clear attempt at drawing a welcoming connection to the surrounding neighbourhood(s). The tall "urban street" concept forwarded by this development is not conducive to presenting a welcoming gateway to the city, nor compatible with zoning outlined in Growing Together East and certainly not compatible with the existing low rise neighbourhood. The proposed buildings simply represent too large a step change in height and character, without sufficient setback or transition to integrate into their historic, rural surroundings on the Pinegrove Community side or to enhance the quality of the future planned streetscape and pedestrian realm presumably envisioned under Growing Together East along the south side of King Street East (see Figure 2).

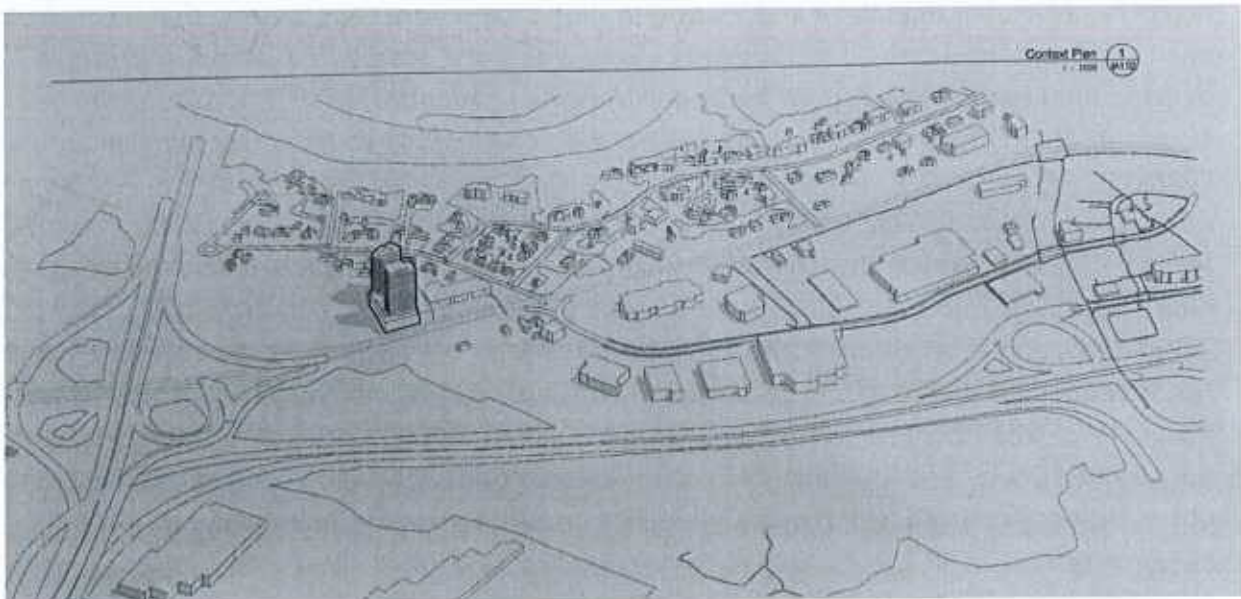


Figure 2 Rendering of the building form juxtaposed with current low rise residential community

Continuing development of similar nature along both sides of King Street East will result in a tunnelway rather than a vibrant, friendly entranceway into the projected East Growth Area. This nature of development would stick out as not coherent with the proposed streetscape along the same side of King Street East, and thus is much better suited to the north side of King Street East where higher development is project and both transit toward Kitchener and active transportation options are both inherently more accessible. With high density development along only one side of King Street East, the tunnel effect seen on streets lined with high density development along both sides would be avoided. In addition, King Street would provide a natural buffer zone that aids the intent of designing with setbacks and transitions from high intensity development to adjacent residential neighbourhoods such as Pinegrove. These good planning concepts are well developed in the current and pending Kitchener zoning and planning documents.

SEWAGE AND STORMWATER

The neighbourhood noted comments regarding stormwater management, as well as in the letter from the City of Cambridge around their lack of capacity to accept sewage from the development through the existing cross-border agreement. These concerns appear to have been addressed through holding provisions [99H and 100H] on the zoning amendments, as such, should not have an affect the Pinegrove Community.

