

**City of Kitchener**  
**Heritage – OPA/ZBA Comment Form**

**Project Address:** 544-550 Lancaster Street West & 26 Bridge Street West

**File Number:** OPA21/010/L/AP, ZBA21/015/L/AP

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Comments Of: Heritage Planning

Commenter's Name: Deeksha Choudhry

Email: deeksha.choudhry@kitchener.ca

Phone: 519-741-2200 ext. 7291

Date of Comments: March 14, 2023

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Heritage Planning staff has reviewed the following material for the proposed development on the lands municipally addressed as **544-550 Lancaster Street West and 26 Bridge Street West** to provide the comments outlined below:

- Addendum to the Revised HIA assessing impacts to 20 Bridge Street West dated December 2022;
- Revised Urban Design Brief dated December 2022;
- Proposed Elevations for the proposed development at 544-546 Lancaster Street West;

Staff have also reviewed the updated site plan that was submitted after the Post-Circulation of the comments that were sent to the applicant.

**1. Site Specific Comments:**

The properties municipally addressed as 544 and 546 Lancaster Street West are not designated or listed under the Ontario Heritage Act but have been identified on the Heritage Kitchener Inventory as having potential cultural heritage value or interest. Per Section 12.C.1.4 of the City's Official Plan, it is acknowledged that not all cultural heritage resources have been identified and a property does not have to be listed or designated to be considered as having cultural heritage value or interest. The properties are also located in close proximity to the Grand River Corridor Cultural Heritage Landscape as per the 2014 Cultural Heritage Landscape Study, prepared by The Landplan Collaborative Ltd., and approved by Council in 2015.

The property municipally addressed as 26 Bridge Street West does not contain any protected or listed cultural heritage resources. However, it is located adjacent to a property municipally addressed as 20 Bridge Street West. 20 Bridge Street West is identified on the Heritage Kitchener Advisory Committee

Inventory as a property of interest that is 'Under Review'. It is a 2-storey red brick house that was constructed c. 1890. Heritage Planning staff reached out to the property owner in 2013 to receive permission to access the property to complete a fulsome evaluation and take photographs of the exterior of the existing dwelling. Permissions to access the property were not granted and therefore a fulsome assessment of the property has not been completed.

The applicant is proposing to relocate the two existing dwellings at 544- 546 Lancaster Street to 26 Bridge Street West.

The proposed development includes the re-location of the two buildings currently located at 544-546 Lancaster Street West to the property municipally addressed as 26 Bridge Street West. This would allow for a comprehensive mixed use development on the lands included within 544-550 Lancaster Street West.

## **2. Heritage Planning Comments**

### **2.1 Preliminary Review of the Revised Heritage Impact Assessment for 544-546 Lancaster Street West**

An updated draft Heritage Impact Assessment (HIA) was prepared by MHBC Planning dated September 2021. The draft HIA contains an assessment of the buildings addressed as 544-546 Lancaster Street West and concludes that the properties have cultural heritage value or interest for design/physical and historic/associative values.

The updated draft HIA proposed the relocation of the buildings currently addressed as 544-546 Lancaster Street West to the property municipally located as 26 Bridge Street West. The draft HIA concludes that:

- The removal of the concrete patios, walkways, and the rear additions to 546 Lancaster Street west is considered a neutral impact.
- The removal of the stone foundation of both buildings is considered a minor adverse impact as it will result in the removal of an original foundation
- The removal of the buildings from their existing location to an alternative location off-site is considered a minor adverse impact as the buildings do not have a significance contextual relationship with their existing location in-situ.

### **2.2 The draft HIA makes the following recommendations:**

- That a Re-location and Conservation Plan be drafted which provides details on how the buildings will be prepared for re-location, stabilized, and re-located to their new location, repaired, altered, and conserved over the long term;
- An interpretive plaque be drafted and installed at the proposed new location which interprets the history of the buildings, as well as their original location; and

- That the draft HIA and its attachments be accepted as a historic and photographic record of the buildings in their existing locations in-situ.

### 2.3 Staff Review of the draft HIA

Staff has completed a comprehensive review of the draft HIA that was submitted and provided comments in a separate document. The draft HIA is still in the draft stage and has not been approved by the Director of Planning. The draft HIA was presented to the Heritage Kitchener committee at the September 6, 2022 meeting. Comments of the Committee were included as part of the staff review document of the HIA.

### 2.4 Heritage Planning Comments regarding OPA/ZBA Application for 544-550 Lancaster Street West and 26 Bridge Street West

The houses located on the subject properties meet the criteria for designation under O. Reg 9/06, and even though relocation of cultural heritage resources can be a complicated activity, if it results in the retention of these resources, then it should be looked at as a conservation method. In this case, a structural assessment has determined that the houses are good candidates for relocation. However, staff do not yet have a Relocation Plan that would determine how these houses will be moved, and staff do not have a Conservation Plan, detailing the short-term, medium-term, and long-term conservation measures to ensure the long-term protection of these homes. Staff require that these documents be submitted at the site plan stage (for both 544-550 Lancaster Street West and 26 Bridge Street West, or whichever might come first) as part of a complete application.

All previous comments that staff have provided the applicant with continue to apply. Furthermore, the new legislative requirements enacted through Bill 23 means that a site plan application will no longer be required for 26 Bridge Street West. As such, for this application to proceed, a zoning holding provision will now be required on the current OPA/ZBA application for the proposed development at 528-550 Lancaster Street West. to ensure the houses are safely and efficiently moved to the new location. Official Plan Policy 17.E.13.1.e allows the City to place holding provisions for zoning until conditions related to cultural heritage conservation are satisfied. This holding provision will include the following to be completed before it can be lifted:

- That the Holding provision (H) applying on the subject property municipally addressed as 544-550 Lancaster Street not be lifted until a Re-location and Conservation Plan for 544-546 Lancaster Street has been submitted for review by the City's Heritage Planner and approved by the Director of Planning;

Further, staff will be including certain conditions as part of the site plan process for 544-546 Lancaster Street west:

- That the holding provision be lifted prior to any grading, construction or demolition activities can take place;
- That a Letter of Credit be provided for the costs of relocated the existing houses at 544-546 Lancaster Street West, including any stabilization work that may be required. The securities will be released once the houses have been successfully moved.
- That within 6 months of occupancy, the owner shall install a commemorative plaque at 528-550 Lancaster Street West.
- That the relocated properties be listed as non-designated properties of cultural heritage value or interest the day they are successfully moved.

