

Kae Elgie, Participant Statement

I am a citizen of Waterloo, appointed to City of Waterloo's Committee of Adjustment, past president of the local North Waterloo Region Branch and the Provincial Board of Directors of Architectural Conservancy Ontario(ACO), <https://acontario.ca/> and coordinator of Waterloo Region Jane's Walks <https://janeswalkwr.com/>

I applied to be a participant in this hearing because having good cities matters to me. My ten years coordinating Jane's Walks (named after Jane Jacobs, author of *The Death and Life of Great American Cities* et al.) has taught me much about what makes good, livable cities. Much as I value urban intensification, it must be done right to ensure the ongoing life and vitality of our cities. As currently presented, the proposal from 30 Duke Street Limited will harm city life in Kitchener's Civic Centre Neighbourhood.

We need good planning to have good cities.

In its current form, application OLT-22-002377 is not good planning.

1. The current proposal contravenes Provincial Planning Statement (PPS) goal of healthy, active and inclusive communities.

The proponent's insistence on essentially doubling the recommended FSR from 4 to 7.95 prevents this development from being the "healthy, active and inclusive community" that is called for in the Provincial Planning Statement 2024, Section 3.9.1
viz.

1. Healthy, active, and inclusive communities should be promoted by:

*a) **planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;***

To accomplish their goal of doubling the recommended FSR, 30 Duke Street Limited has proposed an overly tall building which would create an adverse wind impact and make this part of Kitchener's urban core virtually unwalkable and hostile to pedestrians.

In their letter dated December 4, 2024, RWDI admits that there may be "higher than desired wind conditions at the north-west and south-west building corners." RWDI classifies these "higher than desired wind conditions" as "Walking 20 kph: relatively strong winds, tolerable for brisk walking, jogging or cycling" in winter. Requiring brisk walking or jogging to buffet the wind tunnel effect of this too tall, poorly designed and poorly sited building does not "meet the needs of persons of all ages and abilities" called for by the Provincial Planning Statement calls for. The resultant wind conditions do not "facilitate active transportation."

Even worse is the fact that the entire front of the building is classed as "Strolling 17kph" when RWDI's own guidelines (reprinted below) suggest that the building's front facade should have

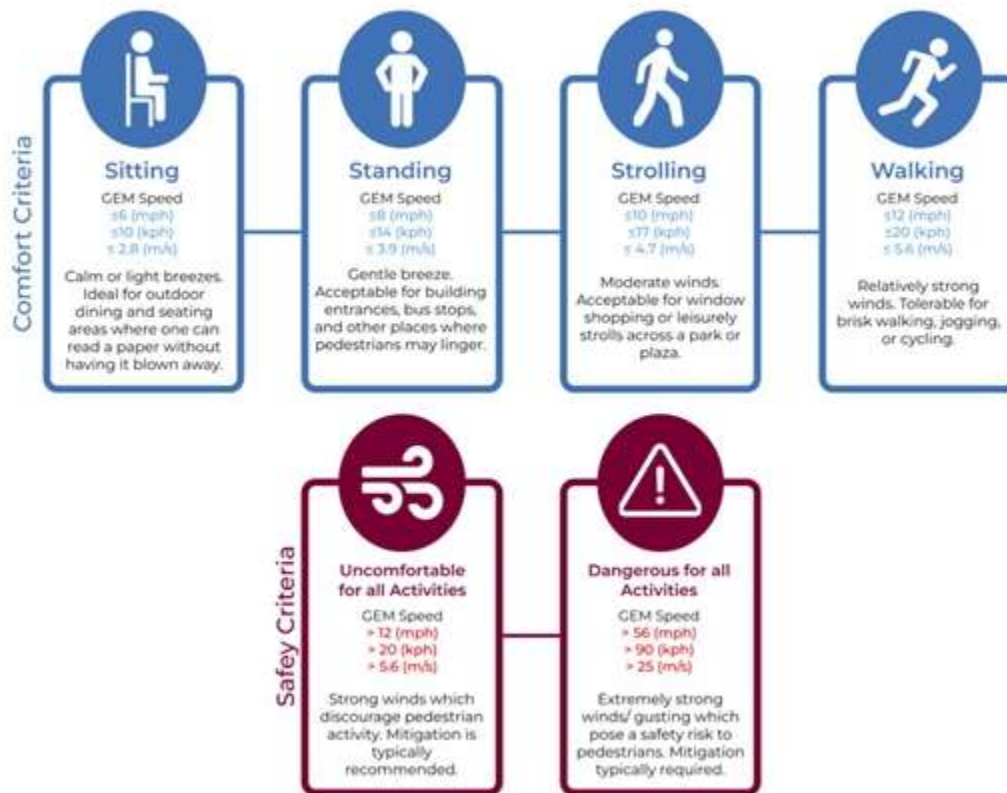
wind conditions classified as "Standing 14kph: gentle breeze, **acceptable for building entrances**, bus stops, and other places where pedestrians may linger."

