

City of Kitchener
Zone Change Comment Form

Address: 1668 King St E

Owner: 2806399 Ontario Inc

Application #: OPA 21/088/K/CD and ZBA 21/013/K/CD

Comments Of: City of Kitchener – Urban Design- Planning

Commenter's Name: Pegah Fahimian

Email: Pegah.fahimian@kitchener.ca

Phone: 519-741-2200 Ext. 7342

Date of Comments: June 30, 2022

- 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:

- New Cover Letter
- New Urban Design Brief- MHBC Planning
- New Concept Site Plan - Cusimano Architects drawings

2. Site-Specific Comments & Issues:

- The application proposes two towers connected by shared parking facilities and outdoor common amenity space. While the concept of residential intensification on this site is positive and many previous staff comments have been incorporated into the proposal, some design modifications must be addressed in the Site Plan Stage to create a development proposal that is well designed and appropriate for this site and neighbourhood.
- The tall building design guidelines are an excellent compatibility test for proposals exceeding their zoning permissions. The proposal meets the tall building guidelines, specifically with regards to separation.
- The tower should step back from its base a minimum of 3m along any street-facing elevations.
- Provide floor plans for the location of proposed retail and residential on the ground floor and above-grade parking levels.
- The building facades fronting on King and Weber St should contain an appropriate amount of glazing and articulation, particularly along the lower 5m where the building addresses the sidewalk.
- This project should play a significant role in reinforcing the character of King and Weber Street. There is a need for public art at the entrance, well integrated into the architecture of the building, and suggest the following as options.
 - Public Art (sculpture, mural, digital)
 - Living wall (interior or exterior, but visible/prominent)
 - Enhanced architecture at the corner
 - Community-oriented space
 - Enhanced exterior lighting (colored, programmable, patterned, etc.)
- The city is supportive of the approach to use balconies to add a pattern to the tower, to articulate the facades and break down tower massing. Refining these balconies to create the best possible architectural expression for the tower will be critical. Podium levels along King and Weber Street would benefit from balconies for residential units, adding natural surveillance and a greater sense of street life.

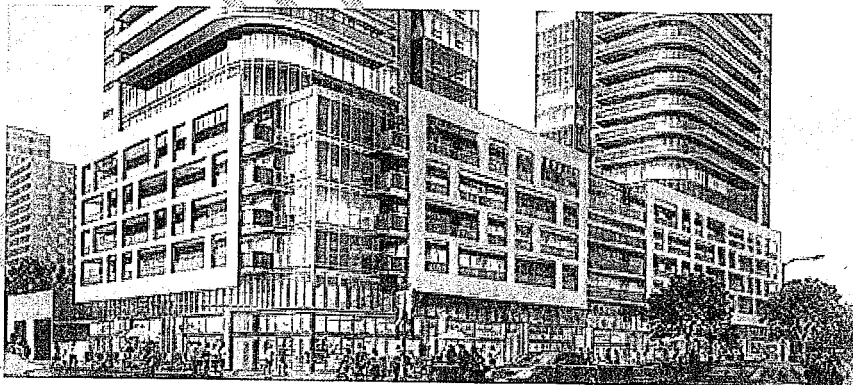
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- The proposed towers should have unique top features that are architecturally excellent, highly visible and make a positive contribution to the image of Kitchener developing skyline.
- Confirmation to be provided that the proposal-maintained access to at least 5 hours of cumulative direct sunlight to nearby residential, sidewalks and open spaces.
- All at-grade parking should be wrapped with active uses.
- Provide multiple above grade rooftops and podium amenities with a minimum of $(2 \text{ sq.m} \times \# \text{ units}) + (2.5 \text{ sq.m} \times \# \text{ bedrooms} - \# \text{ units}) = \text{outdoor amenity space}$. The amenity spaces
- Provide natural surveillance by employing high percentages of glazing, active uses at ground level and incorporate more units with windows and balconies on the main facade with views onto the street
- Provide materiality and texture shifts at the podium and across the towers and incorporate variations in tower setbacks from the base to distinguish the tower form from the podium.

3. Comments on Submitted Documents

New Urban Design Brief, MHBC Planning

- Floor plan including the parking layouts, retail spaces and unit layouts to be provided
- Residential and commercial entrances should be clearly identified and offer access from both the public realm and the private parking side of the building. The use of natural or built canopies /cantilevers to enhance pedestrian refuge and define the public realm is encouraged
- 3-bed units are desirable as they provide more living space for families. A higher percentage of these units might help with community engagement.
- Please outline the sustainability features of this project.
- Additional details to be provided for the pedestrian entrance, architectural style, elements, detailing and material selection.
- The proposed long podium should be broken down using enhanced detailing and articulation.



- Details of the streetscape are to be provided. Any streetscape elements proposed are to be reviewed and approved.
- Balconies may be staggered in a creative pattern to lighten the structure and provide private outdoor space for the units.

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- The proposed tower may be expressed with alternating solid cladding around balconies and glass curtain walls around living areas.
- Wind assessment and Noise feasibility study required for the outdoor amenity and the pedestrian realm.
- The underground parking structure should have sufficient setback from the property lines to accommodate the necessary soil volume to support required large-statured, high canopy trees. Perimeter trees should not be located on the garage slab roof. Within the site, required tree plantings can be accommodated on the garage slab but will still require standard minimum soil volumes.
- The area between the building's face and the property line should be well integrated with the street and public realm to deliver high quality and seamless private, semi-private and public spaces.
- All at-grade parking should be wrapped with active uses.
- The proposed towers should be designed and clad with different materials and colors so that they read as distinct from one another.
- Towers should have Heights that are visibly distinct when viewed from ground level. Generally, a tower should be shorter than an adjacent tower if its site is part of a transition to low or mid-rise surrounding neighborhoods, and a tower should be taller than an adjacent tower if its site is closer to higher order transit stops or significant landmark destinations.
- High quality building design is expected. The building design should be revised to incorporate appropriate setbacks, stepbacks and well-articulated massing with a well-defined base/podium and a ground floor integrated into the public realm.

Analysis of Microclimate Impacts

Confirmation has to be provided that the proposal maintains daily access to 5 hours of cumulative direct sunlight to nearby sidewalks and open spaces under equinox conditions, beginning with sidewalk located on the opposite side of adjacent ROWs.

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

A further quantitative wind study coupled with a detailed wind tunnel analysis will be required as part of the full site plan application package. A revised design proposal should be developed that addresses the wind impacts outlined in the submitted wind study.

According to the submitted wind study, the proposed amenity area located between the two towers is expected to be uncomfortable for typical activities in both summer and winter time. This can be especially problematic at entrance to the amenity area.

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The submitted preliminary / desktop Wind Study indicates that all building corners can expect to experience increased winds and there will be potential wind impacts from the proposed buildings particularly along the King St E frontage.