The draft HIA also recommends that a commemorative be installed at 26 Bridge Street West.

Additionally, there needs to be sufficient treatment of the retaining walls that are being proposed on 26 Bridge Street West. Staff strongly encourage the application to look at different materials (perhaps a natural stone material) and screening landscaping for better compatibility with these heritage resources and to soften the views of the site.



**City of Kitchener**  
**COMMENT FORM**

**Project Address: 26 Bridge Street West**

**Application Type: Zoning By-law Amendment ZBA/22/023/B/AP**

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Comments of: Environmental Planning – City of Kitchener

Commenter's Name: Carrie Musselman

Email: carrie.musselman@kitchener.ca

Phone: 519-741-2200 X 7068

Date of Comments: October 28, 2022

Comments required no later than: November 3, 2022

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**1. Plans, Studies and Reports submitted as part of a complete Planning Act Application:**

- Scoped Environmental Impact Study, prepared by Aboud and Associates Inc., dated June 10, 2022.
- Servicing Feasibility Study, prepared by Strik, Baldinelli, Moniz Ltd., dated June 3, 2022
- Slope Stability Assessment Report, prepared by Chung & Vander Doelen Engineering Ltd., dated February 24, 2022.
- Planning Justification Report Zoning By-Law Amendment Site Plan Approval. MHBC., dated June 2022.

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

I have reviewed the studies as noted above to support a zoning bylaw amendment and site plan to support the proposed development that includes the relocation of two heritage buildings from 544 and 546 Lancaster Street West (~650 metres southeast) to be utilized as residential units on the subject property and note:

- 1) Access to the subject lands is presently off Bridge Street West and outside of the floodplain. The finished floor elevation of the two structures must additionally reside above the regulated floodplain elevation of 303.6m to achieve compliance within the floodway.
- 2) The subject property is classified Low Rise Residential, with a small portion of Natural Heritage Conservation, Two Zone Floodplain, and Slope Erosion per Schedules 6 and 7 of The City of Kitchener Official Plan.
- 3) The Natural Heritage Conservation zone on the property is identified as a Locally Significant Valley, a Kitchener Core Natural Heritage Feature, and is considered a part of the Natural Heritage System within the City of Kitchener.

**Slope Stability**

- 4) The Slope Stability Assessment concluded that the proposed development will be situated at the base of a slope that rises to the west and north, loading from the structures will add to the overall stability of the feature, toe erosion would not be an issue as the toe of slope is situated over 40 metres from the development and is protected by the floodplain and driveway of the eastern adjacent property.

**Environmental Impacts / Tree Preservation**

- 5) The proposed residential development will not impact the natural heritage features identified within and adjacent to the subject property.

- 6) The Locally Significant Valley and Laurel Creek identified on and adjacent to the subject property will be protected.
- 7) Implementation of the recommended mitigation measures outlined in Sections 4 and 7 of the EIS will provide ensure the proposed development will not damage or destroy the habitat of any listed Species at Risk or impact aquatic communities.
- 8) A Tree Preservation Plan was submitted as an Appendix to the EIS in support of the application. In summary, the TPP noted:
  - a) A total of 12 trees were inventoried located along the western and northern property boundaries, with one at the north end of the eastern boundary.
  - b) All twelve trees inventoried are recommended for preservation per the TPP.
- 9) Development is proposed to occur outside of the EUF-1 and Flooding Hazard overlay areas and the Slope Stability Assessment Report has confirmed that the proposed development is compliant with section 17.2.2 b) ii, iii, iv, and vi of the Kitchener 2019-051 Zoning By-law.

**Based on my review of the supporting studies the Zoning By Law Amendment can be supported.**

**3. Conditions of Approval in Principal (AIP) and/or Full Site Plan Approval:**

City Environmental Planning supports Approval-In-Principle (AIP) provided the following custom and/or modified conditions are incorporated into the AIP and/or Section 41 Development Agreement.

- 1) The proposed development is in accordance with the Scoped Environmental Impact Study, prepared by Aboud and Associates Inc., dated June 10, 2022.
- 2) Mitigation measures outlined in Section 4 and 7 the Scoped Environmental Impact Study, prepared by Aboud and Associates Inc., dated June 10, 2022, are implemented, and incorporated into plans and drawing where applicable.
- 3) The environmental consultant in combination with the developer is to ensure that adjacent natural features are not impacted throughout all stages of property development. Construction monitoring is the responsibility of the proponent.

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

- As per Section 8.C.2 – Urban Forests of the Official Plan ...
  - policy 8.C.2.16., the City requires the preparation and submission of a tree management plan in accordance with the City's Tree Management Policy (available on the City's Website), as a condition of a development application.
  - policy 8.C.2.6., the City will incorporate existing and/or new trees into the streetscape or road rights-of-way and encourage new development or redevelopment to incorporate, protect and conserve existing healthy trees and woodlands in accordance with the Urban Design Policies in Section 13 (Landscape and Natural Features) of the Urban Design Manual and the Development Manual.

**5. Anticipated Fees:**

- N/A

## Andrew Pinnell

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**From:** Rojan Mohammadi  
**Sent:** Wednesday, February 22, 2023 2:28 PM  
**To:** Andrew Pinnell  
**Cc:** Sandro Bassanese; Garrett Stevenson; Deeksha Choudhry  
**Subject:** RE: Final Revised Site Layout comments: 26 Bridge St W

Hi Andrew,

I have doubts about how the parking would function but I am sure transportation has reviewed it thoroughly. As for my comments, I have listed some of my previous comments and a new comment on retaining wall treatment.

