

City of Kitchener  
**OPA/ZBA COMMENT FORM**

**Project Address:** 1157-1175 Weber Street East

**Date of Meeting:** No meeting – OPA/ZBA updated materials

**Application Type:** ZBA & OPA

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Comments Of: Transportation Services

Commenter's Name: Steve Ryder

Email: steven.ryder@kitchener.ca

Phone: (519) 741 2200 ext. 7152

Date of Comments: February 8, 2023

- ☐ I plan to attend the meeting (questions/concerns/comments for discussion)
- ☐ I do NOT plan to attend the meeting (no concerns)
- 

1. Site Specific Comments & Issues:

OPA/ZBA comments:

Based on the updated submission materials provided by the applicant and Paradigm Transportation Solutions Ltd., Transportation Services offers the following comments and recommendations:

- The updated site plan concept includes the following:
  - 443 total residential units
  - 4,000 sq. ft of commercial space at ground floor
  - 318 total parking spaces (plus 38 surface spaces that cannot be counted towards zoning regulations due to their location within the MTO setback)
  - A proposed parking rate of **0.7 spaces per unit**, according to the updated materials
  - 443 Class A secured bike parking spaces (long-term parking)
  - 10 Class B bike spaces (temporary parking)
- The response document from Paradigm noted that no remedial measures are required for the impact on the traffic network related to the recent lane reconfiguration of the northbound leg (Franklin St N) of the Franklin & Weber intersection, while there are changes to the estimated delay for various lane/movements;
- Transportation Services can support an overall parking rate of **0.7 spaces per unit** for the proposed site with the following conditions being met by the applicant:

- Given the location of the site and the lack of off-site parking facilities, the development must allocate a 0.1 spaces per unit to visitor parking;
- Provide a Letter of Understanding to Transportation Services outlining the Transportation Demand Management (TDM) measures that the applicant is committed to implementing as part of the proposed development;
  - The study from Paradigm outlines recommended TDM measures for the applicant to consider implementing;
- Staff would support a slight decrease in the proposed 443 Class A bicycle spaces in order to allocate secured space to accommodate a variety of bike types (ie. e-bikes, scooters, etc) using wall or floor mounted racks, in addition to design features to enhance the usability of the secured bike rooms;
  - Secured access via keycard, FOB, etc.
  - Push-button access so users can get bikes in and out of the rooms easily;
  - Consider wider doors to accommodate a person and a bike;
  - Charging capabilities for some spaces in the rooms;
  - Ensuring there is a room on the ground floor dedicated to employees of the building and commercial units;
  - Shower and change facilities for the commercial units would be beneficial;
- It is worth noting that the additional surface parking spaces within the MTO setback effectively raise the overall parking rate to 0.8 spaces per unit, even though they cannot be officially be counted toward the zoning minimums.

2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

- N/A

3. Anticipated Requirements of full Site Plan Approval:

- N/A

4. Policies, Standards and Resources:

- N/A

5. Anticipated Fees:

- N/A

**From:** Planning <planning@wcdsb.ca>  
**Sent:** Tuesday, October 26, 2021 3:40 PM  
**To:** Brian Bateman  
**Subject:** [EXTERNAL] RE: Notice of (OPA/ZBA/SP) Pre-submission Consultation Mtg - 404-430 New Dundee Road

Good Afternoon Brian,

The Waterloo Catholic District School Board has reviewed the above application and based on our development circulation criteria have the following comment(s)/condition(s):

A) That any Education Development Charges shall be collected prior to the issuance of a building permit(s).

B) That the developer and the Waterloo Catholic District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the development sign advising prospective residents about schools in the area.

C) 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 liability, public school buses operated by the 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 students, and potential busing students will be required to meet the bus at a congregated bus pick-up point."*

D) That the developer co-ordinate and reach an agreement with the Waterloo Catholic District School Board and Student Transportation Services of Waterloo Region regarding the provision and maintenance of infrastructure for school bus pick-up and drop-off locations.

If you require any further information, please contact me by e-mail at [Jordan.Neale@wcdsb.ca](mailto:Jordan.Neale@wcdsb.ca).

Thank you,  
**Jordan Neale**  
Planning Technician, WCDSB  
480 Dutton Dr, Waterloo, ON N2L 4C6  
519-578-3660 ext. 2355

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**From:** Joanne Sutherland <[Joanne.Sutherland@kitchener.ca](mailto:Joanne.Sutherland@kitchener.ca)>  
**Sent:** Friday, October 15, 2021 3:35 PM

**To:** Adam Clark <[Adam.Clark@kitchener.ca](mailto:Adam.Clark@kitchener.ca)>; Andrew Pinnell <[Andrew.Pinnell@kitchener.ca](mailto:Andrew.Pinnell@kitchener.ca)>; Barbara Steiner <[Barbara.Steiner@kitchener.ca](mailto:Barbara.Steiner@kitchener.ca)>; Barry Cronkite <[Barry.Cronkite@kitchener.ca](mailto:Barry.Cronkite@kitchener.ca)>; Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>; Brian Bennett <[Brian.Bennett@kitchener.ca](mailto:Brian.Bennett@kitchener.ca)>; Carrie Musselman <[Carrie.Musselman@kitchener.ca](mailto:Carrie.Musselman@kitchener.ca)>; Chris Foster-Pengelly <[cfosterpengelly@grandriver.ca](mailto:cfosterpengelly@grandriver.ca)>; Christine Goulet <[Christine.Goulet@kitchener.ca](mailto:Christine.Goulet@kitchener.ca)>; Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>; Christine Wagner <[Christine.Wagner@kitchener.ca](mailto:Christine.Wagner@kitchener.ca)>; CN Railway (<[proximity@cn.ca](mailto:proximity@cn.ca)> <[proximity@cn.ca](mailto:proximity@cn.ca)>); 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**Subject:** Notice of (OPA/ZBA/SP) Pre-submission Consultation Mtg

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Files are saved in **AMANDA (folder #21-131135)** for internal staff reference and [Sharefile](#) for external agencies. Feel free to forward to other staff that may have an interest in attending or to a staff delegate attending on your behalf.

