

Attachment C



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

Monika Oviedo (226) 753-8303
File: 30CDM-22217

November 4, 2022

Eric Schneider
Senior Planner
City of Kitchener
200 King Street West, 6th Floor
P.O. Box 1118, Kitchener, ON
N2G

Dear Mr. Schneider,

Re: Notice for Application for Draft Approval - Plan of Condominium (Vacant Land) 30CDM-22217
3241-3247 King Street East and 108 Cameo Drive
MHBC Planning Ltd. on behalf of Day Nominee Corporation
CITY OF KITCHENER

The Region has prepared the following comments relating to the above noted Vacant Land Plan of Condominium application at 3241-3247 King Street East and 108 Cameo Drive in Kitchener. The purpose of these comments is to identify any items that need to be addressed prior to draft approval and those recommended as conditions of approval.

The applicant has proposed a vacant land condominium consisting of three units, each proposed to contain a residential building and a common element area. Each unit will contain a residential building as follows:

Unit 1: a 24 storey tower with 304 residential dwelling units
Unit 2: a 23 storey tower with 374 residential dwelling units
Unit 3: a 19 storey tower with 268 residential dwelling units

The common element area is comprised of a 3-storey parking structure with a roof top amenity space, underground parking, surface drive aisles, surface parking, landscaped areas, walkways, and bicycle racks. The parking areas for each corresponding tower will be identified as "Exclusive Use Areas" for their respective parking spaces.

The subject lands are located in the Urban Area of the Region and are Designated Built-Up Area in the Regional Official Plan. In addition, the subject lands are designated High Rise Residential in the City of Kitchener Official Plan and zoned Residential Nine (R9) with Special Regulation 169 in the City of Kitchener Zoning By-law 85-01. This site has received Site Plan Approval in Principle (Municipal File No. SP21/107/K/ES).

These comments relate to the Draft Plan of Vacant Land Condominium prepared by J.D. Barnes Limited Ontario Land Surveyors; dated September 2, 2022; Reference No.21-40-460-02:

Regional Comments

Community Planning

The subject lands are designated “Urban Area” and “Built-Up Area” on Schedule 3a of the Regional Official Plan (ROP) and High Rise Residential in the City of Kitchener Official Plan. Permitted uses of the Urban Area and Built-Up Area in the ROP include urban uses such as residential uses, among others.

Regional staff received an unsigned copy of the draft plan for review. Please be advised that both the Owner and Surveyor must sign the plan in accordance with Section 51(17) of the Ontario Planning Act.

Regional Staff have no objection to the application, pending the updates to the plan and subject to the conditions outlined below.

Corridor Management

Regional staff have reviewed the study entitled “Noise and Vibration Feasibility Study, Proposed Residential Development, 3241-3248 King Street East and 108 Cameo Drive, Kitchener, Regional Municipality of Waterloo, Ontario” dated September 24, 2021, prepared by HGC Engineering Limited. The study was completed in support of the draft plan of Condominium Application at 3241-3248 King Street East and 108 Cameo Drive, Kitchener.

The study concludes that the primary sources of traffic noise in the area are road traffic on King Street East to the north and Highway 8 to the south, as well as rail traffic on the Canadian Pacific (CP) railway to the north.

The following recommendations are provided:

Recommendations for Traffic Noise Control

The study finds that the road and rail traffic noise levels exceed Ministry of the Environment, Conservation and Parks (MECP) plane-of-window sound level criteria during daytime and nighttime hours at the proposed residential development. Acoustic barriers and increased height of parapets are required for the at grade amenity space and rooftop terrace amenity spaces. Air conditioning is required for the proposed buildings. Upgraded building and glazing constructions are also required for the proposed buildings. When detailed floor plans and building elevations are available, an

acoustical consultant should provide revised recommendations based on actual window to floor area ratios.

Outdoor Living Areas (OLAs)

A common amenity area is located at grade to the north of Building C. The predicted sound level in the common OLA (prediction location [J]) is 62 dBA, 7 dBA in excess of the MECP limit of 55 dBA. An acoustic barrier 3.1 m in height is required to reduce the sound level in the OLA to 59 dBA.