- Please elaborate on how the proposed retaining walls will be maintained, in particular the ones located on the GRCA regulated area.
- The close proximity of the proposed relocation to the side yard may impact several trees west and north side of the property. Written permission for removal of or impact to trees in joint ownership along property lines is required.
- Additional treatment (form liner) on the proposed retaining walls are recommended in order to reduce the impact of concrete walls

Thanks

**Rojan Mohammadi** MA, MCIP, RPP, PMP (She/Her)  
Senior Urban Designer | Planning Division | City of Kitchener  
519-741-2200 x 7326 | TTY 1-866-969-9994 | [Rojan.mohammadi@kitchener.ca](mailto:Rojan.mohammadi@kitchener.ca)



## Andrew Pinnell

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**From:** Mike Seiling  
**Sent:** Tuesday, February 7, 2023 1:11 PM  
**To:** Andrew Pinnell; Greg Reitzel  
**Cc:** Tina Malone-Wright; Sandro Bassanese; Leslie Collins  
**Subject:** RE: 26 Bridge Street West - Site Plan Application and Zoning By-law Amendment Application  
**Attachments:** 15213S\_544-550Lancaster\_26BridgeStreet\_Addendum (December 22 2022).pdf

Hi,

This is to confirm Fire and Building have reviewed this application and offer the following comments;

- Based on the site plan (attached-see page 10/17), a new onsite fire hydrant is not required,
- The driveway (fire access) needs to be min 4m wide and signed no parking along driveway),
- The grades on this site are presently non-flat, likely a retaining wall(s) to flatten out the site,
- As noted back in October 2022, staff have serious concerns with spatial separation, both between the houses and hose to property line (note, to have some windows, the OBC requires min. 1.2m setback from property line & proposal has 6 windows each left side face). This will be a code issue. Unsure if the amount of windows between the 2 homes is an issue at this time. The Consultant should review,

Staff are aware Planning may not be able to prescribe the above but if they could share the above comments with the customer so they can address. Building staff will be expecting to see the above items included with their permit applications.

Should there be any questions please contact us directly.

Copying Leslie as info and future permit application requirements.

Mike

## Andrew Pinnell

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**From:** Greg Reitzel  
**Sent:** Tuesday, February 21, 2023 9:07 AM  
**To:** Andrew Pinnell  
**Subject:** RE: 26 Bridge St W - Final Revised Site Layout - Feb 17

Hello Andrew,

IT appears that they are now providing a 4m driveway width instead of just a 3m and considering the situation here, fire can accept the 4m width.

Best Regards,

Greg

# Internal memo

Development Services Department



www.kitchener.ca

**Date:** October 19, 2022  
**To:** Andrew Pinnell  
**From:** Jason Brûlé  
**cc:** Carlos Reyes  
**Subject:** Zoning By-law Amendment Application  
550 Lancaster Inc. c/o Corley Developments  
26 Bridge Street West, Kitchener  
ZBA22/023/B/AP

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The below comments have been prepared through the review of the supplied Site Servicing Feasibility Study prepared by Strik, Baldinelli, Moniz Limited dated June 03, 2022 in support of the above noted applications.

#### General Comments:

1. Engineering can support the zone change with resubmission of the water servicing plan as detailed below.

#### Sanitary:

2. The City of Kitchener sanitary sewer design per capita daily flow rate is 305 L/p/day and not the 275 L/p/day as noted in the report and design sheet. This can be rectified at detailed design.

#### Water (Angela Mick, KU):

3. Please review your water servicing strategy and compare against the hydrant flow test report provided (as an attachment to these comments) and resubmit. Do not use the 450mm main on Lancaster Street.

#### Storm and Stormwater Management:

4. The storm and stormwater management approach is supported.

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Jason Brûlé, C.E.T.  
Engineering Technologist



# FLOW TEST RESULTS

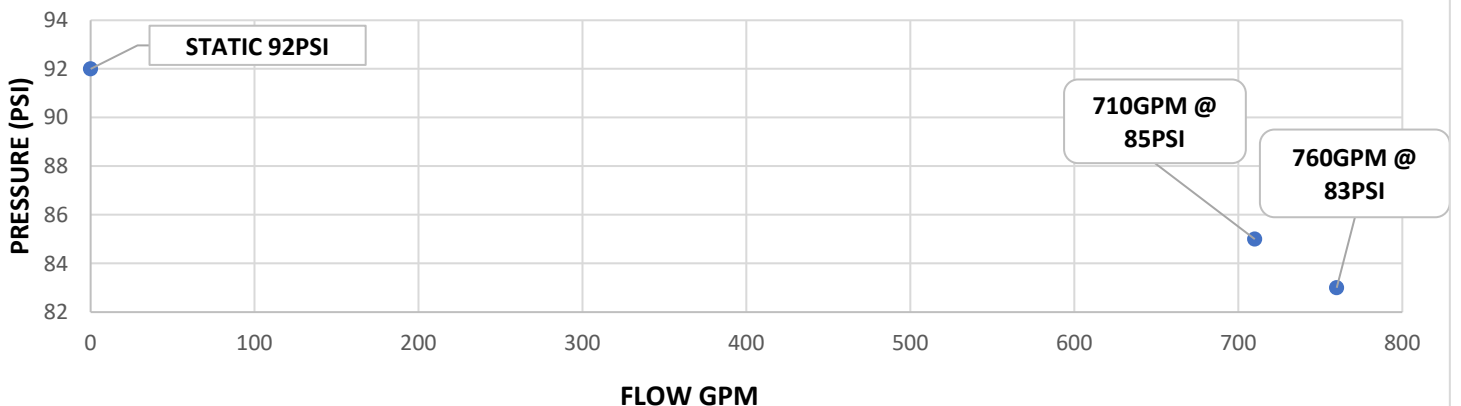
Date of Test: May 12th 2020 Time: 9:00 A.M.