**PLEASE NOTE: PRE-SUBMISSION CONSULTATION APPLICATIONS ARE 'CONFIDENTIAL'.**

**MEETING DATE & TIME:** November 16, 2021 @ 2:15 p.m. *(staff only Nov 4)*

**MEETING LOCATION:** MS Teams – virtual meeting

**SITE:** 404-430 New Dundee Road

**APPLICANT/AGENT:** Pierre Chauvin / Luisa Vacondio, MHBC

**PROPOSAL: OPA/ZBA/SP**

The proposed development of the subject lands includes nine (9) stacked townhouse buildings with 16 units each, for a total of 144 units. The proposed residential development also includes a common amenity areas (one that is central to the development and one that fronts New Dundee Road), private access roads and 161 surface parking spaces. This is a significant grade to these properties from north to south.

The subject lands are designated Low Rise Residential, which permits a maximum net residential density of 30 units per hectare, and a maximum FS of 0.6 (site specific increases up to 0.75 may be considered where it can be demonstrated that the increase in the FSR is compatible and meets the general intent of the policies in the OP). The proposed stacked townhouse building form is permitted within the Low Rise Residential designation, however the the FSR (0.8) exceeds that permitted for the Low Rise Res designation. An Official Plan Amendment (OPA) is required in order to permit the proposed development.

The subject lands are zoned R-1 according to City of Kitchener Zoning By-law 85-1. The current zoning by-law permits only residential dwellings in the form of single detached dwellings, and thus a Zoning By-law Amendment would be required in order to rezone the subject lands.

**STAFF/AGENCIES INVITED TO ATTEND:**

Brian Bateman, Sandro Bassanese, Carrie Musselman, Janine Oosterveld, David Paetz (optional), Engineering (delegate), Transportation (delegate), Garrett Stevenson (optional), Regional Planning (delegate) Park Planning (delegate), Leslie Collins, Natalie Goss (or delegate), Michelle Drake/Victoria Grohn, Greg Reitzel, Allan Hodgins (if issues)

Forward comments to **Brian Bateman**, Senior Planner [brian.bateman@kitchener.ca](mailto:brian.bateman@kitchener.ca) 519-741-2200 ext.7869

**Joanne Sutherland, CPT**

Program Assistant, Site Development  
Planning Division / City of Kitchener  
519-741-2200 ext. 7316 / TTY 1-866-969-9994  
[Joanne.sutherland@kitchener.ca](mailto:Joanne.sutherland@kitchener.ca)

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## Brian Bateman

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**From:** Mike Seiling  
**Sent:** Friday, September 24, 2021 12:41 PM  
**To:** Brian Bateman  
**Subject:** FW: Circulation for Comment - OPA/ZBA (1157 & 1175 Weber Street East)  
**Attachments:** Agency Letter.pdf

Building; no concerns

Mike

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**From:** Christine Kompter <Christine.Kompter@kitchener.ca>  
**Sent:** Friday, September 24, 2021 11:58 AM  
**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 <vpd@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>; Sylvie Eastman <Sylvie.Eastman@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:** Brian Bateman <Brian.Bateman@kitchener.ca>  
**Subject:** Circulation for Comment - OPA/ZBA (1157 & 1175 Weber Street East)

Please see attached. Additional documentation can be found in [ShareFile](#). Comments or questions should be directed to **Brian Bateman**, Senior Planner (copied on this email).

### Christine Kompter

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



## City of Kitchener - Comment Form

**Project Address:** 1157 and 1175 Weber Street East

**Application Type:** Official Plan Amendment OPA21/007/W/BB

**Zoning By-law Amendment** ZBA21/010/W/BB

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

**Commenter's name:** Carrie Musselman

**Email:** carrie.musselman@kitchener.ca

**Phone:** 519-741-2200 x 7068

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**Written Comments Due:** October 8, 2021

**Date of comments:** October 25, 2021

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

- SP Sustainability Statement, 1157 & 1175 Weber Street East. July 16, 2021. GSP Group.

### **2. Comments & Issues:**

I have reviewed the documentation (as listed above) to support an Official Plan and Zoning By-law Amendment to facilitate a mixed-use development comprised of twin towers that are 14 and 18 storeys in height on top of a podium that will contain parking and ground floor commercial and provided the following:

- Although the Ontario Building Code (OBC) is progressive, moving forward all developments will need to include robust energy conservation measures as the City (and Region of Waterloo) strive to achieve our greenhouse gas reduction target.
- As design and construction details can often be refined, an updated sustainability statement that evaluates and preferably incorporates energy conservation measures will be required as part of a complete site plan application.

➤ **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 ...
  - [www.kitchener.ca/SustainabilityStatement](http://www.kitchener.ca/SustainabilityStatement)



PLANNING, DEVELOPMENT  
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www.regionofwaterloo.ca

Melissa Mohr 226-752-8622  
File: D17/2/21007  
C14/2/21010  
April 3, 2023

Brian Bateman, MCIP, RPP  
Senior Planner  
City of Kitchener  
200 King Street West, 6<sup>th</sup> Floor  
P.O. Box 1118, Kitchener, ON  
N2G 4G7

Dear Mr. Bateman,

**Re: Proposed Official Plan Amendment OPA 21/07 and  
Zoning By-law Amendment ZBA 21/010 – 2<sup>nd</sup> submission  
1157 and 1175 Weber Street East and 25 Franklin Street  
North  
GSP Group Inc. (C/O Kristen Barisdale) on behalf of MKG  
Holding Corporation (C/O Crosby Auto Group)  
CITY OF KITCHENER**

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GSP Group Inc. on behalf of MKG Holding Corporation has submitted an Official Plan Amendment and Zoning By-law Amendment for a development proposal at 1157 to 1175 Weber Street East and 25 Franklin Street North in the City of Kitchener.

Original Proposal:

The original proposal is to facilitate the construction of a mixed-use development comprised of two towers that are 15 and 18 storeys in height with a five-storey podium containing ground floor commercial uses and above grade parking wrapped by commercial and residential uses on a 1.0 ha parcel of land. Underground parking and a rooftop amenity area are also proposed.