Preliminary Comments

Craig Dumart

From: Victoria Grohn
Sent: Wednesday, September 22, 2021 1:30 PM
To: Craig Dumart
Subject: RE: Circulation for Comment - OPA/ZBA (1668 King Street East)

Hi Craig,

No heritage planning concerns.

Victoria

Victoria Grohn (she/her)
Heritage Planner | Planning Division | City of Kitchener
519-741-2200 ext. 7041 | TTY 1-866-969-9994 | victoria.grohn@kitchener.ca

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Thursday, September 16, 2021 1:38 PM
To: 'Hodgins, Allan (MTO)' <Allan.Hodgins@ontario.ca>; _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Aaron McCrimmon-Jones <Aaron.McCrimmon-Jones@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Feds <vped@feds.ca>; GRCA (North Kitchener) - Trevor Heywood <theywood@grandriver.ca>; GRCA (South Kitchener) - Chris Foster-Pengelly <cfosterpengelly@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; K-W Hydro - Greig Cameron <gcameron@kwhydro.on.ca>; Linda Cooper <Linda.Cooper@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; UW - SA <Steven.amirikah@uwaterloo.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: Circulation for Comment - OPA/ZBA (1668 King Street East)

Please see attached - additional documentation available in [ShareFile](#). Comments or questions should be directed to **Craig Dumart**, Senior Planner (copied on this email).

Christine Kompter

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



City of Kitchener - Comment Form

Project Address: 1668 King Street East

Application Type: Official Plan Amendment OPA21/008/K/CD

Zoning By-law Amendment ZBA/21/013/K/CD

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

Commenter's name: Carrie Musselman

Email: carrie.musselman@kitchener.ca

Phone: 519-741-2200 x 7068

Written Comments Due: October 15, 2021

Date of comments: October 8, 2021

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

- Sustainability Statement, 1668 King Street East. July 19, 2021. MHBC Planning.

2. Comments & Issues:

I have reviewed the documentation (as listed above) to support an Official Plan and Zoning By-law Amendment to facilitate the development of a 23-storey multiple residential buildings (616 units) connected by a shared parking structure and with commercial space along King St E and provided the following:

- It is very encouraging to know that this development will be constructed to support a more sustainable form of living, building orientation considering passive heating and lighting, building design to achieve an Energy Star 17.0 and building construction to support future PV installation.

➤ **Based on my review the Sustainability Statement provided in support of the Official Plan and Zoning Bylaw Amendment is acceptable.**

3. Policies, Standards and Resources:

- Kitchener Official Plan Policy 7.C.4.5. The City will encourage and support, where feasible and appropriate, alternative energy systems, renewable energy systems and district energy in accordance with Section 7.C.6 to accommodate current and projected needs of energy consumption.
- Kitchener Official Plan Policy 7.C.6.4. In areas of new development, the City will encourage orientation of streets and/or lot design/building design with optimum southerly exposures. Such orientation will optimize opportunities for active or passive solar space heating and water heating.
- Kitchener Official Plan Policy 7.C.6.8. Development applications will be required to demonstrate, to the satisfaction of the City, energy is being conserved or low energy generated.

- Kitchener Official Plan Policy 7.C.6.27. The City will encourage developments to incorporate the necessary infrastructure for district energy in the detailed engineering designs where the potential for implementing district energy exists.

4. **Advice:**

- As part of the Kitchener Great Places Award program every several years there is a Sustainable Development category. Also, there are community-based programs to help with and celebrate and recognize businesses and sustainable development stewards (Regional Sustainability Initiative - <http://www.sustainablewaterlooregion.ca/our-programs/regional-sustainability-initiative> and TravelWise - <http://www.sustainablewaterlooregion.ca/our-programs/travelwise>).
- The ENERGY STAR® Multifamily High-Rise Pilot Program for new construction is a new five-year certification program in Ontario that recognizes buildings that are at least 15% more energy-efficient than those built to the provincial energy code and meet other program requirements. More information can be found online at <https://www.nrcan.gc.ca/energy-efficiency/buildings/new-buildings/energy-starr-multifamily-high-rise-pilot-program/21966>
- The '[Sustainability Statement Terms of Reference](#)' can be found on the City's website under 'Planning Resources' at ...
 - a. https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_Sustainability_Statement_Standard_Terms_of_Reference.pdf

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

Address: 1668 King St E
Owner: 2806399 Ontario Inc
Application: OPA 21/088/K/CD and ZBA 21/013/K/CD

Comments Of: Parks & Cemeteries

Commenter's Name: Lenore Ross

Email: Lenore.ross@kitchener.ca

Phone: 519-741-2200 ext 7427

Date of Comments: October 07 2021

- 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:

- a. Cover Letter
- b. Concept Plans - Cusimano Architects drawings SK-00 to SK-17 dated 2021-06-28
- c. Wind Study - Pedestrian Level Wind – Preliminary Impact Assessment. Boundary Layer Wind Tunnel Laboratory report dated May 11 2021

2. Site Specific Comments & Issues:

I have reviewed the documentation noted above submitted to support an OPA / ZBA to allow a mixed use development for two, 23 storey buildings, consisting of 616 residential units, 204 square metres of commercial space with an increased Floor Space Ratio of 7.2 rather than 4.0, reduced rear yard setback of 12.0 metres rather than 14.0 metres, and reduced on-site parking to permit parking at a rate of 0.7 spaces per unit for Multiple Dwelling Units greater than 51.0 square metres in size, rather than 1.0 spaces per unit.

Parkland dedication will be deferred at the OPA and ZBA and taken as cash-in-lieu of land at the future site plan application. Dedication requirements are subject to the Parkland Dedication Policy current at the time of application. Please be advised that the City of Kitchener Parkland Dedication Policy is currently under review. Should any further revisions be made to the site plan, a revised parkland dedication may be required.

The current policy standard rate of 1ha per 500 units, at a value of \$1,359,000.00 per hectare as per the Multiple Residential (Apartment) land class PLUS the policy standard land valuation of \$1,110,000 per hectare under the Commercial land class with a parkland dedication rate of 2% of the total net new commercial floor area are the current Parkland Dedication rates.

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

3. Comments on Submitted Documents

Concept Plans - Cusimano Architects drawings SK-00 to SK-17 dated 2021-06-28

Much of the active parkland in the Eastwood neighbourhood Planning Community is located north of Weber St E and the design of the Weber St E frontage should be reconsidered to accommodate pedestrian movement and provide a landscaped streetscape.