Site Address: 54 Bridge Street West, Kitchener  
 Static Hydrant: 40 Bridge Street West  
 Flowing Hydrant: 54 Bridge Street West

Main Size: Unknown Static Pressure PSI: 92 PSI

| Number of Openings | Size of Openings | Pitot PSI | Flow GPM | Residual PSI |
|--------------------|------------------|-----------|----------|--------------|
| 1                  | 2.5"             | 18        | 710      | 85           |
| 2                  | 2.5"             | 5+5       | 760      | 83           |
| 3                  |                  |           |          |              |
| 4                  |                  |           |          |              |

## FLOW TEST RESULTS



Witnessed By: Leahm Martens, and Kitchener Utilities

## Andrew Pinnell

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**From:** Dave Seller  
**Sent:** Thursday, April 13, 2023 2:08 PM  
**To:** 'Pierre Chauvin'; Andrew Pinnell  
**Cc:** Nicolette Van Oyen; Mark Hocuklik; Stephen Litt  
**Subject:** RE: Comments: Final Revised Site Layout comments: 26 Bridge St W

Thanks for the clarification Pierre.

### 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)

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**From:** Pierre Chauvin <[pchauvin@mhbcplan.com](mailto:pchauvin@mhbcplan.com)>  
**Sent:** Wednesday, April 12, 2023 4:49 PM  
**To:** Andrew Pinnell <[Andrew.Pinnell@kitchener.ca](mailto:Andrew.Pinnell@kitchener.ca)>; Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>  
**Cc:** Nicolette Van Oyen <[nvanoyen@mhbcplan.com](mailto:nvanoyen@mhbcplan.com)>; Mark Hocuklik <[mh@vivedevelopment.ca](mailto:mh@vivedevelopment.ca)>; Stephen Litt <[sl@vivedevelopment.ca](mailto:sl@vivedevelopment.ca)>  
**Subject:** RE: Comments: Final Revised Site Layout comments: 26 Bridge St W

Hi Dave,

Regarding the red area there is no encroachment in the DVT. The retaining wall that is proposed along the driveway is generally at grade on the driveway side and the retaining wall is well below the 0.9m high threshold (refer to the grading plan we submitted). The driveway is higher than the floodplain. The height of the walls noted on the site plan refer to the height from the top of wall (at the driveway) to the bottom of the wall (in the floodplain). I hope this helps clarify matters for you support. Please call if you still need to discuss.

**PIERRE CHAUVIN, MA, MCIP, RPP | Partner**

### MHBC Planning, Urban Design & Landscape Architecture

540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 X 701 | C 519 580 4912 | F 519 576 0121 | [pchauvin@mhbcplan.com](mailto:pchauvin@mhbcplan.com)

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**From:** Andrew Pinnell <[Andrew.Pinnell@kitchener.ca](mailto:Andrew.Pinnell@kitchener.ca)>  
**Sent:** April-12-23 3:29 PM  
**To:** Pierre Chauvin <[pchauvin@mhbcplan.com](mailto:pchauvin@mhbcplan.com)>  
**Cc:** Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>; Nicolette Van Oyen <[nvanoyen@mhbcplan.com](mailto:nvanoyen@mhbcplan.com)>; Mark Hocuklik



<[mh@vivedevelopment.ca](mailto:mh@vivedevelopment.ca)>; Stephen Litt <[sl@vivedevelopment.ca](mailto:sl@vivedevelopment.ca)>

**Subject:** FW: Comments: Final Revised Site Layout comments: 26 Bridge St W

Hi Pierre,

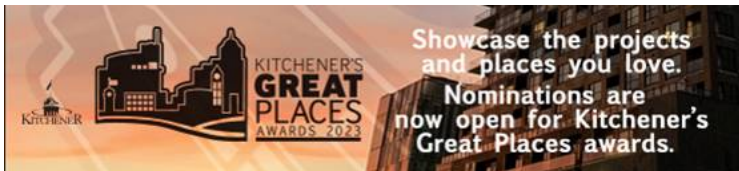
The below/attached comments from Transportation will also need to be addressed. Please advise how this will be accomplished.

Thanks,

**Andrew Pinnell, MCIP, RPP**

Senior Planner | Planning Division | City of Kitchener

519-741-2200 x7668 | TTY 1-866-969-9994 | [andrew.pinnell@kitchener.ca](mailto:andrew.pinnell@kitchener.ca)



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**From:** Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>

**Sent:** Wednesday, April 12, 2023 3:12 PM

**To:** Andrew Pinnell <[Andrew.Pinnell@kitchener.ca](mailto:Andrew.Pinnell@kitchener.ca)>

**Subject:** Comments: Final Revised Site Layout comments: 26 Bridge St W

Hi Andrew,

Based on the attached plan, Transportation Services will require justification for each of the encroachments into the DVT that are over the 0.9m threshold. As 1.0m encroachment into the DVT (green highlighted area) could be supported. However, the encroachment of 1.92m into the DVT (red highlighted area) does not seem minor in nature and must have a well thought out justification submission, which will be considered. This encroachment is creating a visibility issue, where there wasn't one before.

**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**  
**Zone Change / Official Plan Amendment Comment Form**

**Address:** 26 Bridge St W  
**Owner:** 550 Lancaster Inc. c/o Corley Developments  
**Application:** Zoning By-law Amendment #ZBA22/023/B/AP

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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:** Nov 03 2022

- ☐ 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)
- 

**1. Documents Reviewed:**

I have reviewed the documentation noted below submitted in support of a ZBA to add site-specific provisions to allow 2 dwellings on the one lot; to allow for a reduced side yard setback of 0.7 metres instead of the minimum required 1.2 metres; and to allow for a reduced rear yard setback of 7.0 metres instead of the minimum required 7.5 metres. This would allow two dwellings with heritage status to be relocated from their existing location at 544 and 546 Lancaster St. W. to the subject property and be used as a single detached dwelling and a duplex dwelling.