A rooftop terrace is located on the 16th storey roof of Building C. The predicted sound level in the rooftop terrace (prediction location [K]) is 63 dBA, 8 dBA in excess of the MECP limit of 55 dBA, with a minimum 1.07 solid parapet wall along the roof edge. With an increased height of the solid parapet wall to 2.8 m, the sound level on the terrace would be reduced to 59 dBA.

A rooftop terrace is located on the 16th storey roof of Building B. The predicted sound level in the rooftop terrace (prediction location [L]) is 64 dBA, 9 dBA in excess of the MECP limit of 55 dBA, with a minimum 1.07 solid parapet wall along the roof edge. With an increased height of the solid parapet wall to 3.1 m, the sound level on the terrace would be reduced to 59 dBA.

A rooftop terrace is located on the 15th storey roof of Building A. The predicted sound level in the rooftop terrace (prediction location [M]) is 64 dBA, 9 dBA in excess of the MECP limit of 55 dBA, with a minimum 1.07 solid parapet wall along the roof edge. With an increased height of the solid parapet wall to 2.8 m, the sound level on the terrace would be reduced to 59 dBA.

Consideration could be given in detail design to relocating amenity spaces to the shielded side of the buildings from Hwy 8. For acoustic purposes, acoustic barriers may be a combination of an acoustic wall and an earth berm. The noise wall shall be solid and free of gaps with a minimum density of 20 kg/m². The noise wall should be structurally sound, appropriately designed to withstand wind and snow load, and constructed without cracks or surface gaps.

Central Air Conditioning

The predicted nighttime sound levels at the proposed buildings exceed 65 dBA during the daytime hours and 60 dBA during the nighttime hours and as a result, air conditioning systems are required so that windows may remain closed.

The location, installation and sound ratings of any outdoor air conditioning equipment such as rooftop condensers should minimize noise impacts and comply with criteria of MECP publication NPC-300, as applicable.

Building Façade Constructions

Future traffic sound levels at the facades of the proposed buildings will exceed MECP criteria. MECP guidelines recommend that the windows, walls and doors be designed so that the indoor sound levels comply with MECP noise criteria.

Exterior Wall Constructions

The exterior walls of the proposed buildings may include precast/masonry panel portions, as well as spandrel glass panels within an aluminum window system. In this analysis, it has been assumed that sound transmitted through elements other than the glazing elements is negligible in comparison. For this assumption to be true, spandrel or metal panel sections must have an insulated drywall partition on separate framing behind.

Exterior Doors

There may be swing doors and some glazed sliding patio doors for entry onto the balconies from living/dining/bedrooms and some bedrooms. The glazing areas of the doors are to be counted as part of the total window glazing area. If exterior swing doors are to be used, they shall be insulated metal doors equipped with head, jamb and threshold weather seals.

Acoustical Requirements for Glazing

At the time of this report, detailed floor plans and elevations are not available. Assuming a typical window to floor area of 50% (40% fixed and 10% operable) for living/dining rooms and 40% (30% fixed and 10% operable) for bedrooms, the minimum acoustical requirement for the basic window glazing, including glass in fixed sections, swing or sliding doors, and operable windows, is provided in Table 7 of the study shown below.

Table 7: Minimum Glazing Requirements for the Proposed Buildings

Building	Façade	Glazing Requirements ¹
Building A	North	STC-30
	East	OBC
	South	STC-31
	West	OBC
Building B	North	OBC
	East	STC-31
	South	STC-33
	West	STC-31
Building C	North	OBC
	East	STC-32
	South	STC-36
	West	STC-34

Notes:

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.

