

## Craig Dumart

---

**From:** Dave Seller  
**Sent:** Friday, May 21, 2021 11:57 AM  
**To:** Juliane vonWesterholt  
**Subject:** ZBA/OPA COMMENTS: 134-152 Shanley Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

City of Kitchener

## ZONING BY-LAW AMENDMENT COMMENTS

**Project Address:** 134-152 Shanley Street

**Application Type:** ZBA & OPA

---

Comments Of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: May 21, 2021

---

- a. After reviewing the Transportation Impact, Transportation Demand Management and Parking Justification report that was submitted by Salvini Consulting (March 2021) for this development, Transportation Services offer the following comments.

The site is expected to generate approximately 62 AM and 76 PM peak hour vehicle trips. Shanley Street is estimated to operate at 1525 vehicles per day, which is common for a Local street which typically has less than 2000 vehicles per day. The estimated traffic per day includes site generated traffic and forecasted Shanley Street traffic. Shanley Street was analyzed at the site access and is expected to provide vehicular traffic with an acceptable level of service, delay and queuing. Also, a left turn lane analysis was completed along Shanley Street at the site access and it was determined that a left turn lane is not warranted.

Another aspect of the analysis included alternative modes of transportation, whether for tenants or visitors to the site. Based on the conversations with Salvini Consulting, bicycle parking spaces are being provided for the development and will incorporate 90 Class A secure bicycle parking spaces and the City of Kitchener's requirement for Class B bicycle parking spaces will also be satisfied. The Class A and Class B bicycle parking being applied to the site would follow the intent of the City of Kitchener future zoning by-law. The existing and future cycling infrastructure in the area will service tenants or visitors and provide an enhanced user experience, coupled with the other alternative modes of transportation that are also available to tenants or visitors, the existing ION and GRT routes in the area. Vehicle parking for this development will be unbundled and charged as a separate cost a tenant and vehicular parking for visitors is being provided on-site.



Melissa Mohr <MMohr@regionofwaterloo.ca>

To ● Craig Dumart

Cc ○ Amanda Kutler; ○ Sean Anderson

You forwarded this message on 1/19/2022 3:25 PM.

Reply | Reply All | Forward |

Fri 9/24/2021 1:16 PM

Good Afternoon,

Regional staff understand that the applicant of OPA 21/02 and ZBA 21/04 (134-152 Shanley Street) has proposed a geothermal energy system within the development at 134-152 Shanley Street and the City of Kitchener has no concerns with this approach. Regional staff do have concerns with this aspect of the application and are not in support of geothermal energy systems on the subject lands due to the following:

A Risk Assessment (RA) approach is being used to achieve a Record of Site Condition (RSC) for 152 Shanley Street, **which means that contamination will remain at the site even after the RSC is filed.** The main contaminant of concern in groundwater is trichloroethylene (TCE). Due to it being denser than water (i.e., a DNAPL), TCE represents a significant threat to deep aquifers used for drinking water in the Region. Free-phase TCE has been historically measured at the property and **high levels of TCE will continue to be present in groundwater after the RSC is filed.** The RA has proposed an ongoing allowable level for TCE in groundwater of 168,000 µg/L, which is five orders of magnitude higher than the generic site condition standard of 1.6 µg/L.

The MECP has approved the use of a regulatory mechanism called "Non-Standard Delineation" for the purposes of the RA based on concerns raised by the environmental consultant (Stantec) that deep drilling to assess the vertical extent of impacts could potentially carry contaminants (including TCE) downward through the aquitard. **Deep drilling for the purposes of installing a geothermal system could also potentially carry contaminants downward through the aquitard.**

The RA has proposed Risk Management Measures (RMMs) to mitigate the risks associated with TCE and other contaminants that will remain beneath the site when the property is redeveloped. This includes a "restriction prohibiting the installation of groundwater wells for potable, or non-potable, use at the Site" which will be registered on title through a Certificate of Property Use (CPU). It is unclear whether this restriction would include the proposed geothermal system.