Current Proposal:

The applicant continues to propose two residential towers connected by a four storey podium. Tower A is proposed as a 19-storey tower and Tower B is proposed as a 17-storey tower. The building is proposed to contain 443 residential units with commercial

space on the ground floor. Structured parking is proposed within the development at a rate of 0.7 spaces/unit.

An Official Plan Amendment and Zoning By-law Amendment continue to be proposed. The applicant continues to amend the City's Urban Structure to redesignate the subject lands from Urban Corridor to Community Node. In addition, the Official Plan Amendment also seeks to redesignate the subject lands from Commercial to the Mixed Use Designation and add a Special Policy Area to permit increased floor space ratio on site from 2.0 to 4.5 and increase the building height on site to permit 19 storeys for Tower A and 17 storeys for Tower B. The Zoning By-law Amendment proposes to rezone the site from the Commercial-Two (COM-2) Zone to a Mixed-Use-Two (MIX-2) Zone with a Special Regulation to permit an increased floor space ratio of 4.5, increase the height of the building to permit 19 storeys for Tower A and 17 storeys for Tower B and to permit a reduction in the parking required on site at a rate of 0.70 parking spaces/dwelling unit.

The Region has had the opportunity to review the proposal and offers the following:

## **Regional Comments**

### **Development Planning Comments**

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 in the Urban Corridor of the City of Kitchener and designated Commercial in the City of Kitchener Official Plan.

### **Planned Community Structure**

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 Urban Growth Centres (UGC's) and Major Transit Station Areas (MTSAs).

The majority of the Region's future growth will occur within the Urban Area and Township Urban Area designations, 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 subject lands are located in an Urban Corridor of the City and the applicant has proposed to amend the City's urban structure to redesignate these lands from an Urban Corridor to a Community Node and amend the land use designation from Commercial to the Mixed Use Designation. Regional staff understand that the intent of these corridors is to permit increased density and mixed uses (including residential and commercial uses) that are transit supportive and link directly

with rapid transit within the Region. The subject lands are located adjacent to the planned transit corridor (Weber Street East) with a bus route (Route 8) that leads directly to a Stage 1 ION transit stop (Fairway Stop/Station). Furthermore, the subject lands are located adjacent to an Existing Cycling Route (Franklin Street North).

#### Land Use Compatibility:

Regional staff are in receipt of the land use compatibility review dated December 21, 2022 and acknowledge that the existing industrial use in proximity to the subject lands is the Dare Food Facility located at 2481 Kingsway Drive in Kitchener. The Dare Foods Facility has an existing Environmental Compliance Approval (ECA) associated with their facility. The compatibility review notes that the Dare Foods Manufacturing facility is required to mitigate nuisances (noise, dust, odour) from their facility on existing residential uses adjacent to the facility. These residential land uses are closer to the Dare facility than the subject lands. The compatibility review further notes that the Dare Foods Manufacturing facility is in compliance with their ECA. Regional staff have no further objections to the above noted Official Plan Amendment and Zoning By-law Amendment applications from a land use compatibility perspective.

In addition to the above, Regional staff advise the applicant of the following technical comments related to the proposal:

#### Record of Site Condition

There are medium environmental threat located on the subject lands in accordance with the Region's Treats Inventory Database (TID) due to past and current land uses. A Record of Site Condition (RSC) and Ministry Acknowledgement Letter shall be required in accordance with the *Region's Implementation Guideline for the Review of Development Applications on or Adjacent to Known and Potentially Contaminated Sites*.

As a Record of Site Condition and Ministry Acknowledgement Letter have yet to be received, the Region requires that a holding provision be incorporated into the zoning for the subject lands until the RSC and Ministry Acknowledgement letter have been received, all to the satisfaction of the Region. Please ensure that any lands to be dedicated to the Region of Waterloo through the site plan process (road dedication lands) are excluded from any Record of Site Condition (RSC) for the proposed development. The required wording for the Holding Provision includes:

*That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry in accordance with O. Reg. 153/04, as amended and the Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.*

#### Corridor Planning

Official Plan and Zoning By-law Amendment Stage:

*Transportation Noise Study:*

The report entitled “1157 & 1175 Weber Street East Kitchener Ontario Noise and Vibration Impact Study,” dated December 1, 2022, has been reviewed by Corridor planning staff and the methodology, conclusions and recommendations relating to the transportation aspects of the study are acceptable.

The report assessed noise from Highway 8, Weber Street East (Regional Road No. 8) and Franklin Street North (local municipal street) and demonstrated that the proposed development is feasible from a transportation noise and vibration perspective.

The following noise attenuation measures pertaining to transportation noise must be implemented within the building and they shall be secured through a registered Development Agreement between the Owner/Developer and the Regional Municipality of Waterloo through the future Condominium Application:

- 1) All units within the buildings shall be installed with air-ducted heating and ventilation system suitably sized and designed with a central air-conditioning system that shall installed prior to occupancy.
- 2) The Building Facades shall be constructed with the following special building components:
  - Upgraded window glazing with STC 36 or higher along the south façade; STC 32 or higher along the east and west facades, and STC of 29 or higher along north façade.
  - Upgraded suite balcony doors with sound insulation performance of STC 30 or higher shall be installed along the south, east and west facades; and STC 25 or higher shall be installed along the north façade.
- 3) The following noise warning clauses shall be included in the Condominium Declaration and all Purchase and Sale/Lease/Rental Agreements:

*“This 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 Region of Waterloo and the Ministry of the Environment Conservation & Parks (MOECP).”*

*“Purchasers are advised that despite the inclusion of noise attenuation control features in the development and within the building units, sound levels due to increasing road traffic on Weber Street East (RR #08), Highway 8, and the local municipal street system in the vicinity may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Region of Waterloo and the Ministry of the Environment Conservation & Parks (MECP).”*

*Stationary Noise Study Review:*

Regional Staff have reviewed the stationary noise component of the report entitled, "1157-1175 Weber Street East, Kitchener, Ontario, Noise and Vibration Impact Study" (RWDI, December 1 2022) and accept the study conclusion and implementation measures at this stage (Official Plan Amendment and Zoning By-law Amendment stage).

