



PLANNING, DEVELOPMENT
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June 30, 2023

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File No.: D20-20/
VAR KIT GEN
(5) 08 WEBER KIT, 15 DELLROY AVENUE
2296342 ONTARIO INCORPORATED

(12) VAR KIT, 30 AND 40 MARGARET
AVENUE ACTIVA HOLDINGS

Subject: Committee of Adjustment Meeting July 18, 2023, City of Kitchener

Regional staff has reviewed the following Committee of Adjustment applications and have the following comments:

- 1) A 2023 - 076 – 912 Otterbein Court – No Concerns.
- 2) A 2023 - 077 – 176 Indian Road – No Concerns.
- 3) A 2023 - 078 – 35 Fifth Avenue – There are no conditions for this application. However, the owners are advised that the proposed and existing dwelling(s) on the subject lands would have impacts from the transportation noise in the vicinity. The owners are responsible for ensuring that the subject development does not have any environmental noise impacts. In the absence of a detailed noise study, the staff strongly recommend that all dwelling units be installed with air-ducted heating and ventilation system, suitably sized and designed for the provision of central air conditioning. This will avoid retrofit at any later application stage, e.g. Consent/Condo.

There are no airport-specific concerns for the proposed development. However, the owners are advised that the subject lands are located within the Airport Zoning Regulated area and specifically under the runway take-off/approach surface; and, as such, subject to all provisions of the Airport Zoning Regulations.

- 4) A 2023 - 079 – 55 Rockcliffe Drive – No Concerns.

Document Number: 4421509

- 5) A 2023 – 080 – 15 Dellroy Avenue – The Regional staff **do not support this minor variance application**. Any structures within the Daylight Triangle (DLT) and any encroachment under, at or above the ground within the Regional right of way, including the daylight triangle (including the lands to be dedicated to the Region), will not be allowed. The buildings and the site must be designed accordingly.

Airport Zoning (Advisory):

The owners/applicants are also advised that the subject property falls within the Region of Waterloo Zoning Regulated Area, specifically under the Take-off/Approach Surface for Runway 08. Using the Region of Waterloo International Airport Zoning Regulations (AZR) online tool (<https://www.waterlooairport.ca/en/about-ykf/airport-zoning-regulations-update.aspx>), the permitted building height for the subject property is 399.5m Above Sea Level (ASL), the maximum building height is 75.5m based on a maximum ground level of 324m ASL. Please ensure that the building heights for the proposed development comply with the Region of Waterloo Airport zoning and height restrictions. The Region of Waterloo International Airport AZR also regulates any construction of towers/cranes for a proposed development. Any proposed development at this location must ensure that construction towers/cranes also comply with the Region of Waterloo International AZR.

- 6) A 2023 - 081 – 333 Pine Valley Drive – No Concerns.
- 7) A 2023 - 082 – 685 Frederick Street – No Concerns.
- 8) A 2023 - 083 – 15 Kenora Drive– No concerns/conditions for this application. Staff note that the subject lands are located within the Airport Zoning Regulated area and specifically under the runway take-off/approach surface; and, as such, subject to all provisions of the Airport Zoning Regulations.
- 9) A 2023 - 084 – 151 Frederick Street – There are no conditions for this application. However, the applicants are advised that they are responsible for ensuring that the proposed development does not have any environmental noise impacts (both on-site and off-site).
- 10) A 2023 - 085 – 920 Keewatin Place – No Concerns.
- 11) A 2023 – 086 – 59 Graber Place – Although there are no conditions for this application, the staff note that there are noise-sensitive land uses, specifically the backyards of many residential dwellings, in the immediate vicinity of the subject lands, which may have impacts from the noise from the proposed storage related activities. The staff recommend that the City staff look into this as deemed appropriate.

12) A 2023 – 087 – 30-40 Margaret Avenue – No Concerns.

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.

Please forward any decisions on the above-mentioned Application numbers to the undersigned.

Yours Truly,



Joginder Bhatia
Transportation Planner
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CC:

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