**Based on the above, Regional staff are not in support of the use of a geothermal system on this site and request a prohibition on the use of geothermal energy systems be implemented through the Zoning By-law Amendment for this proposal based on the following:**

- City of Kitchener's Private Well Prohibition By-law
- The Region's position paper on geothermal systems

Should you have any questions regarding the above or wish to discuss further, please do not hesitate to ask.

Kind Regards,

Melissa

**Melissa Mohr, MCIP, RPP**

Principal Planner

Planning, Development and Legislative Services

**Region of Waterloo**

150 Frederick Street, 8th Floor, Kitchener ON N2G 4J3

Cell: 1-226-752-8622

Therefore, based on the justification and analysis that was included within the Salvini Consulting report,  
Transportation Services can support the proposed parking reduction being sought.

**Dave Seller, C.E.T.**

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



## City of Kitchener - Comment Form

**Project Address: 134 - 152 Shanley Street**

**Application Type: Official Plan and Zoning By-law Amendment**

---

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

**Commenter's name:** Carrie Musselman

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

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

---

**Written Comments Due:** June 7, 2021

**Date of comments:** May 19, 2021

---

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

- Preliminary Sustainability Statement, 134 – 152 Shanley Street, Kitchener. March 22, 2021. IBI Group.

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

I have reviewed the documentation (as listed above) to support an Official Plan and Zoning By-law Amendment to facilitate the development of an 8 storey apartment building (172 dwelling units) at 30 Francis St. S. and provided the following:

- It is very encouraging to know that this particular development will be investigating sustainability measures such as LEED, Net Zero or Passive House that can be incorporated into its design and will be going beyond the minimum requirements of the Ontario Building Code (OBC).
  - Although the Ontario Building Code (OBC) is advanced, going 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.
- The details of the proposed development are preliminary, and an updated sustainability statement will need to be provided through the site plan process.
- 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-star-multifamily-high-rise-pilot-program/21966>
- The 'Sustainability Statement Terms of Reference' can be found on the City's website under 'Planning Resources' at ...
  - a. [https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD\\_PLAN\\_Sustainability\\_Statement\\_Standard\\_Terms\\_of\\_Reference.pdf](https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_Sustainability_Statement_Standard_Terms_of_Reference.pdf)

City of Kitchener  
**Zone Change/OPA Re Circulation Comments**

**Project Address:**152 Shanley St

**Application Type:**ZBA & OPA

---

Comments Of: Urban Design Development Review

Commenter's Name:Sandro Bassanese

Email: sandro.bassanese@kitchener.ca

Phone: 519-741-2200 ext. 7305

Date of Comments: November 17, 2021

**1. Site Specific Comment:**

The comments provided below are related to specific documents/plans resubmitted in support of the zone change application.

**Urban Design Brief:**

- The design brief has sufficiently addressed and achieved the intent of the Mid-rise design guidelines as per the Urban Design Manual.
- The shadow analysis provided with the proposed height has minimal additional shadow impacts. The shadow study as submitted is acceptable.

**Tree Management Plan/Arborist Letter:**

- All trees to be removed in common ownership will require consent from the adjacent property owners prior to approval in principle.
- The updated arborist letter provides a replacement value of trees to be removed in common ownership as per current ISA standards which is acceptable to staff.
- The length of the monitoring program is to be further defined, currently prior to, during and after construction monitoring is noted however no time period has been provided for this monitoring (i.e. 1, year 2 years). The time period for monitoring is to be as per current ISA standards.
- Tree #3:
  - Further discussion will be required around posting of the LOC and who it will be returned to. An amount is to be added to the LOC for removal and disposal of the tree if it goes into decline. These items are to be confirmed prior to approval in principle.
- The compensation notes on the Vegetation Management Plan (L 0.0) below

**NOTE: COMPENSATION CALCULATED FOLLOWING THE TRUNK FORMULA METHOD:**

1. AVERAGE DIAMETER OF TREES REMOVED IN GOOD CONDITION = 16"
2. AVERAGE CROSS SECTIONAL AREA = 201" SQUARED
3. COST PER TREE REMOVED = \$8,173.00
4. TOTAL COST OF REMOVALS BEFORE PLANTING COMPENSATION, INCLUDING LOCATION AND SPECIES DEVALUATION  $(0.55 \times 0.65) = \$20,453.29$

Are to be replaced with the note from the revised arborist letter below as they provide a better understanding of compensation value.