The study concludes that the cumulative impact of off-site noise sources on this development meet the MECP NPC-300 noise guideline criteria for background (ambient) noise and the exclusionary noise level limits applicable for a Class 1 acoustical area for the daytime and nighttime periods.

The maximum daytime and nighttime sound impacts are 54 dBA (primarily along the east building façade due to the Mr. Lube automotive facility) and 52 dBA nighttime. These predicted noise levels meet noise level criteria for background (ambient) noise, being 66 dBA daytime and 57 dBA nighttime respectively along the east building façade. In addition, the predicted sound level at the rooftop terrace on Level 6 is 44 dBA, which meets the daytime exclusionary limit of 50 dBA.

The report notes that the proposed development is not expected to interfere with the compliance status of any regulated noise source within a 300 metre radius. Within this radius, the only facility having continuous noise sources with a potential to impact this development while holding a noise permit is Dare Foods Limited at 2481 Kingsway Drive. Existing residential uses are located closer to that facility as compared with the proposed development. With Dare Foods being compliant with their noise permit, the partial impacts of the facility at the proposed development are predicted to be less than the exclusionary nighttime sound limits for Class 1 of 45 dBA.

On-site stationary sources are expected to include HVAC equipment in the roof-top mechanical penthouse as well as various exhaust fans. As the detailed building design is not yet known, the impact of on-site stationary sources on off/on-site sensitive receptors has not yet been assessed and a detailed noise study must be undertaken to ensure compliance with MECP noise guideline limits for on/off-site receptors, including but not limited to HVAC equipment associated with the ground floor commercial uses has been considered.

As the detailed design of the building (e.g. mechanical selection, HVAC system etc.) has yet to be known, a detailed noise study must be undertaken to assess the impacts of the development on on-site noise sensitive receptors and the impact of on-site points of reception on off-site sensitive land uses. The Region shall require a Holding Provision to obtain a detailed stationary noise study which shall be prepared to the satisfaction of the Region. The required wording for the holding provision shall be:

*That a holding provision shall apply to the entirety of the subject lands until a detailed stationary noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of the points of reception (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.*

In addition to the above, the following certification and warning clause shall be implemented as a condition of approval through the future condominium application for all sensitive uses within the development:

*“Purchasers/tenants are advised that due to the proximity of the adjacent industrial/commercial land uses, noise from the industrial/commercial land uses may at times be audible.”*

Finally, the following certification shall be implemented as a condition of draft plan approval or implemented within the Region's development agreement as a condition of approval for the future condominium:

That prior to occupancy, the Owner shall provide a certification letter from an acoustical Engineer licensed in the Province of Ontario, certifying that the noise attenuation measures are incorporated in the building plans and upon completion of construction, the Owner shall also provide a certification from an acoustical Engineer also certifying that the dwelling units have been constructed in accordance with the accepted mitigation measures, and the development meets the MECP NPC-300 noise guideline noise level criteria.

*Functional Servicing Report:*

A report entitled “1175 Weber Street East Functional Servicing Report,” dated July 16, 2021, Revised December 19, 2022, prepared by MTE, has been reviewed and accepted at this time (Official Plan Amendment and Zoning By-law Amendment stage).

The report demonstrated that the proposed development can be serviced from the existing services in the Weber Street right-of-way. In addition, the report demonstrates that stormwater management flows the future conditions will be less than the current flows (as the site is almost impervious under the existing conditions) and the target flows from 5-100 years can be met post to pre-conditions.

Site Plan Stage:

*Dedicated Road Widening:*

As confirmed by the Owner/Developer's Ontario Land Surveyor, no further road widening along Weber Street East is required as the road width complies with Schedule A of the Regional Official Plan. The Region shall require the dedication of a daylight triangle at the intersection of Weber Street East and Franklin Street North. The daylight

triangle must be shown on the future site plan and a Phase 2 ESA shall be required for the purpose of the road dedication.

A draft reference plan is to be prepared by an OLS and shall be submitted to the Corridor Planner for review and approval prior to depositing with the Land Registry Office. Please be advised that all costs associated with the dedication of the daylight triangle is at the Owner's Expense and is to be dedicated to the Region free of contamination and free of encumbrance.

#### *Transportation Impact Study (TIS)*

A Transportation Impact Study (TIS) was provided as part of the original submission. As no road improvements were recommended through the TIS, Regional staff have agreed that the acceptance of the TIS can be deferred to the future Site Plan stage.

Regional staff note that while no improvements are currently proposed, the Owner/Developer is advised that if road improvements are required Functional Plans, Cost Estimates and an Agreement to provide funds for any road and intersection improvements shall be at the owner's expense.

In addition, all costs associated with any private entrances shall be the Owner's responsibility and all roads and intersection improvements for adjoining the Regional Road will be completed by the Region through a Regional contract.

#### *Access Regulation:*

Under a future site plan, the proposed access on Weber Street must meet the Regions standards for commercial access and width and curb radii (be 7.6m-9.0m in width at the future property line with 6.0m minimum curb radii). Furthermore, an Access Permit with the applicable fee (currently \$230.00) shall be required for any access on Weber Street West (RR#08). Any redundant access must be closed and will require an access permit (there is no fee for the closure). The application for the permit is available here:

[https://www.regionofwaterloo.ca/en/resources/Access\\_Permits/Permit-access.pdf](https://www.regionofwaterloo.ca/en/resources/Access_Permits/Permit-access.pdf)

#### *Stormwater Management Report*

Storm sewers within the Regional road right-of-way are generally sized and designed to only accommodate stormwater from the right-of-way and in some instances off road surface drainage under existing conditions. A private stormwater connection to any storm sewer on Weber Street East (Regional Road No.8) will be discouraged where an alternate stormwater connection is available, including infiltration if soil conditions and Source Protection under the Clean Water Act permit, or if it is determined that the Weber Street storm sewer does not have the sufficiency (condition and capacity) to accommodate private stormwater flows from this site. It is the responsibility of the applicant's engineering consultant to determine an appropriate stormwater outlet from this site and the sufficiency of the receiving storm system if there is no other option available and to include this information in the stormwater management report. The



applicant or their consultant should contact Mr. Malcolm Lister, Manager, Technical Services for the Region of Waterloo at 519-575-4432 or [mlister@regionofwaterloo.ca](mailto:mlister@regionofwaterloo.ca) to determine if any engineering plans and/or further technical information for Weber Street East is available which may be of assistance.