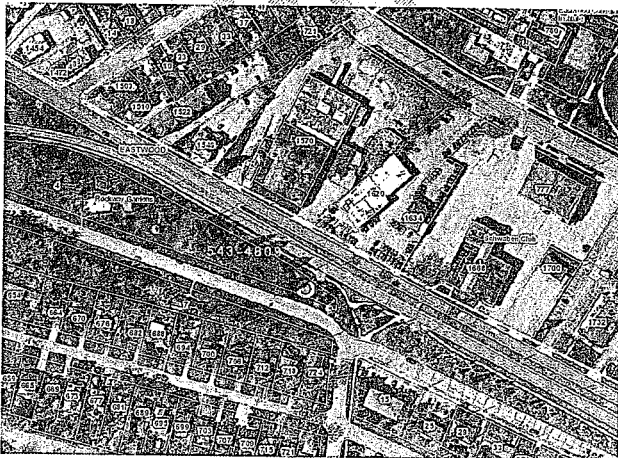
Accommodating through lot access for residents from both buildings and from bicycle storage facilities would improve use of and access to existing and planned neighbourhood multi-use pathways and trails.

A roof on the second floor parking deck should be provided to accommodate additional on-site amenity space.

Wind Study - Pedestrian Level Wind – Preliminary Impact Assessment. Boundary Layer Wind Tunnel Laboratory report dated May 11 2021

The submitted preliminary / desktop Wind Study indicates that there will be potential wind-related impacts from the proposed buildings particularly along the King St E frontage. There are pedestrian and transit facilities located along both Weber St E and King St E within the right of way and also the City-owned Rockway Gardens immediately across King St E from the development site. A full wind Study utilizing the detailed building design should be completed and used to inform design adjustments that will reduce the anticipated off-site wind impacts to pre-development levels. Sensors/evaluation points should be included at the four points noted in fushia on the attached sketch.

Parks & Cemeteries will require a copy of the full Wind Assessment for review and approval at the site plan application stage and expect that site and building design adjustments will be made to ensure no impacts to the public realm or property.



Zone Change / Official Plan Amendment Comment Form

4. **Policies, Standards and Resources:**

- Kitchener Official Plan
- City of Kitchener Parkland Dedication Policy
- City of Kitchener Development Manual
- Cycling and Trails Master Plan (2020)
- Multi-Use Pathways & Trails Masterplan
- Urban Design Manual

5. **Anticipated Fees:**

- Parkland Dedication paid as cash in lieu of land due prior to Final Site Plan approval

Preliminary Comments

City of Kitchener

Application Type: Zoning By-law and Official Plan Amendment

Application #: ZBA21/013/K/CD and OPA21/008/K/CD

Project Address: 1668 King Street East

Comments of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: October 13, 2021

- a. After reviewing the Transportation Impact Study, Parking Study and Site Circulation Review (July 2021) submitted by Paradigm Transportation Solutions Ltd., Transportation Services offer the following comments.

Transportation Services review focused on the Parking Study and Site Circulation Review. A thorough, in depth review of the Transportation Impact Study was not completed for the Weber Street East or King Street East access points, as each of the roadways are under the jurisdiction of the Region of Waterloo. A review of the site access points for the Five and Ten Year Total Traffic Operations scenarios concluded, that the site access at King Street East in the AM and PM peak hours is operating with acceptable Level of Service (LOS) and acceptable volume to capacity (v/c) ratios. The site access at Weber Street East in the AM peak hour has an acceptable LOS and v/c ratios. The PM peak hour noted a LOS E for vehicles turning left onto Weber Street East, however, there is vehicle capacity available for the site access.

The development is proposing 616 dwelling units, plus 204 square metres of retail space. The current zoning by-law parking requirement for this development is 513 spaces, where 371 parking spaces are being proposed. This equates to a parking shortfall of 142 spaces.

Of the 616 dwelling units, 132 of the units are proposed to be less than 51 square metres, which permit a lower vehicle parking rate, which is being satisfied. Also, the retail vehicle parking rate is being satisfied. However, the vehicle parking for the remaining 484 dwelling units will be discussed further.

As part of the Parking Justification in Section 6 of the report, the analysis compared several different vehicle parking rates to the proposed parking rate and vehicle parking supply for this development. Also, the incorporation of Transportation Demand Management (TDM) measures into the site.

The parking rate analysis of five proxy sites that are located within the City of Kitchener concluded an average peak parking demand of 0.66 parking spaces per unit, where this development is proposing 0.70 spaces per unit. The ITE Parking Generation Manual for this type of development and location estimates, 345 parking spaces, where 371 parking spaces are being proposed. Area Specific

Vehicle Ownership from the 2016 Transportation Tomorrow Survey suggests that vehicle ownership among apartment dwellers is 0.98 vehicles per household. It should be noted that vehicle ownership could not be considered for the ION rail service that opened in September 2019. Also, the household data reflects older developments, where vehicle parking was typically over supplied and didn't have comprehensive TDM plans associated with the developments.

The TDM measures noted within the report spoke to, existing Grand River Transit routes along King/Weber streets and pedestrian walkability along existing municipal sidewalks at King/Weber streets. The report also noted that the site is committed to unbundling the cost of parking from the units, providing 124 indoor secure Class A bicycle parking spaces, provision of car share parking and TDM educational information packages for tenants. It should be noted that the proposed visitor parking rate of 10% would meet the intent of the future zoning by-law and all parking to be located on-site.

Therefore, Transportation Services can support the proposed vehicle parking rate of 0.70 spaces per unit for units greater than 51 square metres, provided that the above noted committed TDM measures are provided on-site for this development.

- b. The truck movement plan on Figure 7.1 AutoTURN Site Circulation TAC HSU, is acceptable. Transportation Services supports the recommendation in the report to have the circular center island at the Weber Street East access point be constructed as a mountable island, to enable trucks to exit the site in a forward motion onto Weber Street East.

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Address: 1668 King St E
Owner: 2806399 Ontario Inc
Application #: OPA 21/088/K/CD and ZBA 21/013/K/CD

Comments Of: City of Kitchener – Urban Design- Planning
Commenter's Name: Pegah Fahimian
Email: Pegah.fahimian@kitchener.ca
Phone: 519-741-2200 Ext. 7342

Date of Comments: October 15, 2021

- 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:

- Cover Letter
- Urban Design Brief- MHBC Planning- July 2021
- Concept Plans - Cusimano Architects drawings SK-00 to SK-17 dated 2021-06-28
- Wind Study - Pedestrian Level Wind – Preliminary Impact Assessment: Boundary Layer Wind Tunnel Laboratory report dated May 11 2021

2. Site-Specific Comments & Issues:

I have reviewed the documentation (as listed above) to support an OPA / ZBA to allow a mixed-use development for two, 23 storey buildings, consisting of 616 residential units, 204 square meters of commercial space with an increased Floor Space Ratio of 7.2 and reduced on-site parking to permit parking at a rate of 0.7 spaces per unit for Multiple Dwelling Units greater than 51.0 square meters in size, rather than 1.0 spaces per unit.