OBC – Ontario Building Code

Regional staff are satisfied with the conclusions and recommendations of the environmental noise impact study, as they pertain to transportation noise. The conclusions and recommendations are as follows:

Transportation Noise:

1. The developer agrees to implement the recommendations of the report "Noise and Vibration Feasibility Study Proposed Residential Development 3241-3247 King Street East and 108 Cameo Drive, Kitchener" as prepared by HGC Engineering and further agrees that:

2. All Buildings:

- a) All units in the proposed development at 3241-3248 King Street East and 108 Cameo Drive, Kitchener must include the following building components:
 - a. central air conditioning for all units;
 - b. The exterior walls of the proposed buildings shall include precast/masonry panel portions, as well as spandrel glass panels within an aluminum window system. Spandrel or metal panel sections must have an insulated drywall partition on separate framing behind; and
 - c. Exterior doors may be swing doors and some glazed sliding patio doors for entry onto the balconies from living/dining/bedrooms and some bedrooms. If exterior swing doors are to be used, they shall be insulated metal doors equipped with head, jamb and threshold weather seals.

3. All units in the proposed development at 3241-3248 King Street East and 108 Cameo Drive, Kitchener must include the following noise warning clauses in any agreements of Offers of Purchase and Sale, Lease/Rental Agreements, and/or Condominium Declarations:

"Purchasers and 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 and rail traffic may continue to be of concern, and may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed 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."

4. All units in the proposed development at 3241-3248 King Street East and 108 Cameo Drive, Kitchener will be located within 300m of the Canadian National Railway to the north. The following noise warning clause must be included in any agreements of Offers of Purchase and Sale, Lease/Rental Agreements, and/or Condominium Declarations:

"Canadian Pacific Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 meters from the land of subject hereof. There may be

alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment or the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

5. Barriers

- a) An acoustic barrier 3.1 m in height and the extent as indicated is required for the common amenity area located at grade to the north of Building C.
- b) A minimum 1.07 m high and the extent as indicated solid parapet wall along the roof edge with an increased height of the solid parapet wall to 2.8 m and the extent as indicated is required for rooftop terrace located on the 16th storey roof of Building C.
- c) A minimum 1.07 m high and the extent as indicated solid parapet wall along the roof edge with an increased height of the solid parapet wall to 3.1 m and the extent as indicated is required for rooftop terrace is located on the 16th storey roof of Building B.
- d) A minimum 1.07 m high and the extent as indicated solid parapet wall along the roof edge with an increased height of the solid parapet wall to 2.8 m and the extent as indicated is required for rooftop terrace located on the 16th storey roof of Building A.
- e) For acoustic purposes, acoustic barriers may be a combination of an acoustic wall and an earth berm. The noise wall shall be solid and free of gaps with a minimum density of 20 kg/m². The noise wall should be structurally sound, appropriately designed to withstand wind and snow load, and constructed without cracks or surface gaps.

Implementation

That prior to the issuance of any building / occupancy 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.

Stationary Noise

Regional staff have reviewed 'Noise and Vibration Feasibility Study, Proposed Residential Development, 3241-3248 King Street East and 108 Cameo Drive, Kitchener, Regional Municipality of Waterloo, Ontario', dated September 24, 2021 as prepared by HGC Engineering Ltd. The study has identified off-site stationary noise sources as having a potential impact on the subject lands, including but not limited to

various commercial facilities that are significant in the context of the subject site, and sound from these facilities was not discernible over the traffic noise.

Detailed building designs have yet to be provided and as such, the study did not identify potential on-site noise sources such as cooling towers, air handling equipment and underground garage exhaust system that may be associated with the development. These will require further assessment prior to Final Site Plan Approval to determine any impacts to the on-site and off-site sensitive receptors.

Regional staff are satisfied with the conclusions and recommendations within the Noise and Vibration Feasibility Study at this stage. As the detailed design has yet to be known, as a condition of draft approval, the Owner/Developer shall provide a detailed noise and vibration study that includes details relating to floor plans, building elevations, mechanical drawings, and equipment selections. Furthermore, the equipment selected shall comply with the Ministry of Environment, Conservation and Parks (MECP) NPC-300 Noise Guideline.