The applicant must submit electronic copies of detailed Site Grading and Drainage Control Plan(s) and Site Servicing Plan(s) along with a SWM Report for Regional review and approval. This should include drainage details for the subject property, abutting properties and the public road allowance so as to ensure compatible drainage and to show thereon all existing and proposed connections to the municipal storm sewers, sanitary sewers and water mains and all detailed erosion and siltation control features, all to the satisfaction of the Regional Municipality of Waterloo.

The site must be graded in accordance with the approved plan and the Regional Road allowance must be restored to the satisfaction of the Regional Municipality of Waterloo.

*Concept Grading Plan:*

The Region requires additional spot grades along the raised sidewalk on the private property as part of the future Site Plan application. In addition, typical cross-sections across the proposed building, raised sidewalk and the transit stops and easements are required for review to demonstrate there are no portions of the building under or above the ground that encroach into the Region's right-of-way. The Region requires this information to understand the location of the proposed retaining wall, the building overhang and the proposed grades in the lands abutting the Weber Street right-of-way and to ensure any retaining walls are located within the private property. In addition, these spot grades and cross-sections are required to ensure the grades of the proposed raised sidewalk must be AODA compliant and to ensure the existing and the proposed grades along the building limit and the proposed raised sidewalk, the existing sidewalk and the edge of the pavement/road curbs are all compatible.

*Transit Planning:*

There is transit service on both Weber Street East (Route 8) and Franklin Street North (Route 28) with a transit stop on both streets. The owner/developer must provide transit easements (roughly 7.0m x 5.65m) that are to be conveyed to the Region at the owner's costs. In addition, a transit shelter easement of 3.0m x 5.0m will be required along Franklin Street and shall be conveyed to the Region. Please be advised that no portion of the building and structural elements associated with the building shall be permitted to encroach over at or above the Region's right-of-way.

In addition to the above, the following transit amenities shall be required through a future Site Plan application at the owner's expense:

Stop #2612 on Weber (Route 8)

- An easement measuring 7.0m x 5.65m will be required for a 6m x 2.3m shelter pad.

- Construct the shelter pad to GRT specifications.
- A shelter.

#### Stop #2968 on Franklin (Route 28)

- An easement measuring 5m x 3m will be for a 4m x 2.3m shelter pad setback minimum of 3m from the fire hydrant.
- Construct the shelter pad to GRT specifications.
- A shelter

#### *Site Servicing/Work Permit/Municipal Consent*

Municipal Consent shall be required for the installation of any proposed and/or required servicing connections. In addition, a Region of Waterloo Work Permit must be obtained from the Region of Waterloo prior to commencing construction within the Region's right-of-way. Please visit <https://rmowroadpermits.mirasan.ca/> for further guidance.

In addition, the following servicing comments should be addressed through the site plan submission:

- The abandoned 150mm sanitary sewer is to be removed from the Region's right-of-way.
- There is currently a curb-face sidewalk that runs along Weber St. It should be 1.8m if it remains a curb-face. It is recommended that the curb be adjusted to a 2.1m wide sidewalk as per Regional Corridor Design Guidelines.
- There is still a sidewalk pinch point on the eastern edge of the curb-face sidewalk. Regional staff encourage the applicant to address this constraint through the site plan process
- The detailed site plan should confirm if the Bell pedestal and a Rogers pedestal up against the proposed building is required to be relocated
- Staff recommend that the existing SICB in front of #1175 be changed to a SICBMH as there is a new Storm Sewer connection.

#### **Region of Waterloo International Airport:**

The subject lands are located within the Airport Zoning Regulation (AZR), which permits a maximum height of 395.5 meters above sea level (mASL). As the proposed height of 411 mASL exceeds the maximum height permitted by the AZR, the applicant has submitted an aeronautical assessment. Based on the aeronautical assessment, Regional staff are supportive of the proposed development (building and crane) to a maximum elevation of 411mASL; however, confirmation of the exceedance must come from Transport Canada. Prior to adoption of the Zoning By-law Amendment, the Owner/Developer will need to submit an exemption request to Transport Canada and receive confirmation from Transport Canada permitting the exceedance to the AZR.

Once the exemption request has been granted, **Regional staff highly recommend the maximum height of 411m ASL to be implemented in the regulations of the Zoning**

**By-law for the proposed building. Any crane used for the construction of this development (e.g. towers, rooftop HVAC, communication towers/antennas) must also be below the maximum height of 411mASL.**

As the subject lands are subject to the Airport Zoning Regulations, the applicant shall submit a land use submission form to NAV Canada as soon as possible. The application form can be found here: <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>. A separate land use form is also required for the crane.

In addition to the above, the applicant shall submit an Aeronautical Assessment Form for both the building and crane to Transportation Canada as soon as possible. The application form can be found on their website here: <https://tc.canada.ca/en/aviation/general-operating-flight-rules/marking-lighting-obstacles-air-navigation>.

Finally, should a future condominium be proposed, a condition of draft plan approval shall require that the Owner/Developer enter into a registered development agreement with the Regional Municipality of Waterloo to implement the following warning clause within the Condominium Declaration and all offers of purchase and sale/lease/rental agreements:

*“Prospective purchasers and tenants are advised that all units in this plan of condominium 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 Source Water Protection**

Regional staff require 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. Regional staff recommend the following 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 Region supports the provision of a full range of housing options, including affordable housing. The Region's 10-Year Housing and Homelessness Plan contains an affordable housing target for Waterloo Region. The target is for 30% of all new residential development between 2019 and 2041 to be affordable to low and moderate income households. Staff recommend that the applicant consider providing a number of affordable housing units on the site. Staff further recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs.

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.

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 unit to be deemed affordable, the average rent for the proposed units must be at or below the average market rent in the regional market area, as listed above.

### **Fees**

By copy of this letter, the Region of Waterloo acknowledges receipt of the review fees of \$6,900.00 (received March 2, 2022).