Prior to finalizing compensation planting layout in the Landscape Plan, the following Trunk Formula Valuation Method calculations were done to determine the total monetary value of trees in good condition or better, being removed due to construction impact.

**Trunk Formula Method:**

1. Average diameter of trees in good condition removed =  $(50+20+45+20+20+70+60) / 7$   
= 40.7cm OR 16.23inches

2. Average cross-sectional trunk area =  $(16.23 \times 16.23 \times 0.7854) = 201$  inches squared

3. Solving for average value. Cost of replacement tree = \$250, cross-sectional trunk area of replacement tree = 6.15 inches squared.

$$\text{Average value of tree removed} = (201 \times 250 / 6.15) = \$8,173$$

4. Devaluation based on location (0.55 multiplier) and species (0.65 multiplier)

$$\begin{aligned} &= \$8,173 \times 0.55 \times 0.65 \\ &= \$2,921.84 \end{aligned}$$

Average value of tree in good condition being removed is \$2,921.84

Seven trees in good condition are being removed which amounts to a total of \$20,453.29

- Consent for compensation planting will be required prior to approval in principle.
- Compensation plantings offsite on adjacent private properties is noted, a compensation planting plan and details of warranty and maintenance period are to be provided prior to approval in principle.
- A letter of credit for 100% of the cost to replace the trees on private property is to be provided by the developer and will be held by City staff until the warranty period has been completed and certified by the project landscape architect at which time the LOC will be returned to the developer. Details of the LOC will be finalized through the site plan approval process.

**Landscape Concept Plan:**

- Soil volume noted for trees over slab meets Urban Design Manual standards.
- The streetscape plan as provided will be the basis for review and approval of plantings in the ROW moving forward. The applicant is advised as part of future site plan submissions that a stand alone streetscape plan noting works fully within the ROW is to be prepared and to be circulated to Parks and Operations staff for review. Parks and operations staff will review approve and confirm the securities, certification and maintenance requirements of planting through the site plan process.

# Internal memo

Development Services Department



[www.kitchener.ca](http://www.kitchener.ca)

**Date:** November 17, 2021  
**To:** Craig Dumart, Senior Planner  
**From:** Victoria Grohn, Senior Heritage Planner  
**cc:**  
**Subject:** Resubmission No. 1  
Official Plan Amendment OPA21/002/S/JVW  
Zoning By-law Amendment ZBA21/004/S/JVW  
134-152 Shanley Street  
Revised Heritage Planning Comments

Heritage Planning staff have reviewed the amended Planning Justification and Urban Design Report ("Report") for 134 & 152 Shanley Street prepared by IBI Group and dated October 14, 2021.

Overall, the updated Report appears to address comments previously provided by Heritage Planning staff with respect to the inclusion of additional details regarding adherence to the Vision Statement. Heritage Planning staff note that while non-residential uses are not contemplated at this time, flexibility in the proposed Zoning By-law Amendment has been provided for the inclusion of non-residential uses in the future. Heritage Planning staff continue to encourage that non-residential uses be incorporated into the development at grade. Heritage Planning staff also reiterate the comments provided on June 4, 2021 regarding an appropriate height that would respect the historic façade of the former Electrohome building. However, the overall massing and density of the current proposal is similar to what was endorsed through the vision statement for this site. The development proposal should provide front yard setbacks that are consistent with the adjacent properties on Duke Street and Shanley Street and that maximum and minimum front yard setbacks should be outlined in the ZBA.

As a point of clarification, page 57 of the Report states that the subject lands are not located within a cultural heritage landscape (CHL). The subject lands are located within the Mt Hope/Breithaupt Neighbourhood CHL.

Heritage Planning staff will provide additional comments through the Site Plan process with respect to the new construction being designed to commemorate the cultural heritage significance of the former Electrohome building and site. A Salvage, Reuse and Commemoration Plan will be required as part of a future Site Plan application.