Regional staff recommends the following noise-warning clause be registered on title for all dwelling units. It is recommended that the Developer/Owner enter into an agreement with the City of Kitchener and that the following clause(s) be included in agreements of Offers of Purchase and Sale, lease/rental agreements and in the condominium declaration.

1. *"Purchasers and tenants are advised that due to the proximity of the nearby commercial facilities, sound levels from the facilities may at times be audible."*

2. The Acoustical Consultant for the proposed development shall prepare a noise study addendum when floor plans, building elevations and mechanical drawings and equipment selections are available and confirm that mechanical equipment sound emissions comply with MECP Guideline NPC-300 at the development itself and other noise sensitive receptors in the neighborhood. Please provide detail dimensions (length and extent) of the proposed barriers.

3. That prior to the issuance of any building / occupancy 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.

Hydrogeology and Water Programs

The subject site falls within a Wellhead Protection Area- D. As a condition of draft approval, the Region shall require a prohibition on vertical closed-loop geothermal systems and all offers of Purchase and Sale/Lease/Rental Agreements. Vertical open-loop geothermal may be permitted to the satisfactory completion of a hydrogeological study to assess risk to nearby municipal supply wells. Shallow horizontal closed-loop geothermal design is permitted at this location. If a hydrogeological study is not submitted, HWP requests that a prohibition on vertical geothermal energy systems be included in the Condominium Declaration.

The following is the recommended wording for the prohibition:

Geothermal Well(s) shall be a prohibited use on site. 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 metres unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

Housing Services

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 application move forward, staff recommend that the applicant consider providing a number of affordable (affordable as defined in the Regional Official Plan) 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.

Draft Plan of Condominium Conditions:

The Region has **no objections** to draft approval of Vacant Land Condominium 30CDM-22217, subject to the following conditions of Draft Approval:

- 1) THAT the Owner/Developer agrees to stage development of this condominium in a manner satisfactory to the Commissioner of Planning, Development and Legislative Services and the City of Kitchener, including any easements or other requirements as a result of staging;
- 2) THAT prior to final approval, the Owner/Developer enter into a Registered development agreement with the Regional Municipality of Waterloo to implement the recommendations and mitigation measures contained in the noise study entitled "Noise and Vibration Feasibility Study, Proposed Residential Development, 3241-3248 King Street East and 108 Cameo Drive, Kitchener, Ontario" dated September 24, 2021, prepared by HGC Engineering Limited, including but not limited to the inclusion of solid parapet walls, glazing, acoustic barriers, installation of air conditioning within all buildings, and the implementation of the following noise warning clauses:

"Purchasers and 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 and rail traffic may continue to be of concern, and may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed 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."

"Canadian Pacific Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 meters from the land of subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment or the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

The above warning clauses shall also be included in the Condominium Declaration and all offers of Purchase and Sale/Lease/Rental Agreements to the satisfaction of the Regional Municipality of Waterloo.

3) THAT prior to final approval, the Owner/Development enter into a registered development agreement with the City of Kitchener agreeing to update the "Noise and Vibration Feasibility Study, Proposed Residential Development, 3241-3248 King Street East and 108 Cameo Drive, Kitchener, Regional Municipality of Waterloo, Ontario", dated September 24, 2021 as prepared by HGC Engineering Ltd." to provide an assessment of noise for the proposed buildings that include details relating to floor plans, building elevations, mechanical drawings, and equipment selections and agree to implement any recommendations of the study.

4) THAT prior to final approval, the Owner/Developer enter into a registered development agreement with the City of Kitchener to implement the following stationary noise warning clause within the Condominium Declaration and all offers of Purchase/Sale and Lease/Rental Agreements:

" Purchasers and tenants are advised that due to the proximity of the nearby commercial facilities, sound levels from the facilities may at times be audible."