### **Conclusions:**

The Region has no objection to the above noted Official Plan Amendment and Zoning By-law Amendment Application subject to the following being implemented within the Zoning By-law Amendment:

1. That prior to final approval, the Owner/Developer received and provides an exemption from Transport Canada for the proposed building height. In accordance with the submitted aeronautical report, the Zoning By-law for the subject lands is recommended to contain a maximum height permitted on site for buildings and any associated structures (e.g. rooftop HVAC, communication towers/antennas) and construction cranes of 411mASL.
2. A holding zone on the entirety of the site to obtain a Record of Site Condition and Ministry Acknowledgement Letter to the satisfaction of the Regional Municipality of Waterloo. The required wording for the holding provision is:

*That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry in accordance with O. Reg. 153/04, as amended and the Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.*

3. That a holding provision apply to the entirety of the subject lands until the Region receives a satisfactory detailed road and stationary noise study. The required wording for the holding provision is:

*That a holding provision shall apply to the entirety of the subject lands until a detailed transportation (road), vibration and stationary noise study have been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of the points of reception (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.*

4. The implementation of a geothermal prohibition on the entirety of the subject lands. The required wording 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.*

**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,



Melissa Mohr, MCIP, RPP  
Senior Planner

- C. MKG Holding Corporation C/O Michael Crosby (Owner)  
Kristen Barisdale, GSP Group Inc. (Applicant)



PLANNING, DEVELOPMENT  
AND LEGISLATIVE SERVICES  
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Kitchener Ontario N2G 4J3 Canada  
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www.regionofwaterloo.ca

Melissa Mohr 226-752-8622  
File: D17-40/2/21007  
C14-60/2/21010

April 6, 2023

Brian Bateman, MCIP, RPP  
Senior Planner  
City of Kitchener  
200 King Street West, 6<sup>th</sup> Floor  
P.O. Box 1118, Kitchener, ON  
N2G 4G7

Dear Mr. Bateman,

**Re: Addendum to Regional Comments Re: OPA21/07 and  
ZBA21/10  
1157-1175 Weber Street West and 25 Franklin Street  
North  
GSP Group Inc. (C/O Kristen Barisdale) on behalf of MKG  
Holding Corporation (C/O Crosby Auto Group)  
CITY OF KITCHENER**

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Further to the Region's Comments dated April 3, 2023, Regional staff wish to provide an addendum letter regarding the comments provided on the Region of Waterloo International Airport and implementation measures required by the Region:

The subject lands are located within the Airport Zoning Regulation (AZR), which currently permits an existing maximum elevation of 416.50m ASL with a maximum height restriction of 90.5m. A more restrictive AZR is proposed and the Owner/Developer has submitted an Aeronautical Assessment to justify a maximum elevation of 411mASL.

Regional staff understand that the height proposed through this development does not violate the current AZR and are satisfied with the Aeronautical Assessment and Regional staff have no objection to this development.

Please be advised that the applicant/owner must submit the following forms to NAV Canada and Transport Canada, however, they are not required to be completed prior to the Official Plan Amendment and Zoning By-law Amendment being considered by City of Kitchener Council:

NAV CAN F-LDU-100 Land Use Form <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>

F-LDU-101 Crane Height Form <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>

Transport Canada Aeronautical Assessment Form 26-0427E (1812-09) at [https://wwwapps.tc.gc.ca/Corp-Serv-Gen/5/forms-formulaires/download/26-0427\\_BO\\_PX](https://wwwapps.tc.gc.ca/Corp-Serv-Gen/5/forms-formulaires/download/26-0427_BO_PX)

### **Conclusions:**

In summary, Regional staff have no objection to the above noted Official Plan Amendment and Zoning By-law Amendment applications subject to the following being implemented within the site-specific Zoning By-law Amendment:

1. In accordance with the submitted aeronautical report, Regional staff recommend that the Zoning By-law for the subject lands contain a maximum height permitted on site for buildings and any associated structures (e.g. rooftop HVAC, communication towers/antennas) of 411mASL. Please be advised that any construction cranes cannot exceed this limit.
2. A holding zone on the entirety of the site to obtain a Record of Site Condition and Ministry Acknowledgement Letter to the satisfaction of the Regional Municipality of Waterloo. The required wording for the holding provision is:

*That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry in accordance with O. Reg. 153/04, as amended and the Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.*

3. That a holding provision apply to the entirety of the subject lands until the Region receives a satisfactory detailed road and stationary noise study. The required wording for the holding provision is:

*That a holding provision shall apply to the entirety of the subject lands until a detailed transportation (road), vibration and stationary noise study have been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of*



*the points of reception (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.*

4. The implementation of a geothermal prohibition on the entirety of the subject lands. The required wording 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.*

### **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,



Melissa Mohr, MCIP, RPP  
Senior Planner

- C. MKG Holding Corporation C/O Michael Crosby (Owner)  
Kristen Barisdale, GSP Group Inc. (Applicant)

**From:** Victoria Grohn  
**Sent:** Tuesday, September 28, 2021 9:03 AM  
**To:** Brian Bateman  
**Subject:** RE: Circulation for Comment - OPA/ZBA (1157 & 1175 Weber Street East)

Hi Brian,

No heritage planning concerns.

Thanks,  
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](mailto:victoria.grohn@kitchener.ca)