## Craig Dumart

---

**From:** Angela Mick  
**Sent:** Monday, November 15, 2021 6:11 PM  
**To:** Jason Brule; Craig Dumart  
**Cc:** Sandro Bassanese; Victoria Grohn  
**Subject:** Re: 152 Shanley OPA/ZBA Resubmission

No comments

Sent from my Bell Samsung device over Canada's largest network.

---

**From:** Jason Brule <Jason.Brule@kitchener.ca>  
**Sent:** Monday, November 15, 2021 9:07:53 AM  
**To:** Craig Dumart <Craig.Dumart@kitchener.ca>  
**Cc:** Sandro Bassanese <Sandro.Bassanese@kitchener.ca>; Victoria Grohn <Victoria.Grohn@kitchener.ca>; Angela Mick <Angela.Mick@kitchener.ca>  
**Subject:** RE: 152 Shanley OPA/ZBA Resubmission

Hi Craig,

I have reviewed the documents and don't have any concerns. I will let Angela provide KU's comments straight to you seeing as she was directly involved in the circulation from Planning.

Let me know if you need anything else from me at this time.

Regards,  
**Jason Brûlé, C.E.T.**  
519-741-2200 ext.7419

**From:** Craig Dumart <Craig.Dumart@kitchener.ca>  
**Sent:** Tuesday, November 09, 2021 3:02 PM  
**To:** Sandro Bassanese <Sandro.Bassanese@kitchener.ca>; Victoria Grohn <Victoria.Grohn@kitchener.ca>; Jason Brule <Jason.Brule@kitchener.ca>; Angela Mick <Angela.Mick@kitchener.ca>  
**Subject:** RE: 152 Shanley OPA/ZBA Resubmission

Hi everyone,

If you haven't had a chance to review the re submission material yet could you review this week and provide comments to me by Monday of next week 😊

Craig

**From:** Craig Dumart  
**Sent:** Tuesday, October 19, 2021 11:39 AM  
**To:** Sandro Bassanese <Sandro.Bassanese@kitchener.ca>; Victoria Grohn <Victoria.Grohn@kitchener.ca>; Jason Brule <Jason.Brule@kitchener.ca>; Angela Mick <Angela.Mick@kitchener.ca>  
**Cc:** Michelle Drake <michelle.drake@kitchener.ca>; Garrett Stevenson <Garrett.Stevenson@kitchener.ca>  
**Subject:** 152 Shanley OPA/ZBA Resubmission

## Craig Dumart

---

**From:** Trevor Heywood <theywood@grandriver.ca>  
**Sent:** Thursday, May 6, 2021 1:07 PM  
**To:** Juliane vonWesterholt  
**Cc:** Jenn Simons  
**Subject:** [EXTERNAL] RE: Circulation for Comment - OPA/ZBA (134-152 Shanley Street)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Juliane,

134-152 Shanley Street is not regulated by the GRCA and we have no comment. Thanks,



**Trevor Heywood**  
Resource Planner  
Grand River Conservation Authority  
theywood@grandriver.ca

**From:** Christine Kompter <Christine.Kompter@kitchener.ca>  
**Sent:** Thursday, May 6, 2021 10:34 AM  
**To:** 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>; DSD - Planning Division <DSDPlanningDivision@kitchener.ca>; Feds <vped@feds.ca>; Trevor Heywood <theywood@grandriver.ca>; Chris Foster-Pengelly <cfosterpengelly@grandriver.ca>; Jenn Simons <jsimons@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>; Parmi Takk <Parmi.Takk@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; UW - SA <Steven.amirika@uwaterloo.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine\_burns@wrdsb.ca) <elaine\_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>  
**Cc:** Juliane vonWesterholt <Juliane.vonWesterholt@kitchener.ca>  
**Subject:** Circulation for Comment - OPA/ZBA (134-152 Shanley Street)

Please see attached. Comment or questions should be directed to **Juliane von Westerholt** (copied on the mail).