5) THAT prior to final approval, the Owner/Developer shall enter into a registered development agreement with the Regional Municipality of Waterloo to prohibit geothermal energy on site. Furthermore, the following prohibition shall be included within the Condominium Declaration and all offers of Purchase and Sale, Lease/Rental Agreements to the satisfaction of the Regional Municipality of Waterloo:

Geothermal Wells shall be prohibited on site. 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 metres unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

- 6) THAT prior to final approval, the Regional Municipality of Waterloo be provided with a copy of the registered development agreement between the Owner/Developer and the City of Kitchener prior to the final approval of the condominium plan; and,
- 7) THAT prior to final approval, that the Condominium Declaration be forwarded to the Commissioner of Planning, Development and Legislative Services at the Regional Municipality of Waterloo prior to final approval of the condominium plan.
- 8) THAT prior to final approval, the Owner/Developer include provisions for salt management within the Condominium Declaration for both unit owners and the condominium declaration to the satisfaction of the Regional Commissioner of Planning, Development and Legislative Services;

Fees

The Region acknowledges receipt of the Plan of Condominium review fee of \$3,450.00 (received/deposited September 23, 2022).

General Comments

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

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

Yours truly,



Monika Oviedo
Senior Planner

- C. Day Nominee Corporation (Owner)
MHBC Planning Ltd. (Applicant)



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 www.grandriver.ca

September 19, 2022

Eric Schneider
Senior Planner
City of Kitchener
200 King Street West
Kitchener ON N2G 4V6
eric.schneider@kitchener.ca

**Re: Draft Plan of Condominium 30CDM-22217
3241-3247 King Street East and 108 Cameo Drive
Day Nominee Corporation**

Dear Mr. Schneider,

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted application for a vacant land condo.

Recommendation

The GRCA has no concerns in principle, however, acceptability of one common element area at 108 Cameo Drive should be confirmed.

Documents Reviewed by Staff

Staff have reviewed the Draft Plan (JD Barnes, revised September 2, 2022) submitted with this application, as well as previous plans for Site Plan Application SP21-107-K-ES.

GRCA Comments

The GRCA has reviewed this application as per our Provincial delegated responsibility to review natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a public body under the Planning Act, and in accordance with Ontario Regulation 150/06, GRCA's Board approved policies, and our MOU with the Region of Waterloo.

Information currently available at our office indicates that the subject lands contain a floodplain and valley slope associated with Hidden Valley Creek. The residential development footprint is outside of any GRCA-regulated areas and we have no concerns in that respect.

As previously noted on our November 8, 2021 comments for Site Plan Application SP21-107-K-ES, 108 Cameo Drive is proposed to be a natural common amenity area with a trail. Vive Development subsequently provided the GRCA with an amenity space plan (Aboud and Associates, revised February 8, 2022), and we commented at that time that no new private development is permitted in floodplains and riverine slopes greater or equal to a 20% gradient. Portions of the trail proposed in those natural hazards would only be permitted if it was a City project or secured by the City for public access.

The regulatory flood elevation here is elevation is 319.0 metres (CGVD 28) or 318.6 metres (CGVD 2013). At this time, we cannot confirm the acceptability of this common element of the development proposal. If public access is confirmed and development is proposed in a GRCA regulated area, a GRCA permit will be required.

We received a fee to review the related site plan application, and no additional fees are required. A separate fee will be required for any GRCA permits.

We trust this information is of assistance. If you have any questions or require additional information, please contact me at 519-621-2763 ext. 2292 or theywood@grandriver.ca.

Sincerely,



Trevor Heywood
Resource Planner
Grand River Conservation Authority

Encl. Resource Mapping

cc: Mark Herculik, Vive Development
Pierre Chauvin, MHBC
Carrie Musselman, City of Kitchener
Lenore Ross, City of Kitchener



Grand River Conservation Authority

Date: Nov 05, 2021

Author: TH

3241-3247 King St E / 108
Cameo Dr, Kitchener

Legend

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

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

Copyright Grand River Conservation Authority, 2021.
Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.
The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 10 20 40 60 Metres
NAD 1983 UTM Zone 17N
Scale: 1,793



Map Centre (UTM NAD83 z17): 546,497.25 4,808,182.02

This map is not to be used for navigation | 2020 Ortho (ON)

Condominium Circulation Response Form

Notice for Application for Draft Approval - Plan of Condominium (Vacant Land)

File Number: 30CDM-22217

Location: 3241-3247 King Street East and 108 Cameo Drive

Owner: Day Nominee Corporation

Cross Reference: Site Plan Application: SP21/107/K/ES

Park Dedication requirements are outstanding for the site plan and are anticipated to be satisfied as cash in lieu of land through a Park Dedication Deferral Agreement.