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**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** Friday, September 24, 2021 11:58 AM  
**To:** 'Hodgins, Allan (MTO)' <[Allan.Hodgins@ontario.ca](mailto:Allan.Hodgins@ontario.ca)>; \_DL\_#\_DSD\_Planning <[DSD-PlanningDivision@kitchener.ca](mailto:DSD-PlanningDivision@kitchener.ca)>; Aaron McCrimmon-Jones <[Aaron.McCrimmon-Jones@kitchener.ca](mailto:Aaron.McCrimmon-Jones@kitchener.ca)>; Bell - c/o WSP <[circulations@wsp.com](mailto:circulations@wsp.com)>; Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>; David Paetz <[David.Paetz@kitchener.ca](mailto:David.Paetz@kitchener.ca)>; Feds <[vped@feds.ca](mailto:vped@feds.ca)>; GRCA (North Kitchener) - Trevor Heywood <[theywood@grandriver.ca](mailto:theywood@grandriver.ca)>; GRCA (South Kitchener) - Chris Foster-Pengelly <[cfosterpengelly@grandriver.ca](mailto:cfosterpengelly@grandriver.ca)>; Greg Reitzel <[Greg.Reitzel@kitchener.ca](mailto:Greg.Reitzel@kitchener.ca)>; Hydro One - Dennis DeRango <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jim Edmondson <[Jim.Edmondson@kitchener.ca](mailto:Jim.Edmondson@kitchener.ca)>; Katherine Hughes <[Katherine.Hughes@kitchener.ca](mailto:Katherine.Hughes@kitchener.ca)>; K-W Hydro - Greig Cameron <[gcameron@kwhydro.on.ca](mailto:gcameron@kwhydro.on.ca)>; Linda Cooper <[Linda.Cooper@kitchener.ca](mailto:Linda.Cooper@kitchener.ca)>; Mike Seiling <[Mike.Seiling@kitchener.ca](mailto:Mike.Seiling@kitchener.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Park Planning (SM) <[Park.Planning@kitchener.ca](mailto:Park.Planning@kitchener.ca)>; Region - Planning <[PlanningApplications@regionofwaterloo.ca](mailto:PlanningApplications@regionofwaterloo.ca)>; Property Data Administrator (SM) <[PropDataAdmin@kitchener.ca](mailto:PropDataAdmin@kitchener.ca)>; Robert Morgan <[Robert.Morgan@kitchener.ca](mailto:Robert.Morgan@kitchener.ca)>; Steven Ryder <[Steven.Ryder@kitchener.ca](mailto:Steven.Ryder@kitchener.ca)>; Sylvie Eastman <[Sylvie.Eastman@kitchener.ca](mailto:Sylvie.Eastman@kitchener.ca)>; UW - SA <[Steven.amirikah@uwaterloo.ca](mailto:Steven.amirikah@uwaterloo.ca)>; WCDSB - Planning <[planning@wcdsb.ca](mailto:planning@wcdsb.ca)>; WRDSB - Board Secretary ([elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)) <[elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)>; WRDSB - Planning <[planning@wrdsb.ca](mailto:planning@wrdsb.ca)>  
**Cc:** Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>  
**Subject:** Circulation for Comment - OPA/ZBA (1157 & 1175 Weber Street East)

Please see attached. Additional documentation can be found in [ShareFile](#). Comments or questions should be directed to **Brian Bateman**, Senior Planner (copied on this email).

**Christine Kompter**  
Administrative Assistant | Planning Division | City of Kitchener  
200 King Street West, 6<sup>th</sup> Floor | P.O. Box 1118 | Kitchener ON N2G 4G7  
519-741-2200 ext. 7425 | TTY 1-866-969-9994 | [christine.kompter@kitchener.ca](mailto:christine.kompter@kitchener.ca)





January 3, 2023

City of Kitchener  
Planning Division, 6<sup>th</sup> Floor  
200 King Street West  
Kitchener, Ontario N2G 4G7

Attention: Brian Bateman  
Senior Planner

**Re: 1157-1175 Weber Street East  
Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA)  
Revised Plans and Reports**

As requested, below is a summary of the revised development plan and OPA/ZBA applications for 1157-1175 Weber Street East as submitted by GSP Group on December 22, 2022.

The proposed development plan has been revised since the original 2021 submission to address City, Region and public comments through the application circulation and consultation process as well as revisions by Zehr Group regarding improved building efficiency and functionality. The below is a summary of the key changes to the proposed development plan per ABA's December 2022 design brief.

- **Podium height:** the height of the podium was reduced to 4 storeys (from 5 storeys) to bring down the mass at the street level and for parking garage efficiencies.
- **Tower heights:** the height of the towers was increased to 17 storeys (from 15 storeys) and 19 storeys (from 18 storeys) to redistribute the mass from the podium reduction.
- **Residential units:** the total number of units has been increased to 443 (from 378) resulting from the additional tower floors and additional units within the podium.
- **Ground floor design:** the podium's ground floor has been reconfigured with revisions to the commercial space, residential lobby space, and residential amenity spaces along the streetscapes, together with the addition of 6 easily-accessible residential units on the podium's ends.
- **Commercial floor space:** the total amount of commercial floor space has been reduced to 376 sq.m. (from 851 sq.m.) in the interests of "right-sizing" the commercial space for this building and context.

- **Amenity space:** the indoor amenity room on the podium rooftop is consolidated and enlarged and the outdoor common terraces are enlarged.
- **Parking:** the parking supply remains similar at 319 parking spaces (from 320 spaces) in the parking garage levels and the allowed surface parking areas (net of the 38 spaces provided within the MTO setback).
- **Bike Parking:** the Class A bike parking supply is increased to 423 bike spaces reflecting the recommendations of Paradigm's parking study.
- **Transit Shelters:** the plan now shows the conceptual locations for the transit shelters along Weber Street and Franklin Street per the Region's direction.
- **Road Widening:** the plan now shows the required corner sight triangle at Weber and Franklin, per the Region's direction and acceptance; further road widening along Weber Street East are not required per the Region's confirmation.

The revised OPA application maintains the site's proposed redesignation to the Mixed Use designation with a Site-Specific Policy that maintains the 4.5 floor space ratio as originally proposed and increases the building height to 17 storeys (58.5 metres) and 19 storeys (64.5 metres) per the revised development plan.

The revised ZBA application changes the requested zone to the MIX-2 Zone, per City comments. The proposed Special Regulations maintain the 4.5 floor space ratio as originally proposed, increase the maximum building height to 17 storeys (58.5 metres) and 19 storeys (64.5 metres), and reduce the minimum parking rate to 0.70 spaces per multiple dwellings further to Paradigm's revised parking study. Additionally, a Holding provision will be required for the finalization of the Record of Site Condition.

GSP Group will coordinate the specifics of the revised OPA and ZBA applications with yourself.