- Proposed preliminary site layout – MHBC drawing dated June 2022
- MHBC cover letter

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

Park Dedication will be deferred at the ZBA and assessed at the site plan application and coordinated with the future site plan application at 550 Lancaster St W to account for the credit for existing units on that site.

**3. Comments on Submitted Documents**

No comments, no requirement.

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

- Kitchener Official Plan Policy  
As per Section 8.C.2 – Urban Forests of the Official Plan ...
  - policy 8.C.2.16., the City requires the preparation and submission of a tree management plan in accordance with the City's Tree Management Policy (available on the City's Website), as a condition of a development application.

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

- policy 8.C.2.6., the City will incorporate existing and/or new trees into the streetscape or road rights-of-way and encourage new development or redevelopment to incorporate, protect and conserve existing healthy trees and woodlands in accordance with the Urban Design Policies in Section 13 (Landscape and Natural Features) of the Urban Design Manual (UDM) and the Development Manual.
- Please see UDM Part C, Section 13 and [www.kitchener.ca/treemanagement](http://www.kitchener.ca/treemanagement) for detailed submission requirements
- City of Kitchener Park Dedication Bylaw 2022-101 and Policy
- City of Kitchener Development Manual
- Cycling and Trails Master Plan (2020)
- Chapter 690 of the current Property Maintenance By-law
- Places & Spaces: An Open Space Strategy for Kitchener
- Multi-Use Pathways & Trails Masterplan
- Urban Design Manual

**5. Anticipated Fees:**

The parkland dedication requirement for this submission 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 ZBA and required as a condition of Site Plan Approval to be coordinated with the proposed development at 550 Lancaster St W.

## Andrew Pinnell

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**From:** Melissa Mohr <MMohr@regionofwaterloo.ca>  
**Sent:** Monday, April 3, 2023 1:02 PM  
**To:** Andrew Pinnell; Joginder Bhatia  
**Cc:** Josh Graham; Garrett Stevenson; Tina Malone-Wright; Sandro Bassanese  
**Subject:** RE: Regional Comments - 2nd submission of ZBA2022-0023 (26 Bridge Street, Kitchener)  
**Attachments:** RE: Regional Comments - 2nd submission of ZBA2022-0023 (26 Bridge Street, Kitchener)

Good Morning Andrew,

Yes, as per my email last week (and attached above), we can accept a holding provision to address Regional concerns. The wording for the holding provision is:

1. That a holding provision be implemented on the entirety of the subject lands until a satisfactory Detailed Grading/ Stormwater Management Plan and Servicing Plan has been received to the satisfaction of the Regional Municipality of Waterloo.

The meeting is being proposed to address the above issues in a timely manner.

Kind Regards,

Melissa

**Melissa Mohr, MCIP, RPP**  
Senior Planner

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

Melissa Mohr 1-226-752-8622  
File: C14/2/22023  
March 13, 2023

Andrew Pinnell, 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. Pinnell,

**Re: Proposed Zoning By-law Amendment ZBA 22/23  
26 Bridge Street – 2<sup>nd</sup> submission  
MHBC Planning (C/O Pierre Chauvin) on behalf of 550  
Lancaster Inc. (C/O Corley Developments)  
CITY OF KITCHENER**

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MHBC Planning has resubmitted a Zoning By-law Amendment for a development proposal at 26 Bridge Street West (subject lands) in the City of Kitchener.

The applicant continues to propose to relocate two dwellings (1 single detached dwelling and 1 duplex dwelling) from 544-550 Lancaster Street West to the subject lands.

The subject lands are designated Built Up Area in the Regional Official Plan and designated Low Rise Residential in the City of Kitchener Official Plan. In addition, the subject lands are zoned Residential Three (R3) Zone and Existing Use Floodplain (EUF-1) Zone in the City of Kitchener Zoning By-law Amendment. The applicant requires a Zoning By-law Amendment to add a site-specific provision to the existing residential zone to permit two (2) dwellings on one lot; to allow for a reduced side yard setback of 0.7m (whereas 1.2m is required); and to allow for a reduced rear yard setback of 7.0 m (whereas 7.5m is required).

This Zoning By-law Amendment is being requested to facilitate the relocation of two dwellings with heritage status to be relocated from their existing location at 544 and 546 Lancaster Street West to the subject lands and for the subject lands to permit the use of the site for a detached dwelling and a duplex dwelling.

The Region 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 is designated Low Rise Residential in the City of Kitchener Official Plan.

Within the Urban Area, the Region directs the majority of growth to the Urban Growth Centers, Major Transit Station Areas, Reurbanization Corridors, Major Local Nodes and Urban Designated Greenfield Areas. These areas are planned to have a more compact form with a mix of employment, housing and services in close proximity of each other and higher frequency transit.

Regional staff understand that the development proposal is located on an existing Regional Road that is a planned transit corridor. The Region is supportive of increased residential density on planned transit corridors as they support the Planned Community Structure established within the ROP.

In addition the above, Regional staff acknowledge that the subject lands are regulated by the Grand River Conservation Authority (GRCA) and a portion of the property is within the floodplain and valley slope associated with Laurel Creek. Regional staff acknowledge that the proposed access, driveway, buildings and parking area are located outside of the floodplain and therefore Regional staff concur with the GRCA.

The Region wishes to advise the applicant of the following technical comments related to the proposal:

### **Corridor Planning**

#### *Environmental Noise:*

Regional staff have reviewed the detailed noise study entitled “Noise Feasibility Study Proposed Residential Development 26 Bridge Street West, Kitchener, Regional Municipality of Waterloo” dated June 17, 2022, prepared by HGC Engineering Ltd.

The report is acceptable and Regional staff have the following comments for your review and implementation:

The report concluded that noise levels will exceed the noise level limits and various noise attenuation measures in the form of the provision of central air conditioning and noise-warning clauses will be required for the proposed dwellings. The report concluded that the noise levels in the common amenity area are below 60 dBA; therefore, a Type B Noise Warning Clause will be required for all the dwelling units within the proposed development as a noise attenuation measure.