Any further changes to site plan SP21/107/K/ES should be reflected in the condominium application 30CDM-22217 and the Park Dedication Deferral Agreement.

Parks & Cemeteries

Department/Agency

Lenore Ross

Signature of Representative

October 07 2022

Date

Hi Eric,

Engineering's comments on the condo are that all SWM and Servicing are to be within the common element, and a statement to that effect be in the declaration.

Thanks,

Christine Goulet, C.E.T.

Project Manager | Development Engineering
519-741-2200 Ext. 7820

**DEVELOPMENT SERVICES DEPARTMENT
BUILDING DIVISION**

Robert Schipper, CBCO
Manager of Building
City Hall, P.O. Box 1118
200 King St. W., 5th Floor
Kitchener, Ontario
Canada, N2G 4G7
Phone: (519)741-2836
Fax: (519) 741-2775
robert.schipper@kitchener.ca

September 26, 2022

Attn: **Day Nominee Corporation**

Subject: **Vacant land Condominium application 30CDM-22217 for 3241 – 3247 King
St E and 108 Cameo Drive, Kitchener**

Building Division has no concerns with the vacant land Condominium application.

Thank you for giving us this opportunity to respond to this application.

Sincerely,

Robert Schipper, CBCO
Manager of Building

c.c. Eric Schneider

Eric Schneider

From: Christie Kent <christie_kent@wrdsb.ca>
Sent: Wednesday, October 5, 2022 2:18 PM
To: Eric Schneider
Subject: WRDSB Circulation Comments - 30CDM-22217 3241-3247 King St E and 85 Cameo

You don't often get email from christie_kent@wrdsb.ca. [Learn why this is important](#)

Good Afternoon Eric,

The Waterloo Region District School Board (WRDSB) has reviewed the circulation for 30CDM-22217, which proposes a vacant land condominium with three units containing towers with a total of 946 residential units. The WRDSB offers the following comments for information and consideration:

Student Accommodation

At this time, the subject lands are within the boundaries of the following WRDSB schools:

Franklin Public School (Junior Kindergarten to Grade 6);

Sunnyside Public School (Grade 7 to Grade 8); and

Eastwood Collegiate Institute (Grade 9 to Grade 12).

The [WRDSB's 2020-2030 Long-Term Accommodation Plan](#) provides information on student enrolment and accommodation at these schools.

Conditions of Draft Approval

The WRDSB requests that the following is included within the conditions of draft approval:

1. That the Owner/Developer shall include the following wording in the condominium declaration to advise all purchasers of residential units and/or renters of same:

a. "Despite the best efforts of the Waterloo Region District School Board (WRDSB), accommodation in nearby facilities may not be available for all anticipated students. You are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may, in future, be transferred to another school."

b. "For information on which schools are currently serving this area, contact the WRDSB Planning Department at 519-570-0003 ext. 4419, or email planning@wrdsb.ca. Information provided by any other source cannot be guaranteed to reflect current school assignment information."

c. "In order to limit risks, public school buses contracted by Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up and drop off students, and so bussed students will be required to meet the bus at a congregated bus pick-up point"

Education Development Charges

Please be advised that any development on the subject lands will be subject to the [WRDSB's Education Development Charges By-law, 2021](#), as amended or any successor thereof and the payment of Education Development Charges may be required prior to the issuance of a building permit.

Should you have any questions regarding the above, please do not hesitate to contact me.