WATER

LJM has indicated that they will retain the services of MTE Consultants to execute a work plan and assessment related to preservation of water supply in the wells within the Pinegrove Community. The MTE letter of November 4, 2024 indicated that they would conduct a door-to-door survey of wells within 250 metres of 4611 King St. E. that will be used to characterize existing wells. More detailed discussion is in the Pinegrove Summary Report submitted January 27, 2025. The Pinegrove Community emphasizes

Recommendation #12 that agreement for approval of zoning on the site needs to contain

- a. specific wording in a zoning by-law provision that LJM acknowledge that if their project causes a water supply problem in the existing wells, the onus is on them (LJM) to prove that they did not cause the problem. The onus is not on the residents to prove that LJM caused the problem and***
- b. specific wording in a zoning by-law provision that states that if LJM causes a water supply problem with the wells for the neighbourhood, any necessary remedial actions across all affected wells will be at the expense of LJM.***

The Pinegrove Community Association will be pleased to work with the City of Kitchener in order to prepare wording for an amendment that addresses that above points. In addition, they request

Recommendation #13

- a. clarification of the MTE letter of November 4, 2024. In indicates that "In the event potential adverse effects are identified, MTE will work with LJM and nearby residents to develop a monitoring and mitigation plan to assess nearby residential water wells during redevelopment and mitigate potential negative impacts on water quality or quantity." In***

order for the monitoring and mitigation plan to be effective, a thorough baseline program of well measuring, well water quality and well monitoring is required to document existing well water levels and quality. This program needs to start several months before construction commences, with levels taken to reflect and capture normal seasonal fluctuations in water levels and/or quality.

- b. that a sufficient number of wells (at least 6 wells) be included that the results can be considered as being representative of the neighbourhood.*
- c. that results be shared with the neighbourhood within a reasonable time (two weeks) of data being collected*
- d. that consideration be given to measuring and monitoring some wells that are outside of the 250 metre distance with at least one of the monitored wells being one that was measured and monitored during other projects as this provides a long term benefit of better understanding of the general condition of the aquifer and how the water levels and quality in measured and monitored wells in the past have varied over a long period.*

The Pinegrove Community Association and residents will jointly work with LJM and MTE on this issue of selecting wells to measure and monitor and to set up the monitoring program.

CONTAMINATION

It is acknowledged that the 4611 King Street East property is a brownfield site with a well documented history of pollution issues and that it still contains a plume of contaminated groundwater. The City of Kitchener Staff Report dated January 10, 2025 also indicates that the site contains a 'known plume of contaminated groundwater'. The Pinegrove Community has documented concerns with this in some detail in the Pinegrove Summary Report submitted January 27, 2025. The Pinegrove Community emphasizes

Recommendation #14 that agreement for approval of zoning on the site needs to contain

- c. specific wording in a zoning by-law provision that LJM acknowledges that if their project causes water contamination to the existing wells, the onus is on them (LJM) to prove that they did not cause the problem. The onus is not on the residents to prove that LJM caused the problem and*
- d. specific wording in a zoning by-law provision to state that if LJM causes water contamination to the existing wells for the neighbourhood, any necessary remedial actions across all affected wells will be at the expense of LJM.*
- e. specific wording that the necessary Record of Site Condition must be filed and approved before final approval of zoning for the 4611 King Street East site [currently covered under Provision 97H].*

Regular testing of the well water for contaminants must be conducted as part of the well monitoring and testing program. Contaminants to be analyzed would be the same as those outlined in the ESA Phase II by Golder Associates December 14, 2017 {Former Residence 4607/4611 King Street East, Kitchener, Ontario: SAP No. 88007599}. In this respect, it is further requested ***that details of implementing this program be worked out with the residents per the sequence contained in Recommendation #13.*** The Pinegrove Community Association will be

pleased to work with the City of Kitchener in order to prepare wording for an amendment that addresses this and the previous point.

