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Melissa Mohr 1-226-752-8622
File: C14/2/23015
July 17, 2023

Eric Schneider, MCIP, RPP
Senior Planner
City of Kitchener
200 King Street West, 6th Floor
P.O. Box 1118, Kitchener, ON
N2G 4G7

Dear Mr. Schneider,

**Re: Proposed Zoning By-law Amendment ZBA 23/15
1154 Queens Boulevard
Sunset Hills Estates Corp. (C/O Sasa Filipovic) on behalf
of Dryden, Smith & Head (C/O Andrew Head)
CITY OF KITCHENER**

Dryden, Smith & Head has submitted a Zoning By-law Amendment for a development proposal at 1154 Queens Boulevard (subject lands) in the City of Kitchener.

The applicant is proposing to demolish the existing dwelling on site to redevelop the lands with a 3-storey multiple dwelling building containing 10 dwelling units. Surface parking, an amenity area and waste storage are located at the rear of the site.

The subject lands are located in the Urban Area of the Region and designated Built Up Area in the Regional Official Plan. The subject lands are designated Low Rise Residential in the City of Kitchener Official Plan and zoned Low Rise Residential Four (RES-4) Zone in the City of Kitchener Zoning By-law. The applicant has proposed to rezone the lands from the Low Rise Residential Four (RES-4) zone to the Low Rise Residential Five (RES-5) Zone to facilitate the use of a multiple dwelling. Site-specific provisions are requested to permit a front yard setback of 4.9m (whereas a front yard setback of 10.23m is required), and a side yard setback of 2.5m (whereas 3.0m is required).

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 Map 2 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 transit corridor. The Region is supportive of increased residential density on existing transit corridors as they support the Planned Community Structure established within the ROP. In addition, the additional density proposed on site will contribute to the City of Kitchener’s annual intensification target in the built up area of 60%.

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

Corridor Planning

Environmental Noise:

The transportation noise aspects of the Environmental Noise Impact Study entitled “Environmental Noise Impact Study- Project 22113.00” prepared by aeroustics Engineering Ltd. dated June 27, 2022, has been reviewed and the transportation noise aspects of the report have been accepted by the Region.

The report assessed the impacts of transportation noise from traffic on Queens Boulevard, which is the dominant source of noise impacting the site. The report determined that the proposed development will require noise attenuation measures in the form of provision of central air conditioning and the associated noise warning clause for all units based on the assumption of 32% window surface of the floor area.

The following implementation measures shall be implemented within the building through the Building Permit process and secured through the future consent or Condominium Application:

1. The dwelling units/building shall be installed with an air-ducted heating and ventilation system, suitably sized and designed for central air conditioning in future.
2. The following noise warning clauses shall be implemented within all Purchase and Sale, Lease/Rental Agreements and the Condominium Declaration:

“The purchasers/tenants are advised that this dwelling has been designed with the provision of adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium-density developments will

allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Region of Waterloo and the Ministry of Environment, Conservation and Parks (MECP)."

Stationary Noise:

As indicated in the pre-submission comments, a stationary noise study is not required at this time (at the Zoning By-law Amendment Application stage), as the detailed design of the building is not yet known; however, Regional staff wish to advise the applicant that a detailed stationary noise study shall be required as part of a future Consent or Condominium Application to assess the impact of noise from the development on itself and on the adjacent non-sensitive uses (e.g. low rise residential developments). It is recommended that the stationary noise study be completed as soon as possible to ensure that any mitigation measures are incorporated into the design of the building. In addition, Regional staff advise that the heating/cooling system shall comply with NPC-300 noise guidelines.

Hydrogeology and Water Programs/Source Water Protection

The subject lands are located in Wellhead Protection Sensitive Area 7 (WPSA 7) and the site also falls within a Chloride Issue Contributing Area and WHPA-B in the Greenbrook Wellfield; therefore, Regional staff do not support infiltration of runoff from the parking lot or driveway at this location, but infiltration of rooftop runoff may be considered.

Furthermore, in accordance with the Regional Council Endorsed position on geothermal energy, a prohibition on geothermal energy systems shall be written into the zoning by-law. The required wording for the prohibition is:

Geothermal Wells are prohibited on site. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five meters unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

Housing Services

The 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 1-Bedroom: \$1,134 2-Bedroom: \$1,356 3-Bedroom: \$1,538 4+ Bedroom: \$3,997

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

In order for a 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 Zoning By-law Amendment and Compatibility Review fees totalling \$3,000.00 (received June 19, 2023).