Thank you,

Christie

Christie Kent MCIP RPP

Senior Planner

Waterloo Region District School Board

51 Ardelt Avenue, Kitchener ON, N2C 2R5

C: 226-748-4803

T: 519-570-0003 Ext. 4459

E: christie_kent@wrdsb.ca

A) That the developer shall include the following wording in the condominium declaration to advise all purchasers of residential units and/or renters of same:

"In order to limit risks, public school buses contracted by Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up and drop off students, and so bussed students will be required to meet the bus at a congregated bus pick-up point."

B) That the developer enter into an agreement with the City of Kitchener to be registered on the title to the Property that provides:

"All agreement of purchase and sale or leases for the sale or lease of a completed home or a home to be completed on the Property must contain the wording set out below to advise all purchasers of residential units and/or renters of same."

"In order to limit risks, public school buses contracted by Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up and drop off students, and so bussed students will be required to meet the bus at a congregated bus pick-up point."

If you require any further information, please contact me by e-mail at Jordan.Neale@wcdsb.ca.

Thank you,

Jordan Neale

Planning Technician, WCDSB

480 Dutton Dr, Waterloo, ON N2L 4C6

519-578-3660 ext. 2355

Hydro One Networks Inc.
Facilities & Real Estate
P.O. Box 4300
Markham, Ontario L3R 5Z5
www.HydroOne.com

Courier:
185 Clegg Road
Markham, Ontario L6G 1B7



VIA E-MAIL ONLY TO eric.schneider@kitchener.ca

September 19, 2022

Planning Division
City of Kitchener

Attention: Eric Schneider

Dear Eric:

Re: Draft Plan of Condominium, Day Nominee Corporation
3241-3247 King St E & 108 Cameo Drive
City of Kitchener
File: 30CDM-22217

Please be advised that Hydro One Networks Inc. ("HONI") has completed a preliminary review of the proposed plan of the above noted condominium application. As the subject property is abutting and/or encroaching onto a HONI high voltage transmission corridor (the "transmission corridor"), HONI does not approve of the proposed condominium **at this time**, pending review and approval of the required information.

The comments detailed herein **do not** constitute an endorsement of any element of the condominium design or road layout, nor do they grant any permission to access, use, proceed with works on, or in any way alter the transmission corridor lands, without the express written permission of HONI.

The following should be included as **Conditions of Draft Approval**:

1. The developer must contact **Lana Kegel**, Senior Real Estate Coordinator at lane.kegel@hydroone.com to discuss all aspects of condominium design, ensure all of HONI's technical requirements are met to its satisfaction, and acquire the applicable agreements.
2. Prior to HONI providing its final approval, the developer must make arrangements satisfactory to HONI for lot grading and drainage. Digital PDF copies of the lot grading and drainage plans (true scale), showing existing and proposed final grades, must be submitted to HONI for review and approval. The drawings must identify the transmission corridor, location of towers within the corridor and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor.
3. Any development in conjunction with the condominium must not block vehicular access to any HONI facilities located on the transmission corridor. During construction, there must be

no storage of materials or mounding of earth, snow or other debris on the transmission corridor.

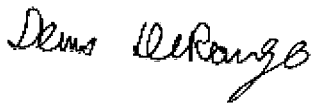
4. At the developer's expense, temporary fencing must be placed along the transmission corridor prior to construction, and permanent fencing must be erected where lots directly abut the transmission corridor after construction is completed.
5. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this condominium will be borne by the developer. The developer will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the condominium.
6. HONI's easement rights must be protected and maintained.

In addition, HONI requires the following be conveyed to the developer as a precaution:

7. The transmission lines abutting the subject lands operate at either 500,000, 230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The safe vertical distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the developer's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the safe vertical distance specified in the *Act*. All parties should also be aware that the conductors can raise and lower without warning, depending on the electrical load placed on the line.

Our preliminary review only considers issues affecting HONI's transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.

If you have any questions, please contact me at dennis.derango@hydroone.com or at 905-946-6237.
Yours truly,



Dennis De Rango
Specialized Services Team Lead, Real Estate
Hydro One Networks Inc.

Cc: Lan Kegel – Hydro One Networks Inc.