SUMMARY OF RECOMMENDATIONS

This report has summarized additional information and concerns around the proposed Official Plan Amendment OPA24/012 and Zoning By-law Amendment ZBA24/024 applications pertaining to the development at 4611 King Street East, Kitchener Ontario. As residents of the Pinegrove Community, we fully embrace the work undertaken by the City of Kitchener on Growing Together East as well as their well thought out strategies in moving toward ‘*well-connected, accessible 15-minute neighbourhoods*’ and ‘*vibrant and active streetscapes [that] attract businesses, talent and investment through lively shopping districts, stress-free commuting options and efficient movement of goods and people*’. We urge the City and developer to take into account the location, context, character and limitations of the Pioneer Tower West area, in balancing intensification against building a wonderful community of which we can all be proud. At present, it remains hard to envision how the development, even in a revised configuration, will meet the broader objectives of the City, existing and future communities. **As such, the application for this development should be rejected or further deferred until such time as resolutions to those deficiencies can be properly addressed.**

Through our research into the many facets of this proposed development, we have generated a series of recommendations to be considered by all parties as they further deliberate on this proposal. These are collected together below.

Recommendation #1: that a new Master Plan, taking due consideration of Growing Together East and current pressures in municipal planning, be developed for this area to proactively guide ‘best possible’ new development being approved along the south side of King Street East.

Recommendation #2: Council comply with the previous thorough analysis and resulting commitment captured in the Pioneer Tower West Secondary Plan and the current City of Kitchener Official Plan: A Complete & Healthy Kitchener, Section 13, and not ever permit new access onto Limerick Drive from development properties on the south side of King Street East.

Recommendation #3 Council charge staff to further analyze and rectify concerns identified in the traffic studies due to considerations in the paragraphs above to ensure that conclusions made around traffic impact are consistent with actual known traffic movements along King Street East.

Recommendation #4 Council charge staff to provide wording in the final zoning documentation regarding arrangement of the on-site walking / biking routes in the final site plan, to reduce interactions with King Street traffic movements and increase overall pedestrian and cyclist safety before the development is finally approved.

Recommendation #5 Council ask the applicant to further justify and revise existing traffic estimations to ensure that these address any impacts with the LRT and identify how this will affect the final traffic movements and conclusions of the traffic study.

Recommendation #6 Council ask the applicant to ensure that the traffic calculations fully account for present conditions, with background U-turn data accounted for and the median in place, as well as appropriate future conditions with necessity for U-turns to identify how this will affect the final traffic impacts and thus conclusions of the traffic study.

Recommendation #7 fully agrees with inclusion of a rider clearly explaining the future loss of ability to make U-turns at this point on each of the units within the new development.

Recommendation #8 Council ask the applicant to ensure that the traffic calculations explicitly discuss, and where possible account for, the above-mentioned factors in a revised study to further understand how these will impact the original conclusions and thus how the proposed development at 4611 King Street East will impact traffic along this major goods corridor.

Recommendation #9 Council, in making their final decision around approval of this development, consider the safety, liability and long term financial implications related to movement of large numbers of pedestrians, as well as the numbers and use of bicycles as a major mode of active transportation to/from the development.

Recommendation #10 further study should be conducted to assess the adequacy and appropriateness of the existing infrastructure and the necessity for improved pedestrian and cycling facilities before any development is approved whereby there might be an increase in automobile traffic volume within the neighbourhood from the surrounding King Street East area.

Recommendation #11 Council comply with the previous thorough analysis and resulting commitment captured in the Pioneer Tower West Secondary Plan and the current City of Kitchener Official Plan: A Complete & Healthy Kitchener, Section 13, and not ever permit new access onto Limerick Drive from development properties on the south side of King Street East.

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Recommendation #13

- a. clarification of the MTE letter of November 4, 2024. In indicates that "In the event potential adverse effects are identified, MTE will work with LJM and nearby residents to

develop a monitoring and mitigation plan to assess nearby residential water wells during redevelopment and mitigate potential negative impacts on water quality or quantity.” In order for the monitoring and mitigation plan to be effective, a thorough baseline program of well measuring, well water quality and well monitoring is required to document existing well water levels and quality. This program needs to start several months before construction commences, with levels taken to reflect and capture normal seasonal fluctuations in water levels and/or quality.

- b. that a sufficient number of wells (at least 6 wells) be included that the results can be considered as being representative of the neighbourhood.*
- c. that results be shared with the neighbourhood within a reasonable time (two weeks) of data being collected*
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