### 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)





Region of Waterloo

PLANNING, DEVELOPMENT  
AND LEGISLATIVE SERVICES  
Community Planning

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

Melissa Mohr 226-752-8622

File: D17/2/21002

C14/2/21004

July 14, 2021

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

Dear Mr. Dumart,

**Re: Proposed Official Plan Amendment OPA 21/02 and  
Zoning By-law Amendment ZBA 21/04  
134-152 Shanley Street  
IBI Group (C/O David Galbraith) on behalf of 2701098  
Ontario Inc. (C/O Shannondale Developments)  
CITY OF KITCHENER**

---

IBI Group on behalf of 2701098 Ontario Inc. has submitted an Official Plan Amendment and Zoning By-law Amendment for a development proposal at 134-152 Shanley Street in the City of Kitchener.

The purpose and effect of the proposed Official Plan and Zoning By-law Amendment is to construct an eight (8)-storey building that includes an internal parking structure and rooftop amenity terrace. The building will contain 172 residential dwelling units comprised of townhouse and apartment style residences. The proposed building is situated at the corner of Shanley Street and Duke Street West, with a principal entrance from Duke Street West and individual access points to at grade units fronting on Shanley Street. Underground parking and a rooftop amenity area is also proposed.

To facilitate the redevelopment, the owner has requested an Official Plan Amendment to redesignate the lands from Low Rise Residential to Medium Density Residential with a special policy area to permit a floor space ratio of 3.0 and a maximum height of 27.5 metres. In addition, the applicant requires a Zoning By-law Amendment to add a special regulation provision to allow for the increased height and density as well as reduced building setbacks and a reduction in parking requirements.

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

## **Regional Comments**

### **Consistency with Provincial Legislation and Regional Official Plan Conformity**

The subject lands are designated “Urban Area” and “Built Up Area” on Schedule 3a of the Regional Official Plan (ROP) and the site is located designated Low Rise Residential with Special Policy Area 18 in the City of Kitchener Official Plan. Furthermore, the subject lands are zoned Residential Six (R6) with Special Regulation 128.

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

This Planned Community Structure reflects the intent of the Regional Growth Management Strategy and provides a framework for decision-making on a wide range of issues, including land use and transportation planning among others. Mostly all 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 proposal is for a medium rise residential development that is located within 600-800 metres of the Central ION stop in Kitchener. Regional staff have no objection to increased density proposed on site as this type of residential development supports the Planned Community Function of the Regional Official Plan.

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

### **Record of Site Condition**

There are known and high environmental threats located on the subject lands due to past land uses in accordance with the Region's Treats Inventory Database (TID). A Record of Site Condition (RSC) and Ministry Acknowledgement Letter shall be required in accordance with the Region's Implementation Guidelines. **The Region shall accept a holding zone until such time that the RSC and Ministry Acknowledgement letter have been received.**

### Stationary Noise Comments

The stationary noise report entitled "Stationary Noise Impact Study 152 Shanley Street" prepared by JJ Acoustics Engineering Limited is currently under review and comments will be provided separately. **It is recommended that these comments be received prior to the City proceeding with a recommendation.**

### 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, there should be an agreement in place with conditions establishing the income levels of the people who can rent or own the homes as well as conditions on how long those units need to remain affordable. A security should be registered on title to ensure the affordable units are maintained over the term of the agreement.

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	\$368,000
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	\$487,637

\*Based on the most recent information available from the PPS Housing Tables (2020).

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$368,000.

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	\$1,420
--	---------

A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$863 1-Bedroom: \$1,076 2-Bedroom: \$1,295 3-Bedroom: \$1,359 4+ Bedroom: \$1,359
--	--

\*Based on the most recent information available from the PPS Housing Tables (2020)

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 Region's Official Plan and Zoning By-law Amendment review fees totalling \$6,900.00.

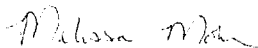
### **General Comments**

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.