- The application proposes two identical, large slab buildings that do not appear to meet design criteria for Tall Building Design Guidelines specifically with regard to separation. A revised design proposal should be developed that addresses the design direction and standards outlined in the City's Urban Design Manual including the Tall Building Guidelines and the Design Brief criteria identified below:
- All at-grade parking should be wrapped with active uses.
- The area between the building's face and the property line should be well integrated with the street and public realm to deliver high quality and seamless private, semi-private and public spaces.
- Adequate and appropriate amenity space will be required; please see Urban Design Manual minimum requirements and specifications.
- The tower should step back from its base a minimum of 3m along any street-facing elevations.
- The underground parking structure should have sufficient setback from the property lines to accommodate the necessary soil volume to support required large -statured, high canopied trees. Perimeter trees should not be located on the garage slab roof. Within the site, required tree plantings can be accommodated on the garage slab but will still required standard minimum soil volumes.

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3. Comments on Submitted Documents

Concept Plans - Cusimano Architects drawings SK-00 to SK-17 dated 2021-06-28

- Towers are highly visible elements of the urban environment and must meet Kitchener's highest standards for design excellence. The building should be designed and clad with different materials and colors so that they read as distinct from one another.
- The proposed towers should have unique top features that is architecturally excellent, highly visible and makes a positive contribution to the image of Kitchener developing skyline.
- Provide natural surveillance by employing high percentages of glazing, active uses at ground level and incorporate more units with windows and balconies on the main facade with views onto the street
- Towers should have Heights that are visibly distinct when viewed from ground level. Generally, a tower should be shorter than an adjacent tower if its site is part of a transition to low or mid-rise surrounding neighborhoods, and a tower should be taller than an adjacent tower if its site is closer to higher order transit stops or significant landmark destinations.
- Provide materiality and texture shifts at the podium and across the towers and incorporate variations in tower setbacks from the base distinguish the tower form from the podium.
- High quality building design is expected. The building design should be revised to incorporate appropriate setbacks, stepbacks and well-articulated massing with a well-defined base/podium and a ground floor integrated into the public realm.
- Residential entrances should be clearly identified and offer access from both the public realm and the private parking side of the building.
- All utilities should be coordinated with the landscape design and with building elevations to provide a high quality pedestrian experience with the site and from the public realm. Infrastructure should be located within the building in mechanical/electrical rooms and exterior connections located discretely and incorporate physical screens or landscape plating as required. Surface transformers or service connections visible from the public realm are not supported.

Wind Study - Pedestrian Level Wind – Preliminary Impact Assessment. Boundary Layer Wind Tunnel Laboratory report dated May 11, 2021

The submitted preliminary / desktop Wind Study indicates that all building corners can be expected to experience increased winds and there will be potential wind impacts from the proposed buildings

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particularly along the King St E frontage. The amenity space is located between two buildings. This area has been identified as requiring mitigation to make it functional for typical amenity usages.

A full Wind Assessment should be provided for review at the site plan application stage. A revised design proposal should be developed that addresses the wind impacts outlined in the submitted wind study.

Preliminary Comments

Craig Dumart

From: Katie Wood
Sent: Tuesday, June 21, 2022 8:47 AM
To: 'Kate Wills'; Craig Dumart
Cc: 'Stephen Litt'; Mark Hocolik; Pierre Chauvin
Subject: RE: 1668 king st street - opa/zba resubmission

This is acceptable to Engineering. Thank you. Engineering and KU have no concerns regarding the flows at this time.

Sincerely,

Katie Wood, C.E.T.

Project Manager | Development Engineering | City of Kitchener
519-741-2200 ext. 7135 | TTY 1-866-969-9994 | katie.wood@kitchener.ca



From: Kate Wills <kwills@mhbcplan.com>
Sent: Monday, June 20, 2022 5:12 PM
To: Craig Dumart <Craig.Dumart@kitchener.ca>; Katie Wood <Katie.Wood@kitchener.ca>
Cc: 'Stephen Litt' <sl@vivedevelopment.ca>; Mark Hocolik <mh@vivedevelopment.ca>; Pierre Chauvin <pchauvin@mhbcplan.com>
Subject: [EXTERNAL] FW: 1668 king st street - opa/zba resubmission

Hi Craig and Katie.

Please see the email below from Justin Erb at SBM confirming that the population on site has decreased. The domestic water demand will be less and sanitary flows will be less, therefore the flows from the original SFS are still met.

We trust the email below and attachments are satisfactory. Katie – can you please confirm you are satisfied with the email below?

Craig- can you please confirm that there are no outstanding items for 1668 King to finalize the recirculation/comments?

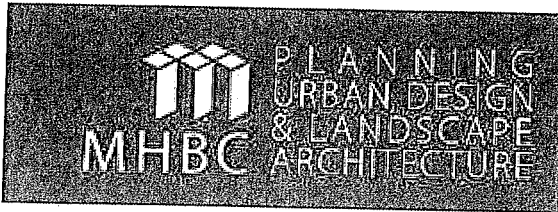
Thank you.

Kate

KATE WILLS BES MCIP RPP | Associate

MHBC Planning, Urban Design & Landscape Architecture
540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 | C 519 635 9999 | F 519 576 0121 | kwills@mhbcplan.com

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From: Justin Erb <jerb@sbmltd.ca>
Sent: June 16, 2022 4:00 PM
To: Mark Hocolik <mh@vivedevelopment.ca>; Kate Wills <kwills@mhbcpplan.com>
Cc: Stephen Litt <sl@vivedevelopment.ca>; Pierre Chauvin <pchauvin@mhbcpplan.com>; 'Daniel Cusimano' <dca@studio185.ca>; Mick Kerr <mkerr@studio185.ca>
Subject: RE: 1668 king st street - opa/zba resubmission

Hi Mark and Kate,

Our original Servicing Feasibility Study (SFS) dated May 31, 2021, (attached for reference) used a total unit count of 616 units containing 852 bedrooms for a total population of 1,704 people. The revised architectural plans (attached) dated May 13, and May 31, 2022, along with the email from Mick providing the bedroom count show a total unit of 616 units containing 795 bedrooms for a total population of 1,590 people. As the total population has decreased, the domestic water demand will be less and the sanitary flows will also be less; therefore, the flows from the original SFS are still met.

Please, let me know if you require any additional information.

Have a great day,

Justin Erb, C.E.T.
Associate I, Project Lead
P: 519-471-6667 x117
E: jerb@sbmltd.ca



From: Mark Hocolik <mh@vivedevelopment.ca>
Sent: Tuesday, June 7, 2022 2:31 PM
To: Kate Wills <kwills@mhbcpplan.com>; Justin Erb <jerb@sbmltd.ca>
Cc: Stephen Litt <sl@vivedevelopment.ca>; Pierre Chauvin <pchauvin@mhbcpplan.com>
Subject: RE: 1668 king st street - opa/zba resubmission

@Justin Erb – Please provide email confirmation for Katie’s email below as instructed.