Yours truly,



Kevin Muir  
Director of Land Development  
Zehr Group

**City of Kitchener**  
**Zone Change / Official Plan Amendment Comment Form**

**Address:** 1157-1175 Weber St E  
**Owner:** MKG Holdings Corp  
**Application:** OPA21/007/W/BB and ZBA21/010/W/BB – January 2023 resubmission

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Comments Of: Parks and Cemeteries  
Commenter's Name: Lenore Ross  
Email: Lenore.ross@kitchener.ca  
Phone: 519-741-2200 ext 7427

Date of Comments: February 2023

- ☐ 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)
- 

**Documents Reviewed:**

1. I have reviewed the documentation noted below submitted in support of a revised OPA/ZBA proposal to permit a mixed-use development of two towers that are 17 and 19 storeys in height on top of a podium that will contain parking and ground floor commercial. A total of 443 residential units and 376m<sup>2</sup> of commercial space are proposed for a FSR of 4.5.
  - a. Response Matrix to OPA.ZBA Comments December 2022
  - b. Updated Draft ZBA OPA Design Brief
  - c. Zehr OPA and ZBA covering letter January 2023

**2. Site Specific Comments & Issues:**

No further concerns with OPA21/007/W/BB and ZBA21/010/W/BB

**3. Comments on Submitted Documents**

The document titled Updated Draft ZBA OPA Design Brief is essentially an Architectural Site Plan set with Floor Plans and Elevations rather than an update to the originally submitted Design Brief from GSP and does not provide any precedent images, commentary or commitment with respect to the provision of robust on-site amenity spaces for all ages, including children.

The response matrix indicates that the amenity space will “will be explored at the time of detailed design through the Site Plan Application process” and that “podium rooftop terrace provides large, contiguous shared outdoor space that provides opportunities for different amenities and recreation functions”.

The cover letter also highlights that the “indoor amenity room on the podium rooftop is consolidated and enlarged and the outdoor common terraces are enlarged.”

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

- Kitchener Official Plan

**City of Kitchener**  
**Zone Change / Official Plan Amendment Comment Form**

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

**5. Anticipated Fees:**

- The parkland dedication requirement for the OPA and ZBA applications is deferred and will be assessed at a future Site Plan Application. Parkland dedication will be assessed based on the land use class(es) and density approved through the OPA and ZBA and required as a condition of Site Plan Approval and taken as cash-in-lieu of land.
- 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 Bylaw 2022-101 is under appeal and further changes to the Bylaw and Policy may be required as a result of Bill 23/More Homes Built Faster Act.

**From:** Pegah Fahimian  
**Sent:** Friday, February 10, 2023 9:04 PM  
**To:** Brian Bateman  
**Subject:** OPA-ZBA- 1175 Weber Street- Updated Urban Design Brief

Hi Brian,

I have reviewed the updated design package and have enclosed my comments here:

**Tall Building Design:** 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 regard to separation.

**Building Design:** 4-storey pedestrian-scaled podium along Weber and Franklin Street distinguished by tall towers, step-backs and intended architectural treatment. The proposed relative height accommodates human-scaled built form along streetscapes while accommodating compatibility matters. Contemporary architectural style and details must be refined through **the site plan process**.

**On-site Amenity area:** According to the Urban Design guidelines:

$(2 \text{ sq.m} \times \# \text{ units}) + (2.5 \text{ sq.m} \times \# \text{ bedrooms} - \# \text{ units}) = \text{Outdoor amenity space.}$

$(2 \times 443) + (2.5 \times 544 - 443) = 886 + 917 = 1803 \text{ sq.m} - \text{Required on site amenity}$

The proposed on-site amenity space (Updated design brief, Page 1.6 ) does not meet the requirement as set out in the Urban Design Guidelines. Additional information should be provided regarding the various on-site amenity spaces in the UDB (common, individual, indoor, and outdoor) .

**Updated Shadow Studies:** The submitted shadow analysis is acceptable as it confirms that the proposal maintained access to at least 5 hours of cumulative direct sunlight to nearby sidewalks and open spaces.

#### **Updated Wind Study - Pedestrian Level Wind Assessment-**

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

Thanks,

**Pegah Fahimian**, B.Arch, M.Arch, MUD

Senior Urban Designer / Planning Division / City of Kitchener  
519-741-2200 ext. 7342 / TTY 1-866-969-9994

[Pegah.Fahimian@kitchener.ca](mailto:Pegah.Fahimian@kitchener.ca)







**Want to know more  
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**From:** Christine Goulet  
**Sent:** Wednesday, October 13, 2021 11:48 AM  
**To:** Brian Bateman  
**Subject:** RE: Circulation for Comment - OPA/ZBA (1157 & 1175 Weber Street East)

Hi Brian,

The water distribution was reviewed by KU and they are good with it.

Engineering has reviewed the servicing report and is ok with the proposed sanitary peak flow of **9.83L/s**. The owner should confirm size of service also meets requirements of building code. Region to approve connection onto Weber St.

SWM approach is acceptable.

Thanks,

**Christine Goulet, C.E.T.**

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

---

**From:** Linda Cooper <[Linda.Cooper@kitchener.ca](mailto:Linda.Cooper@kitchener.ca)>  
**Sent:** Friday, September 24, 2021 1:02 PM  
**To:** Christine Goulet <[Christine.Goulet@kitchener.ca](mailto:Christine.Goulet@kitchener.ca)>  
**Subject:** FW: Circulation for Comment - OPA/ZBA (1157 & 1175 Weber Street East)

Hi,

For your review and comments.

Thanks,

Linda

**Linda Cooper, L.E.T, C.E.T**

Manager | Development Engineering | City of Kitchener  
519-741-2200 ext. 7974 | TTY 1-866-969-9994 | [linda.cooper@kitchener.ca](mailto:linda.cooper@kitchener.ca)



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**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** Friday, September 24, 2021 11:58 AM  
**To:** 'Hodgins, Allan (MTO)' <[Allan.Hodgins@ontario.ca](mailto:Allan.Hodgins@ontario.ca)>; \_DL\_#\_DSD\_Planning <[DSD-](#)

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**Cc:** Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>

**Subject:** Circulation for Comment - OPA/ZBA (1157 & 1175 Weber Street East)

Please see attached. Additional documentation can be found in [ShareFile](#). Comments or questions should be directed to **Brian Bateman**, Senior Planner (copied on this email).

### Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener  
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