The following recommendation of the noise study pertaining to transportation noise are required and shall be implemented through a Registered Development Agreement between the Owner/Developer and the Regional Municipality of Waterloo through a future Consent Application:

1. The developer agrees to implement the recommendations contained in the report entitled "Noise Feasibility Study Proposed Residential Development 26 Bridge Street West Kitchener Regional Municipality of Waterloo" dated June 17, 2022, prepared by HGC Engineering; and further agrees that:

a. For All Dwelling Units in both buildings:

- i. The dwelling/building shall be installed with a forced air-ducted heating and ventilation system suitable sized and designed for the provision of installation of central air conditioning at the occupant's discretion;
- ii. The location and installation of the outdoor air conditioning devices should be done to minimize the noise impacts and comply with the MECP NPC-300 Noise Guideline;
- iii. The following Noise Warning Clauses shall be required to be included in all offers of Purchase and Sale/Lease/Rental Agreements:

*"Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasion 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 Environment, Conservation and Parks."*

*"This dwelling unit has been fitted with a forced air heating system and the ducting etc. has been sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Region of Waterloo and the Ministry of Environment, Conservation and Parks' noise criteria."*

*"Warning: Purchasers/tenants are advised that due to the proximity of nearby commercial facilities, sound from these facilities may at times be audible and their operations may change in the future."*

b. That prior to the issuance of any building permit(s), an acoustical Engineer licensed in the Province of Ontario, certify that the noise attenuation measures are incorporated in the building plans and upon completion of construction, an acoustical Engineer also certify that the dwelling units have been constructed in accordance with the accepted noise study, and the development meets the MECP NPC-300 noise guideline noise level criteria.

#### *Stationary Noise:*

The stationary noise aspects of the Noise Study entitled “Noise Feasibility Study Proposed Residential Development 26 Bridge Street West, Kitchener, Regional Municipality of Waterloo” dated June 17, 2022, prepared by HGC Engineering Ltd. has been received and Regional staff have the following comments:

The stationary noise study examined noise from stationary noise sources in the area including Gord Kaster Automotive; an automobile repair shop located approximately 100m south of the site. Based on investigations made by HGC Engineering and the elevated levels of traffic noise in the area, the study determined that noise from the shop is not excessive. The following recommendation from the noise study shall be implemented through a future development agreement between the Owner/Developer and the City of Kitchener at a future Consent stage:

1. The developer agrees to implement the recommendations contained in the noise report entitled “Noise Feasibility Study Proposed Residential Development 26 Bridge Street West Kitchener Regional Municipality of Waterloo” dated June July 17, 2022, prepared by HGC, and further agrees that the following noise warning clause shall be included in all offers of purchase and sale/lease/rental agreements for each building:

*“Purchasers/tenants are advised that due to the proximity of nearby commercial facilities, sound from those facilities may at time be audible.”*

The above noted noise warning clause shall be included in all Purchase and Sale/ Lease/Rental Agreements.

#### *Functional Servicing and Stormwater Management (SWM) Report:*

The Site Servicing Feasibility Report dated June 3, 2022, prepared by SBM has been reviewed and staff have the following comments at this stage:

The Report has determined that on-site stormwater management quantity controls are not required based on the total impacted area of less than 0.1ha, which is in compliance with the City of Kitchener stormwater management requirements. The report further indicates that stormwater runoff from the subject lands will outlet to the existing 675mm diameter storm sewer in the Bridge Street right-of-way. Please note that the following items require clarification and have yet to be addressed to the satisfaction of the Regional Municipality of Waterloo:

- i. Please clarify whether a storm sewer connection is required or if stormwater will be surface flowing to the Bridge Street right-of-way. The flow details and direction with more spot grades along the lands abutting the road right-of-way should be shown on the Site Grading Plan (Drawing No. C3 appended in the Report).



### *Site Grading, Access and Flood Plain:*

The proposed profile grades are acceptable from a Regional perspective, however, the access throat width at the future property line including the curb radii should be shown on the grading plan. The minimum throat width for a non-commercial (residential) access must be 3.7m and can be up to 6.0m with a minimum of 1.5m curb radii. Please note that there may be a conflicting hydro pole and guy-wire at the proposed access location; therefore, **the preliminary grading plan must be updated based on the above comments prior to the Region being satisfied with the site grading and access at the Zoning By-law Amendment stage.**

In addition, in a letter dated October 12, 2022, the Grand River Conservation Authority (GRCA) has indicated they have no objection in principle to the development proposal and the driveway has been proposed outside of the floodplain, providing a dry access to Bridge Street West with a slope of less than 15%. Please note that if the proposed access location is updated based on the Regions Comments above, **Regional staff shall require confirmation of the GRCA's acceptance of the new location and width.**

### Building Permit Stage

#### *Access Permit:*

As the total number of units are less than six (6) units, a residential access permit with the applicable fee of \$100.00 shall be required for the proposed access to Bridge Street West (Regional Road # 52). The access must meet Regional standards as indicated above and any redundant accesses shall be closed through an access permit. There is no fee for the closure of the access. The application for the access permit can be found here: <https://forms.regionofwaterloo.ca/ePay/PDLS-Online-Payment-Forms/Application-and-Payment-for-an-Access-Permit>

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

The Site servicing Feasibility Report dated June 3, 2022, prepared by SBM is under review and additional information is required. As indicated above, the Region must be satisfied with the report at the Zoning By-law Amendment stage.

Please be advised that Municipal Consent shall be required for the installation of any proposed/required servicing connections once the report has been accepted. 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. For further information, please visit the following website: <https://rmow.permitcentral.ca/>

### **Housing Services**

The following Regional policies and initiatives support the development and maintenance of affordable housing:

- Regional Strategic Plan
- 10-Year Housing and Homelessness Plan
- Building Better Futures Framework
- Region of Waterloo Official Plan

The Region supports the provision of a full range of housing options, including affordable housing. Rent levels and house prices that are considered affordable according to the Regional Official Plan are provided below. Should this development application move forward, staff ask the Owner/Developer to consider providing a number of affordable housing units on the site, as defined in the Regional Official Plan.