Your comment was as follows (in tracker):

Justin - no servicing concern that would hold back sign off on re-zoning. Changes on detailed design (Confirm Storm Sewer Restriction)



MARK HOCULIK | Project Manager, Design & Planning
Vive Development | vivedevelopment.com
519.574.4338 | mh@vivedevelopment.ca

From: Kate Wills <kwills@mhbcplan.com>
Sent: June 7, 2022 2:24 PM
To: Mark Hoculik <mh@vivedevelopment.ca>
Cc: Stephen Litt <sl@vivedevelopment.ca>; Pierre Chauvin <pchauvin@mhbcplan.com>
Subject: FW: 1668 king st street - opa/zba resubmission

Mark.

Please see the email thread and below from the City of Kitchener regarding the Functional Servicing Brief for 1668 King St. We did not resubmit an updated study as part of this submission.

Can you please touch base with SBM and see how they can address the City concerns?

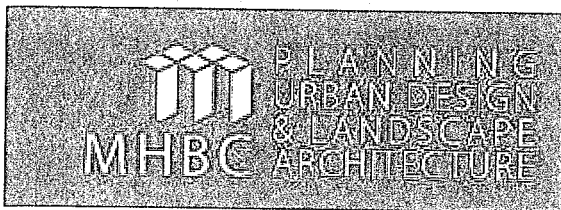
Thanks
Kate

KATE WILLS BES MCIP RPP | Associate

MHBC Planning, Urban Design & Landscape Architecture

540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 | C 519 635 9999 | F 519 576 0121 | kwills@mhbcplan.com

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From: Craig Dumart <Craig.Dumart@kitchener.ca>
Sent: June 7, 2022 2:14 PM
To: Kate Wills <kwills@mhbcplan.com>
Subject: FW: 1668 king st street - opa/zba resubmission

See Engineering's response below.

Craig

From: Katie Wood <Katie.Wood@kitchener.ca>
Sent: Tuesday, June 7, 2022 2:13 PM
To: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: RE: 1668 king st street - opa/zba resubmission

Hello,

I've looked this over and it doesn't appear that they updated the functional servicing report or water distribution report. Those are standard Engineering requirements for a ZBA. If the flows from the original 2021 application are still met then I'd just need that confirmation in an email from the consultant.

Sincerely,

Katie Wood, C.E.T.

Project Manager | Development Engineering | City of Kitchener
519-741-2200 ext. 7135 | TTY 1-866-969-9994 | katie.wood@kitchener.ca



From: Craig Dumart <Craig.Dumart@kitchener.ca>
Sent: Monday, June 6, 2022 2:32 PM
To: Dave Seller <Dave.Seller@kitchener.ca>; Pegah Fahimian <Pegah.Fahimian@kitchener.ca>; MMohr <MMohr@regionofwaterloo.ca>; Katie Wood <Katie.Wood@kitchener.ca>
Subject: FW: 1668 king st street - opa/zba resubmission

Good afternoon everyone,

The applicant has revised their OPA/ZBA application in response to staffs comments on their initial submission. Please see the share file link below with the resubmission subfolder with all of the updated documents.

Please review and provide updated formal comments by **JUNE 30, 2022.**

Craig Dumart, BES, MCIP, RPP
Senior Planner | Planning Division | City of Kitchener
(519) 741-2200 ext 7073 | TTY 1-866-969-9994 | craig.dumart@kitchener.ca



From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Monday, June 6, 2022 2:27 PM

Craig Dumart

From: Dave Seller
Sent: Tuesday, June 28, 2022 11:01 AM
To: Craig Dumart
Subject: RE: 1668 King Street East - Visitor Parking Requirement

The below parking breakdown is acceptable.

From: Kate Wills <kwills@mhbcplan.com>
Sent: Thursday, June 16, 2022 2:43 PM
To: Craig Dumart <Craig.Dumart@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>
Cc: 'Stephen Litt' <sl@vivedevelopment.ca>; Pierre Chauvin <pchauvin@mhbcplan.com>; Mark Hocolik <mh@vivedevelopment.ca>
Subject: [EXTERNAL] RE: 1668 King Street East - Visitor Parking Requirement

Hi Craig and Dave.

As per your request, below is a table showing the breakdown of parking for 1668 King Street East.

1668 King Street East Parking Breakdown		
Retail	10	1 per 20 sq.m. of GFA (184.4 sq.m.)
Visitor	28	7% of total visitor parking
Residential	393	Proposed at 0.64 spaces per unit
Total	403	

If you require and additional information, please let me know.

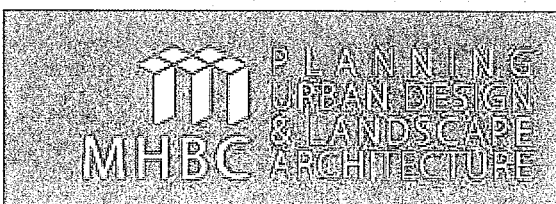
Thanks
Kate

KATE WILLS BES MCIP RPP | Associate

MHBC Planning, Urban Design & Landscape Architecture

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From: Craig Dumart <Craig.Dumart@kitchener.ca>
Sent: June 16, 2022 11:08 AM
To: Pierre Chauvin <pchauvin@mhbcolan.com>; Kate Wills <kwills@mhbcolan.com>
Cc: 'Stephen Litt' <sl@vivedevelopment.ca>
Subject: FW: 1668 King Street East - Visitor Parking Requirement

See daves request below.

Craig

From: Dave Seller <Dave.Seller@kitchener.ca>
Sent: Thursday, June 16, 2022 10:49 AM
To: Craig Dumart <Craig.Dumart@kitchener.ca>
Subject: RE: 1668 King Street East - Visitor Parking Requirement

Hi Craig,

Can you have the applicant provide a summary of the parking provided.

Retail	
Visitor	
Residential	
Total	

Thanks.

Dave Seller, C.E.T.

Traffic Planning Analyst | Transportation Services | City of Kitchener
519-741-2200 ext. 7369 | TTY 1-866-969-9994 | dave.seller@kitchener.ca



From: Craig Dumart <Craig.Dumart@kitchener.ca>
Sent: Tuesday, June 14, 2022 4:20 PM
To: Dave Seller <Dave.Seller@kitchener.ca>
Subject: FW: 1668 King Street East - Visitor Parking Requirement

See response below regarding visitor parking rate for 1668 king st e

From: Kate Wills <kwills@mhbcolan.com>
Sent: Tuesday, June 14, 2022 2:33 PM
To: Craig Dumart <Craig.Dumart@kitchener.ca>
Cc: Pierre Chauvin <pchauvin@mhbcolan.com>; Stephen Litt <sl@vivedevelopment.ca>; Mark Hoculik <mh@vivedevelopment.ca>
Subject: [EXTERNAL] 1668 King Street East - Visitor Parking Requirement

Hi Craig.

We have had some discussions with our project team and would like to add back in the original request for a reduction in visitor parking for 1668 King Street to 7% of the total parking requirement.