**Comments relating to the Stationary Noise Study will be provided separately. It is recommended that these comments be received prior to the city proceeding with a recommendation. In addition, the Region requests a Holding Zone be implemented on the subject lands until a Record of Site Condition (RSC) and Ministry Acknowledgment Letter related to the RSC have been received (to the satisfaction of the Regional Municipality of Waterloo).**

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

Yours truly,



Melissa Mohr, MCIP, RPP  
Principal Planner

- C. 2701098 Ontario Inc. C/O Shannondale Developments (Owner)  
IBI Group C/O David Galbraith (Applicant)

**Building comments**

**From:** Mike Seiling <[Mike.Seiling@kitchener.ca](mailto:Mike.Seiling@kitchener.ca)>

**Sent:** Thursday, May 6, 2021 11:23 AM

**To:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>; Juliane vonWesterholt <[Juliane.vonWesterholt@kitchener.ca](mailto:Juliane.vonWesterholt@kitchener.ca)>

**Subject:** RE: Circulation for Comment - OPA/ZBA (134-152 Shanley Street)

Hi ladies,

Hope you are well.

When happened to the former 1 pager comment sheet that staff or other would sign off and send back to Planning? I liked it VS sending back an email.

On this project Building has no concerns and a RSC will be required.

Mike

## Craig Dumart

---

**From:** Melissa Mohr <MMohr@regionofwaterloo.ca>  
**Sent:** Wednesday, December 29, 2021 3:09 PM  
**To:** Craig Dumart  
**Cc:** Shilling Yip  
**Subject:** [EXTERNAL] Stationary Noise Comments regarding OPA21/02 and ZBA 21/04 (134-152 Shanley Street)  
**Attachments:** DOCS\_ADMIN-#3910416-v1-JJ-00276-NIS1\_152  
\_Shanley\_Street\_Noise\_Impact\_Study\_pdf\_-\_updated.PDF  
**Importance:** High

Good Afternoon Craig,

Regional Staff have reviewed the attached noise study entitled, "Stationary Noise Impact Study, 152 Shanley Street, Kitchener, Ontario" (JJ Acoustic Engineering Ltd., March 9, 2021). The report conclusions and recommendations are acceptable. Significant on-site noise sources identified within the report include a sidewall belt drive exhaust fan, fluid cooler and emergency generator; and recommends mitigation in the form of a silencer added to the exhaust fan assembly and a rooftop noise barrier around the fluid cooler and emergency generator. With these mitigation measures, it is expected predicted noise levels will meet the Ministry of the Environment, Conservation and Parks NPC-300 noise limit criteria (for these sources) for the daytime and nighttime periods at both on-site and off-site noise receptors.

Section 4 of the report addresses the impact of off-site noise sources on the development. The report notes these off-site noise sources include small HVAC units and have been included in Attachment D. However, we note Attachment D only includes the signed Owners Statement and not a listing of the HVAC units. Nevertheless, the modelled results of the off-site noise sources are shown in Figure 5 which concludes the modelled results of off-site noise sources are also expected to meet NPC-300 noise limit criteria at on-site noise receptors during the daytime and nighttime periods. Therefore, no mitigation is required in this regard.

### Recommended Mitigation Measures

The recommended minimum 2.8 metre high rooftop acoustical barrier must surround the fluid cooler and generator on all sides, with a surface density of 20 kg/m<sup>2</sup>, and without holes, gaps or cracks. Any gaps at the bottom to allow for drainage must be minimal.

The exhaust fan for the parking garage shall require a silencer which meets the minimum insertion losses identified in the "Insertion Losses" table on p. 5 of the report.

Staff recommends, prior to the issuance of a building permit, that a Professional Engineer qualified to perform acoustical services certify that the mitigation measures noted comply with the recommendations of the noise study and noise the limit criteria in NPC-300.

**The above accepted recommendations shall be implemented through the design of the building (the rooftop noise barrier for the mechanical equipment and silencer for the exhaust fan must be noted on the site plan) at the Site Plan Stage and implemented through an agreement between the Applicant/Owner/Developer and the City of Kitchener at a future Consent or Plan of Condominium Stage.**

I trust the above is of assistance. Please do not hesitate to contact me should you have any questions.

Kind Regards,

Melissa

**Melissa Mohr, MCIP, RPP**  
Principal Planner  
Planning, Development and Legislative Services  
**Region of Waterloo**