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<br>1-Bedroom: \$1,134<br>2-Bedroom: \$1,356<br>3-Bedroom: \$1,538<br>4+ Bedroom: \$3,997 |

\*Based on the most recent information available from the PPS Housing Tables (2021)

In order for a rental unit to be deemed affordable, the average rent for the proposed units which have fewer than 3 bedrooms must be at or below the average market rent in the regional market area as shown above. For proposed units with three or more bedrooms, the average rent for the units must be below \$1,470.

**Fees**

By copy of this letter, the Region of Waterloo acknowledges receipt of the Official Plan and Zoning By-law Amendment and Compatibility Review fees of \$4,000.00 (deposited November 3, 2022).

**Follow up and next steps**

**As per comments provided on the initial submission and comments provided above, the Region must be satisfied with the Stormwater Management Report and preliminary grading plan prior to being in a position to support the above application.**

Please be advised that 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.

Further, 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. 550 Lancaster Inc. (C/O Corley Developments) (Owner)  
MHBC Planning (C/O Pierre Chauvin and Nicolette van Oyen) (Applicant)

## Andrew Pinnell

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**From:** John Vos <John.Vos@waterloo.ca>  
**Sent:** Friday, October 14, 2022 4:10 PM  
**To:** Andrew Pinnell  
**Subject:** RE: ZBA for 26 Bridge St, Kitchener

Hi Andrew,

I have reviewed the zoning application for 26 Bridge Street West (ZBA22/023/B/AP) and will defer to the City of Kitchener Planning Division to comment on the merits of the application.

If approved, the property owner should contact the City of Waterloo Transportation Services ([roads@waterloo.ca](mailto:roads@waterloo.ca)) to coordinate the timing of the road closure (when the structures are moved) to ensure it doesn't impact other roadworks in the surrounding area.

Thanks,  
John



John Vos, MCIP, RPP  
Planner, Planning Services  
City of Waterloo  
P: 519-747-8527 TTY: 1-866-786-3941  
Pronouns: he, him

**IMPORTANT:** City Hall is open, with a small complement of staff to assist you. For planning matters, appointments are strongly encouraged, and can be scheduled directly with the staff person or by emailing [devservices@waterloo.ca](mailto:devservices@waterloo.ca) or calling (519)747-8752. Staff continue to work remotely, and are available virtually to assist you – please do not hesitate to reach out.

---

**From:** Andrew Pinnell <Andrew.Pinnell@kitchener.ca>  
**Sent:** October 7, 2022 4:51 PM  
**To:** Natalie Hardacre <Natalie.Hardacre@waterloo.ca>  
**Cc:** John Vos <John.Vos@waterloo.ca>  
**Subject:** [EXTERNAL] RE: ZBA for 26 Bridge St, Kitchener

Thanks, Natalie. I hope you have a great Thanksgiving.

**Andrew Pinnell, MCIP, RPP**

Senior Planner | Planning Division | City of Kitchener  
519-741-2200 x7668 | TTY 1-866-969-9994 | [andrew.pinnell@kitchener.ca](mailto:andrew.pinnell@kitchener.ca)



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**From:** Natalie Hardacre <[Natalie.Hardacre@waterloo.ca](mailto:Natalie.Hardacre@waterloo.ca)>  
**Sent:** Friday, October 7, 2022 4:30 PM



October 12, 2022

Andrew Pinnell  
Senior Planner  
City of Kitchener  
200 King Street West  
Kitchener ON N2G 4V6  
[andrew.pinnell@kitchener.ca](mailto:andrew.pinnell@kitchener.ca)

**Re: Zoning Bylaw Amendment ZBA22/023/B/AP  
26 Bridge Street West, Bridgeport  
550 Lancaster Inc. c/o Corley Developments**

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Dear Mr. Pinnell,

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted application to relocate two heritage dwellings from 544 and 546 Lancaster Street West.

### **Recommendation**

The GRCA has no concerns with the application in principle. The floodplain boundary should be confirmed on all plans, and additional grading details will be required during site plan and GRCA permit stages.

### **Documents Reviewed by Staff**

Staff have reviewed the following documents submitted with this application:

- Planning Justification Report (MHBC, June 2022)
- Slope Stability Assessment Report (CVD, February 24, 2022)
- Topographic survey (Van Harten, revised July 26, 2021)

This follows our pre-consultation comments dated February 14, 2022.

## **GRCA Comments**

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

Information currently available at our office indicates that the subject lands contain a floodplain and valley slope associated with Laurel Creek. The driveway is demonstrated to be outside of the floodplain, providing dry access to Bridge Street West. The geotechnical report shows most of the site is less than a 15% slope. The GRCA requests a grading and drainage plan as part of a site plan application to confirm all development is outside of the flooding and erosion hazards.

The boundaries of the surveyed floodplain (per the topographical survey) should be used on all plans, as well as for the zone change boundary for this application.

## **Advisory Comments**

The environmental impact study (Aboud and Associates, June 2022) incorrectly references GRCA policies for the flood fringe. This portion of the floodplain is designated as the floodway. However, all development and access is proposed outside of the floodplain, so no floodplain policies are triggered.

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This is considered a major zoning application. Consistent with GRCA's 2022 approved fee schedule, we will invoice the applicant \$2,405 for our review. A separate fee will be required for a GRCA permit.