Please use this email as our formal request for permission to amend Section 6.1.2 b) vi) C) to permit Visitor Parking at a rate of 7% of required parking.

If you have any questions please let me know. The justification for the reduction of the visitor parking rate remains the same as our original submission.

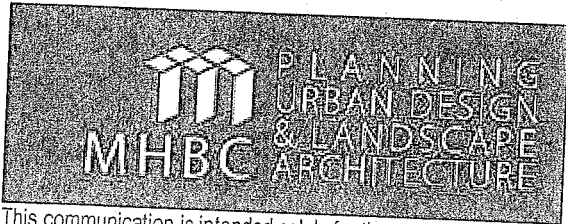
Thank you.

Kate

KATE WILLS BES MCIP RPP | Associate

MHBC Planning, Urban Design & Landscape Architecture
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Region of Waterloo

PLANNING, DEVELOPMENT
AND LEGISLATIVE SERVICES
Community Planning

150 Frederick Street 8th Floor
Kitchener Ontario N2G 4J3 Canada
Telephone: 519-575-4400
TTY: 519-575-4608
Fax: 519-575-4466
www.regionofwaterloo.ca

Melissa Mohr 226-752-8622
File: D17/2/21008
C14/2/21013
August 10, 2022

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

Dear Mr. Dumart,

**Re: Proposed Official Plan Amendment OPA 21/08 and
Zoning By-law Amendment ZBA 21/013 – 2nd submission
1668 King Street East
MHBC Planning Ltd. (C/O Pierre Chauvin) on behalf of
2806399 Ontario Inc. (C/O Stephen Litt)
CITY OF KITCHENER**

MHBC Planning Ltd. on behalf of 2806399 Ontario Inc. has resubmitted an Official Plan Amendment and Zoning By-law Amendment for a development proposal at 1668 King Street East in the City of Kitchener.

Original Application and Proposal:

The original proposal was to permit a mixed-use development for two, 23 storey buildings consisting of 616 residential units and 204 square metres of commercial space. The applicant required an Official Plan Amendment to permit an increased in the floor space ratio of 7.2 whereas a maximum of 4.0 is permitted. In addition, a Zoning By-law Amendment was required in order to permit the increased floor space ratio of 7.2, and a rear yard setback of 12 metres, whereas 14 metres is required and a parking rate of 0.7 spaces per unit for a multiple dwelling unit greater than 51 square metres in size, rather than the required 1 space per unit.

Current Application and Proposal:

The applicant has continued to proposed a mixed-use development for two towers; One tower is proposed as a multi-storey tower containing an 8-storey podium connected to a 12 and 23 storey residential tower containing 313 residential units. The ground floor contains approximately 184.4 sq.mt of commercial/retail space. The second tower

Document Number: 4151384

Version: 1

contains an 8-storey podium connected to a 12 and 22 storey residential tower containing 303 residential units. There is a shared outdoor amenity area located on the third storey above the parking structure. Four hundred and three (403) parking spaces are located in a below grade parking structure and within the first two storeys of the 3-storey parking deck which is to be shared by both buildings.

An **Official Plan Amendment** is required to permit the redesignation of the lands from Mixed-Use with Special Policy Area 1 to Mixed-Use with a Special Policy Area to permit an increased FSR of 7.2 (whereas a maximum of 4.0 is permitted). The **Zoning By-law Amendment** is required to rezone the whole of the lands to MIX-2 and to modify site-specific provisions to allow an FSR of 7.2 (whereas a max. of 4 FSR is permitted); permit a rear yard setback from the Weber Street frontage of 9.4 m (whereas 14 m is required); permit a dwelling unit at grade (along the King Street frontage) in a mixed-use building; permit a parking rate of 0.64/unit for all multiple dwelling units.

The Regional Municipality of Waterloo has had the opportunity to review the proposal and offers the following:

Regional Comments

Consistency with Provincial Legislation and Regional Official Plan Conformity

The subject lands are designated "Urban Area" and "Built Up Area" on Schedule 3a of the Regional Official Plan (ROP) and the site is located designated Mixed Use Corridor with Special Policy Area 1 in the City of Kitchener Official Plan. Furthermore, the subject lands are zoned High Intensity Mixed Use Corridor (MU-3) Zone.

The Urban Area designation of the ROP has the physical infrastructure and community infrastructure to support major growth and social and public health services (ROP Section 2.D). The ROP supports a Planned Community Structure based on a system of Nodes, Corridors and other areas that are linked via an integrated transportation system (ROP objective 2.1 and 2.2). Components of the Planned Community Structure include the Urban Area, nodes, corridors and other development areas including Major Transit Station Areas (MTSA's).

Mostly all of the Region's future growth will occur within the Urban Area, with a substantial portion of this growth directed to the existing Built-Up Area of the Region through reurbanization. Focal points for reurbanization include Urban Growth Centres, Township Urban Growth Centres, Major Transit Station Areas, Reurbanization Corridors and Major Local Nodes (ROP Section 2.B). Regional staff understand that the development is located in an Urban Corridor of the City of Kitchener and is situated on two Regional Roads with bus routes that connect to a rapid transit stop; therefore, Regional staff have no objection to the additional density proposed through this application.

In addition to the above, the Region wishes to advise the applicant of the following technical comments related to the proposal:

Record of Site Condition

As indicated through the record of pre-submission, there are medium and high environmental threats located on and adjacent to the subject lands due to past land uses in accordance with the Region's Treats Inventory Database (TID); therefore, a Record of Site Condition (RSC) and Ministry Acknowledgement Letter shall be required in accordance with the Region's Implementation Guidelines. **The Region shall require a holding provision on the subject lands (excluding the lands subject to the road dedication) to require the submission of a RSC and Ministry Acknowledgement letter to the satisfaction of the Regional Municipality of Waterloo.**

Corridor Planning

Official Plan and Zoning By-law Amendment Stage:

Transportation (Road) Noise:

Region of Waterloo staff have reviewed the "Noise Feasibility Study, Proposed Mixed-Use Development, 1668 King Street East, Kitchener, Regional Municipality of Waterloo, Ontario" dated July 8, 2021, prepared by HGC Engineering and Regional transportation comments are as follows:

The environmental noise study notes that the proposed development will be impacted by both transportation noise and stationary noise sources. The transportation noise aspects of the report determined that the noise levels at various locations exceed the Region of Waterloo and Ministry of the Environment, Conservation and Parks (MECP) noise limits. Noise mitigation measures (e.g. installation of air-conditioning special building components (e.g. walls, windows, doors etc.) and noise-warning clauses shall be required for all units in the development to achieve the indoor noise level criteria.

