



PLANNING, DEVELOPMENT  
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Community Planning

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D20-20/23 KIT

April 28, 2023

Marilyn Mills, Secretary Treasurer  
Committee of Adjustment  
City of Kitchener  
P.O. Box 1118  
200 King Street East  
Kitchener, ON N2G 4G7

**Re: Comments for Consent Applications B2023-0019 and B2023-020  
Committee of Adjustment Hearing May 16, 2023  
CITY OF KITCHENER**

**B2023-019**

**680 Frederick Street**

**Calin Pele (Marcsalo Holdings Inc. - Owner) C/O Adrian L. Rosu (Duncan Linton  
LLP – Authorized Agent)**

The applicant is proposing to sever a parcel of land with a lot width of 7.65m along Frederick Street with a lot depth of 45.7m and a lot area of 349.3 m<sup>2</sup>. The lands to be retained will have a lot width of 7.6m along Frederick Street with a lot depth of 45.7m and a lot area of 349.3m<sup>2</sup>. The existing dwelling on site is proposed to be demolished and a new semi-detached dwelling is proposed to be constructed on site.

**Regional Fee:**

The owner/applicant is required to submit the Regional consent review fee of \$350.00 prior to final approval of the consent.

**Corridor Planning**

Both severed and retained residential lots may have impacts from road noise from traffic on Frederick Street (a local municipal street). To ensure noise mitigation measures are addressed through the future development, the following shall be secured through a registered agreement with the City of Kitchener for all dwelling units on both the severed and retained lots:

- a. That the owner agree to construct the dwelling with a forced air-ducted heating system suitably sized and designed with provision for the installation of air conditioning, at the occupant's discretion.
- b. That the owner agree to include the following noise warning clauses in all offers of purchase and sale/lease/rental agreements:  
*"The purchasers/tenants are advised that sound levels due to increasing road traffic on Frederick Street may occasionally interfere with some activities of the dwelling occupants as the sound levels may exceed the sound level limits of the Waterloo Region and the Ministry of the Environment Conservation and Parks (MECP)".*

*"This dwelling has been fitted with a forced air-ducted heating system and has been designed with the provision of adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium-density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Waterloo Region and the Ministry of the Environment Conservation and Parks (MECP)".*

**The Region has no objection to the proposed application, subject to the following conditions:**

- 1) That prior to final approval, the owner/applicant submit the Regional consent review fee of \$350.00;
- 2) That prior to final approval, an agreement between the Owner/Applicant and City of Kitchener, to the satisfaction of the Region of Waterloo, must be registered on title for both the severed and retained lands that includes the following noise mitigation and warning clauses in all agreements of Offers of Purchase and Sale, Lease/Rental Agreements:
  - a. That the owner agrees to construct the dwelling with a forced air-ducted heating system suitably sized and designed with provision for the installation of air conditioning, at the occupant's discretion.
  - b. That the owner agrees to include the following noise warning clauses in offers of purchase and sale/lease/rental agreements:  
*"The purchasers/tenants are advised that sound levels due to increasing road traffic on Frederick Street may occasionally interfere with some activities of the dwelling occupants as the sound levels may exceed the sound level limits of the Waterloo Region and the Ministry of the Environment Conservation and Parks (MECP)".*

*“This dwelling has been fitted with a forced air-ducted heating system and has been designed with the provision of adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium-density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Waterloo Region and the Ministry of the Environment Conservation and Parks (MECP)”.*

**B2023-020**

**685 Fischer-Hallman Road, Unit Q**

**1465762 Ontario Inc. (Owner) C/O Trevor Hawkins (MHBC Planning – Authorized Agent)**

The applicant is proposing a lease on the lands for a period exceeding 21 years.

**Regional Fee:**

The owner/applicant is required to submit the Regional consent review fee of \$350.00 prior to final approval of the consent.

**The Region has no objection to the proposed application, subject to the following conditions:**

- c. That prior to final approval, the owner/applicant submit the Regional consent review fee of \$350.00;

**General Comments**

Any future development on the lands subject to the above-noted consent 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 staff reports, decisions and minutes pertaining to each of the consent applications noted above. Should you require Regional Staff to be in attendance at the meeting or have any questions, please do not hesitate to contact the undersigned.

Yours truly,



Melissa Mohr, MCIP, RPP  
Senior Planner