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

Sincerely,



---

Trevor Heywood  
Resource Planner  
Grand River Conservation Authority

Encl. Resource Mapping

cc: Mark Hocuk, Vive Development  
Stephen Litt, Vive Development  
Pierre Chauvin, MHBC





# Grand River Conservation Authority

Date: Jan 28, 2022

Author: AG

26 Bridge Street West,  
Kitchener ON

## Legend

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

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

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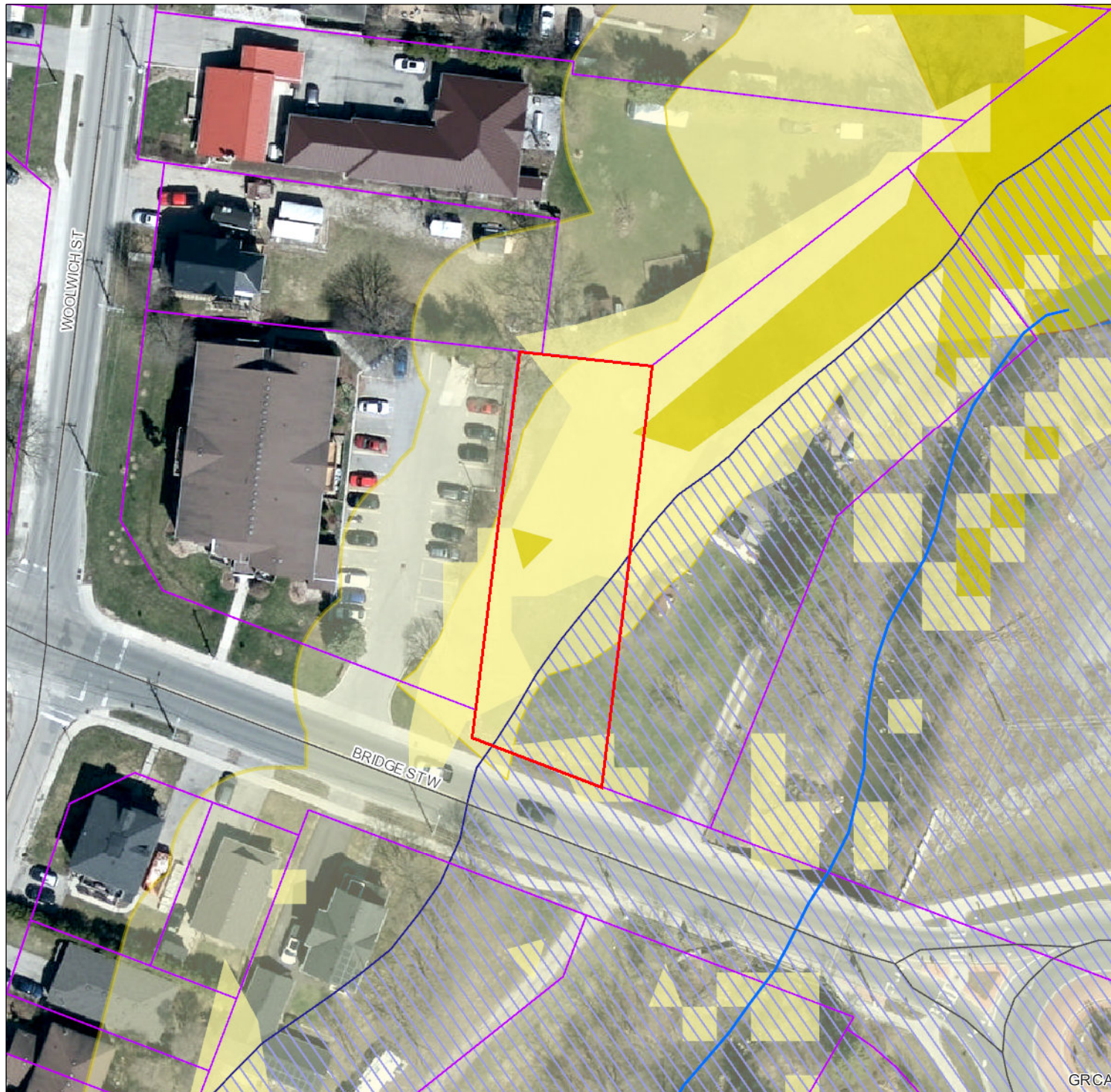
Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>

0 5 10 20 30 Metres

NAD 1983 UTM Zone 17N

Scale: 822



Map Centre (UTM NAD83 z17): 541,750.39 4,814,574.33

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

GRCA



## Andrew Pinnell

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**From:** Planning <planning@wcdsb.ca>  
**Sent:** Wednesday, November 2, 2022 5:34 PM  
**To:** Andrew Pinnell  
**Subject:** RE: Circulation for Comment - Zoning By-law Amendment (26 Bridge Street West)

Good Afternoon Andrew,

The Waterloo Catholic District School Board has reviewed the subject 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).

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:** Christine Kompter <Christine.Kompter@kitchener.ca>  
**Sent:** Friday, October 7, 2022 11:53 AM  
**To:** 'natalie.hardacre@waterloo.ca' <natalie.hardacre@waterloo.ca>; \_DL\_#\_DSD\_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Straus <Ellen.Straus@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Feds <vped@feds.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@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>; Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine\_burns@wrdsb.ca) <elaine\_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>  
**Cc:** Andrew Pinnell <Andrew.Pinnell@kitchener.ca>  
**Subject:** Circulation for Comment - Zoning By-law Amendment (26 Bridge Street West)

**Caution** - External Email - This Message comes from an external organization. Do NOT click on unrecognized links or provide your username and/or password.

## Andrew Pinnell

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**From:** Shaun Wang <shaun.wang@enovapower.com>  
**Sent:** Monday, November 14, 2022 10:50 AM  
**To:** Andrew Pinnell; MMohr; Greig Cameron  
**Subject:** RE: Circulation for Comment - Zoning By-law Amendment (26 Bridge Street West)

Andrew,

I have reviewed and no comment from Enova Power.  
Thanks.

**Shaun Wang P.Eng. | Manager of System Planning and Customer Connections**

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Direct Number: 519-745-4774 ext.6312  
shaun.wang@enovapower.com  
enovapower.com