The study determined that the proposed noise sensitive aspects of the proposed development will be feasible and it is recommended that further detailed noise assessment is required for each of the proposed buildings once more details are made available (e.g. civil, electrical and mechanical plans and equipment selections and materials are made available). **To address this, Regional staff require a Holding Provision requiring the submission of a detailed transportation noise study for each of the buildings once civil, electrical and mechanical plans and equipment selections and materials are provided. The detailed noise study and any related implementation shall be to the satisfaction of the Regional Municipality of Waterloo.**

In addition to the Holding Provision, the following mitigation measures shall be implemented through a future Site Plan Agreement at the Site Plan stage and through conditions of Draft Plan Approval at the Condominium stage (should a condominium be proposed):

1. All residential units within Building 'A' and Building 'B' of the proposed development at 1668 King Street East, Kitchener shall be constructed with air conditioning and include the following noise warning clauses in any agreements

of Offers of Purchase and Sale, Lease/Rental Agreements, and/or Condominium Declarations:

“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”

“This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”

2. Outdoor Living Areas (OLA's) were identified in the study as being located on the second storey podium roof between Buildings A and B, as well as at grade to the west of Building B. The predicted noise levels at the OLAs exceed the noise level limits and require the noise-warning clauses listed above. In addition to the noise-warning clauses noted above, a 1.07m high parapet wall shall be required along the roof edge of the second storey. The parapet wall must be solid, gap free and have a surface density not less than 20kg/m².
3. Building Components within Building 'A' and Building 'B' require upgraded glazing elements for the building envelope to ensure adequate indoor sound levels from transportation noise. The developer shall ensure adequate indoor sound levels from transportation noise and confirm the assumed 50% (40% fixed and 10% operable) for living/dining rooms and the assumed 40% (30% fixed and 10% operable) for bedroom windows used in the STC calculations. The minimum fixed window STC requirements are identified in Table 4 and 5 of the report shown below:

Table 4: Required Minimum Glazing STC for Building A

Façade	Space	Glazing STC ^{1, 2}
North	Living/Dining	STC-30
	Bedroom	STC-30
East	Living/Dining	STC-34
	Bedroom	STC-33
South	Living/Dining	STC-32
	Bedroom	STC-31
West	Living/Dining	OBC
	Bedroom	OBC

Table 5: Required Minimum Glazing STC for Building B

Façade	Space	Glazing STC ^{1, 2}
North	Living/Dining	STC-31
	Bedroom	STC-30
East	Living/Dining	STC-33
	Bedroom	STC-33
South	Living/Dining	STC-30
	Bedroom	STC-30
West	Living/Dining	OBC
	Bedroom	OBC

Notes for Tables 4 and 5:

¹ Based on 50% window to floor area ratio for living/dining rooms and 40% for the bedrooms. When detailed floor plans and building elevations are available, glazing requirements should be refined based on actual window to floor area ratios.

² STC requirement refers to fixed glazing. Small leaks through operable doors and windows are assumed, however, tight weather seals should be provided to reduce such leakage to the extent feasible.

OBC – Ontario Building Code

4. The location and installation of any outdoor/indoor air conditioning devices should be placed in a way that minimizes noise impacts and complies with the criteria of the Municipality and the Ministry of the Environment, Conservation and Parks Noise publication (NPC-300).
5. That prior to the issuance of any building permits, the City of Kitchener's Building Inspector will certify that the noise attenuation measures have been incorporated in the building plans and upon completion of construction, the City of Kitchener's Building Inspector will certify that the dwelling units have been constructed accordingly.

Stationary Noise:

Regional staff have reviewed the stationary noise aspects of the environmental noise study entitled "Noise Feasibility Study, Proposed Mixed-Use Development, 1668 King Street East, Kitchener, Regional Municipality of Waterloo, Ontario" dated July 8, 2021 and the "Response to ROW Comments" dated April 20, 2022 both prepared by HGC Engineering and have the following regarding the stationary noise findings:

The study has identified a number of off-site stationary noise sources that have a potential impact on the subject lands. These off-site sources include but are not limited to an Autobody Shop and Used Auto Dealership directly adjacent to the subject lands. The study identified the rooftop paint exhaust fan associated with the Autobody Shop

(Kitchener Autobody) has a noise exceedance of 2 dBA and the study recommends to mitigate noise from the exhaust fan through either a quieter fan or a silencer. It is Regional staff's understanding that the developer is exploring the possibility of source controls with the Owner of the Autobody Shop. This will need to be addressed through a detailed noise study.

The Region has received confirmation by the Applicant/Developer that Kitchener Autobody has been consulted and the Autobody shop agrees to implement the updated study recommendation at the detailed design stage/site plan stage to attenuate at the source. The Region shall require a letter of confirmation from the Owner of Kitchener Autobody to ensure they agree to implement the recommended mitigation measures on the exhaust fan; all to the satisfaction of the Region. **A holding provision shall be required to ensure this detailed study is completed and confirmation from Kitchener Autobody is received, to the satisfaction of the Region.**

Finally, although detailed building designs have yet to be provided, the study identified potential on-site noise sources such as cooling towers, exhaust fans, emergency generators and A/C equipment that may be associated with the lower floor commercial uses. These sources will require further assessment through a detailed stationary noise study determine any impacts to on-site and off-site sensitive receptors.

Similar to the above, Regional staff require a Holding Provision (Holding Zone) be implemented on the entirety of the subject lands to ensure that the assessment of this aspect of the proposal (including the mitigation detail at the Autobody Shop) has been assessed through a detailed Station Noise Study; all to the satisfaction of the Regional Municipality of Waterloo.

Based on the above, Regional staff are satisfied with the conclusions and recommendations within the Noise Feasibility Study at this stage (Official Plan and Zoning By-law Amendment stage). **As the detailed design of the building has yet to be known, a Holding Provision shall be required to obtain a detailed noise study that includes details relating to floor plans, building elevations, mechanical drawings, and equipment selections and the mitigation detail (source based) at the Autobody Shop and to obtain the letter from the Owner of the Autobody Shop confirming they agree to implement the recommended mitigation measures related to the exhaust fan.**

Furthermore, the equipment selected shall comply with the Ministry of Environment, Conservation and Parks (MECP) NPC-300 Noise Guideline. Finally, the detailed noise study shall ensure mitigation measures for noise exceedance resulting from the adjacent commercial facilities and assess the impact of the development on itself and other residential buildings in the neighbourhood.

The accepted mitigation measures and noise-warning clauses shall be implemented through the future site plan agreement or through other Registered Development

agreement with the City of Kitchener. In addition, the mitigation measures shall be incorporated into the Offers of Purchase and Sale, Lease/Rental Agreements.