RWDI acknowledges that the wind condition resulting from 30 Duke Street Limited's proposed design is unpleasant for pedestrians when it recommends "an external enclosure [for the front door] that will provide good wind protection."

Please note: this wind protection would only serve residents entering the building.

What about the hundreds of non-resident pedestrians, including ones with disabilities, who will walk past this building every day on their way to the thrift shop or noon hour concert in St. Andrew's Church next door, or Kitchener Public Library around the corner? The extreme height and massing of the proposed development, more than double the FSR recommended, would make Weber Street very uncomfortable for most pedestrians and almost inaccessible for pedestrians with disabilities.

Figure 1. RWDI Pedestrian Wind Comfort Criteria



The RWDI Criteria is a pedestrian wind comfort criteria developed by RWDI in the 1970's to assess the predicted comfort and safety of pedestrians in outdoor spaces. These criteria have been widely accepted by municipal authorities as well as by the building design and city planning community. Source: Orbital Stack <https://help.orbitalstack.com/rwdi-pedestrian-wind-comfort-criteria/#:~:text=RWDI%27s%20Wind%20Criteria%20characterizes%20wind,rather%20than%20average%20speeds%20alone.>

Because it inhibits walking and walkability, the current proposal also violates Kitchener Official Plan:

Section 1.A.5 Planning Context KITCHENER TOMORROW will continue to be the largest municipality in Waterloo Region with a population of greater than 300,000 by 2031. We will be a healthy and thriving City and **will be more walkable**, more transit-supportive and ultimately more 'urban' and residents will enjoy a high quality of life.

Section 11.1.6 [Urban Design Manual] To create a safe and walkable community **dedicated to pedestrian activity.**

Section 15.D.2 [Strategic Growth Area] To **create and maintain walkable, cyclable and rollable strategic growth areas.**

Section 15.D.2.26. The Urban Growth Centre (Downtown) and Protected Major Transit Station Areas will be part of an integrated provincial, regional and city transportation system while at the same time provide a transit-oriented, **pedestrian-friendly and walkable environment.**

Section 15.D.3 [Residential] To **ensure that existing and new residential areas are walkable** and are supported by all modes of transportation.

To allow it to proceed as submitted would be bad planning.

2. My second concern is the way 30 Duke Street Limited's proposal violates the policies of the Civic Centre Neighbourhood Heritage Conservation District Plan, Kitchener's Official Plan and the Provincial Planning Statement.

30 Duke Street Limited's request to limit the front yard setback to 0 metres would have a pronounced negative impact on the Civic Centre Neighbourhood.

Perhaps they believe that because the Region is "taking" some of their property for road widening, they should be compensated by having no setback at all from the widened roadway. (They do not justify why they deserve this special treatment that will not be available to other property owners along Weber Street.)

Reducing their front yard setback to 0.0 metres will drastically affect the streetscape, even before the 3.0 metre road widening occurs. Except for St Andrew's Presbyterian Church, the proposed new development would be much closer (1-9 metres closer to the street, per Google Earth) than any other property in this block of Weber Street. The lack of landscaped space between the sidewalk and the building would drastically affect the look and feel of the city. It would negatively impact the distinct character of the Civic Centre Neighbourhood.

This is contrary to the Policies of the Civic Centre Neighbourhood Heritage Conservation District Plan.

- Section 2.1 Reasons for Designation states "The neighbourhood has a distinct character as a result of its architecture, **streetscape** and historical context that contributes to the immediate area as well as to the community as a whole;"

- Section 3.1 Goals and Objectives states "Maintain and enhance the visual, contextual and pedestrian oriented character of the Civic Centre Neighbourhood's streetscape and public realm by:
 - **Maintaining existing street trees, vegetation and boulevards**, or develop replacement programs where necessary

This, in turn, contravenes Kitchener's Official Plan

12.C.1.15. The features which collectively warrant the creation of a Heritage Conservation District will be identified and included in a Heritage Conservation District Study and Plan.

These features may include the following:

- a) the placement and relationship of cultural heritage resources;
- b) the scale and character of the cultural heritage resources;
- c) the architectural details of the buildings and/or structures;
- d) elements of cultural heritage landscapes such as natural areas, vistas and streetscapes; and,**
- e) the unique historical, social or cultural association of the area.

12.C.1.16. **It is the intent that the features which give the area its distinctive character and contribute to the area's merit as a Heritage Conservation District will be conserved.**

To permit this development proposal to contravene the Civic Centre Neighbourhood Heritage Conservation District Plan would contravene the directives of the Provincial Planning Statement 2024, viz.

4.6 Cultural Heritage and Archaeology

1. Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.

3. Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.

Furthermore, to permit this development proposal to contravene the Civic Centre Neighbourhood Heritage Conservation District Plan would also contravene the Planning Act, Section 2:

The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (h) the orderly development of safe and healthy communities;
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- (p) the appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- (r) the promotion of built form that,

- (i) is well-designed,
- (ii) encourages a sense of place, and
- (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

In its current form, application OLT-22-002377 is not good planning.
It should be turned down.

Respectfully submitted,

Kae Elgie