Regional staff recommend the following noise-warning clauses to be registered on title for all dwelling units and that these be implemented through a registered development agreement with the City of Kitchener. Furthermore, it is recommended that the following noise warning clauses be included in agreements of Offers of Purchase and Sale, Lease/Rental Agreements at the Site Plan Stage:

1. *“Purchasers/tenants are advised that due to the proximity of the adjacent commercial/institutional facilities, sound from these facilities may at times be audible.”*
2. The Acoustical Consultant for the development shall prepare a detailed noise study when floor plans, building elevations and mechanical drawings and equipment selections are available and confirm that mechanical equipment sound emissions comply with MECP Noise Guideline NPC-300 at the development itself and other residential buildings in the neighbourhood.
3. That prior to the issuance of any building permits, the City of Kitchener’s Building Inspector will certify that the noise attenuation measures are incorporated in the building plans and upon completion of construction, the City of Kitchener’s Building Inspector will certify that the dwelling units have been constructed accordingly.

Access Permit/TIS/Access Regulation:

The subject lands have vehicular access to the municipal road network via a single right-in/right-out only access to King Street East (Regional Road 15) and two full moves accesses to Weber Street East (Regional Road 08). The plans provided with the application propose the re-location of the right-in/right-out only access to King Street East and the retention of the two full moves access locations to Weber Street East in approximately the same location. The Region has no objection to the accesses proposed at this time. Further comments related to access design details will be provided through a future site plan application.

A Transportation Impact Study (TIS) entitled “1668 King Street East Kitchener Ontario Traffic Impact Study, Parking Study and Site Circulation Review” dated July 2021, prepared by Paradigm Transportation Solutions Limited was submitted with the first submission of OPA21/08 and ZBA21/13. At that time, the Region indicated various concerns with the Transportation Impact Study and Paradigm Transportation Solutions Limited has provided a response letter entitled “RE: 1668 King Street East Traffic Impact Study, Parking Study, and Access/Circulation Review- Response to Agency Comments” dated May 11, 2022. The Region accepts the conclusions and recommendations made in the response letter.

Please be advised that the Regional Road Access Permit Application, fees and specific design criteria can be deferred to a future site plan application. Please continue to work with Regional staff on the detailed site plan drawings relating to access designs for both

King Street East and Weber Street East. In addition, please show the pedestrian crossing related infrastructure on the site plan drawings.

Regional Road Dedication:

While not required at this stage (OPA/ZBA stage), please ensure the road dedication along Weber Street East (Regional Road 08) is shown appropriately on all plans and the development is designed to accommodate the dedication as the plans provided in support of the OPA/ZBA do not appear to show the required road dedication.

Stormwater Management & Site Grading:

The Region received a copy of the "Site Servicing Feasibility Study" dated May 31, 2021, completed by Strik, Baldinelli, Moniz and Regional staff have accepted the study.

Region of Waterloo Transportation Capital Program:

Please be advised that this section of Weber Street East is anticipated to be reconstructed in 2027 as per the Region of Waterloo's 10-Year Capital Program (TCP).

Region of Waterloo International Airport

The subject lands are within the Region of Waterloo Zoning Regulated Area and within the Take-Off/Approach Surface for Runway 08. According to the Region of Waterloo International Airport Zoning Regulation (AZR) online tool, the permitted building height for the subject lands is 409m Above Sea Level (ASL) and the maximum building height is 85m based on a maximum ground level of 324m ASL. The proposed building heights are 72.2m (23 storeys) based on the concept plans provided with the updated circulation. **While the exact finished grade elevations for the development are not known at this time, please ensure the building height does not exceed 409m ASL.**

In addition, The Region of Waterloo International Airport AZR also regulates any construction towers/cranes for the proposed development. Any construction towers/cranes must also comply with the Region of Waterloo International AZR. The AZR online tool can be found here:

https://gis.region.waterloo.on.ca/Html5Viewer2_6_1/Index.html?configBase=https://gis.region.waterloo.on.ca/Geocortex/Essentials/GeocortexEssentials_4/REST/sites/Airport_AZR_Project/viewers/Airport_AZR_Project_Test/virtualdirectory/Resources/Config/Default

Furthermore, it is recommended that the following noise-warning clause be implemented through a Registered Development Agreement between the Owner/Developer and the Regional Municipality of Waterloo through a future Site Plan Application, Consent or Condominium Application:

"Prospective purchasers and tenants are advised that all lots and blocks in this plan of subdivision are located within or in close proximity to one of the flight paths leading into and out of the Region of Waterloo International Airport and that directional lighting along this path and noise from aircraft using the flight path may cause concern to some individuals."

Hydrogeology and Water Programs

Regional staff request that a prohibition on Geothermal Wells as defined in Chapter 8 of the Region Official Plan, including vertical open and closed loop geothermal energy systems, be written in the Zoning By-law for the subject lands. The following is recommended wording for the prohibition:

Geothermal Wells shall be prohibited on site in accordance with Chapter 8 of the Regional Official Plan. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five meters unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

Housing Services

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

- Regional Strategic Plan
 - Objective 4.2 requires the Region to make affordable housing more available to individuals and families.
- 10-Year Housing and Homelessness Plan
 - contains an affordable housing target which is that 30% of all new residential development between 2019 and 2041 in Waterloo Region is to be affordable to low and moderate income households.
- Building Better Futures Framework
 - shows how the Region plans to create 2,500 units of housing affordable to people with low to moderate incomes by 2025.
- Region of Waterloo Official Plan
 - Section 3.A (Range and Mix of Housing) contains land use policies that ensure the provision of a full and diverse range and mix of permanent housing that is safe, affordable, of adequate size, and meets the accessibility requirements of all residents.

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

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

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

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

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

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

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

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

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income renter households	\$1,470
A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$950 1-Bedroom: \$1,134 2-Bedroom: \$1,356 3-Bedroom: \$1,538 4+ Bedroom: \$3,997

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

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

Fees

By copy of this letter, the Region of Waterloo acknowledges receipt of the Region's Official Plan and Zoning By-law Amendment review fees totalling \$6,900.00 and the Transportation Impact Study Fee of \$500.00.

General Comments

As indicated above, the Region has no objection to the Official Plan and Zoning By-law Amendment subject to the implementation of a Holding Provision for the following:

- Receipt of a Record of Site Condition (RSC) and Ministry Acknowledgment Letter for the entirety of the subject lands (excluding the Regional Road Dedication) to the satisfaction of the Regional Municipality of Waterloo; and,
- A detailed noise study for **road and stationary noise** has been completed and implementation measures addressed (including confirmation from the Owner of Kitchener Autobody that they accept the mitigation measures on their building) to the satisfaction of the Regional Municipality of Waterloo.


Furthermore, the Region shall require a prohibition on geothermal energy systems within the Zoning By-law. The recommended wording for the geothermal prohibition is:

Geothermal Wells shall be prohibited on site in accordance with Chapter 8 of the Regional Official Plan. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five meters unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

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

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

Yours truly,



Melissa Mohr, MCIP, RPP
Principal Planner

C. 2806399 Ontario Inc. C/O Stephen Litt (Owner), MHBC Planning Ltd. C/O Pierre Chauvin (Applicant)