Conclusions:

Based on the above, Regional staff have no objection to the application, subject to the following being implemented within the site-specific Zoning By-law Amendment:

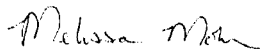
1. The implementation of a geothermal prohibition. The required wording is:

Geothermal Wells are prohibited on site. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five meters unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

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. Sunset Hills Estates Corp. (C/O Sasa Filipovic) (Owner)
Dryden, Smith & Head (C/O Andrew Head) (Applicant)

The Waterloo Region District School Board (WRDSB) has reviewed the above-noted application that proposes amendments in order to facilitate the construction of a 3 storey building including 10 dwelling units. The WRDSB offers the following comments.

Student Accommodation

At this time, the subject lands are within the boundaries of the following WRDSB schools:

- J. F. Carmichael PS (Junior Kindergarten to Grade 6);
- Queensmount PS (Grade 7 to Grade 8); and
- Forest Heights CI (Grade 9 to Grade 12).

The WRDSB's [2020-2030 Long-Term Accommodation Plan](#) provides information on student enrolment and accommodation at these schools. Please note that accommodation pressures at Forest Heights CI are present and projected to persist due to continued development growth. Portable classrooms may be located on-site to provide additional capacity on an interim basis.

Student Transportation

The WRDSB supports active transportation, and we ask that pedestrians be considered in the review of all development applications to ensure the enhancement of safety and connectivity.

Please be advised that Student Transportation Services of Waterloo Region (STSWR)'s school buses will not travel privately owned or maintained right-of-ways to pick-up/drop-off students. Transported students will be required to meet the bus at a congregated bus pick-up point. STSWR may have additional comments about student pick-up point(s) placement on municipal right-of-ways.

Education Development Charges

Please be advised that any development on the subject lands is subject to the provisions of the WRDSB's [Education Development Charges By-law, 2021, amended in 2022](#) or any successor thereof and may require the payment of Education Development Charges for these developments prior to issuance of a building permit.

The WRDSB requests to be circulated on any subsequent submissions on the subject lands and reserves the right to comment further on this application.

If you have any questions about the comments provided, don't hesitate to contact the undersigned.

Regards,



Brandon Coveney

Senior Planner

Waterloo Region District School Board

51 Ardelt Avenue, Kitchener ON, N2C 2R5

Email: brandon_coveney@wrdsb.ca

City of Kitchener
ZBA Comment Form

Project Address: 1154 Queens Boulevard

Application Type: Zoning Bylaw Amendment

Comments Of: Planning- Urban Design

Commenter's Name: Rojan Mohammadi

Email: Rojan.mohammadi@kitchener.ca

Phone: 519-741-2200 ext: 7326

Date of Comments: July 17, 2023

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

1. Documents Reviewed:

- Site Plan (April 19, 2023), prepared by Dryden & Smith & Head Planning Consultant Inc
- Floor Plans (May 2023), prepared by Masri O Inc Architects
- Tree Management Plan & Landscape Plan (May 2023), prepared by Hill Design Studio
- Retaining Wall Section (February 2023), prepared by Chung & Vander Doelen Engineering Ltd
- 3D Massing Model (March 2023), prepared by Masri O Inc Architects
- Planning Background & Justification Report (May 2023), prepared by Dryden & Smith & Head Planning Consultant Inc

2. Site-Specific Comments & Issues:

- An access/primary building entrance should be facing the public street to be designed to a high level of quality that is consistent with the architectural expressions of the project and ensure that they are clearly visible from the public realm.
 - Retaining walls over 1.0m high require a guard rail at top of the wall.
 - The entire site is surrounded with retaining walls and in some areas, they are more than 2m in height, please ensure the retaining walls have form liners as apposed to concrete blocks.
-

- The minimum width for sidewalk is 1.5m.
- Provide class A bike parking area on the site.
- Reduce the number of proposed parking lot as it has surpassed the minimum requirement. This would allow to increase green space within the site.

2. Comments on Submitted Documents:

Tree Management Plan & Landscaping Plan

- Written permission for removal of or impact to trees in joint ownership along property lines is required. Trees # 8 will likely be impacted due to the proposed constructions.
- Although trees # 10, 11, 16,17,18,19,20, 21, 22A and 24A are not within the property's boundaries, it is highly recommended to obtain consent letters from the adjacent properties as their driplines are within the proposed development and will likely be impacted due to constructions and proposed retaining walls.
- A visual barrier (solid wood) of 1.8m will be required where parking is adjacent to residential land uses. Please revise to include.

This is not regulated by the GRCA and we have no comment.

Thanks,

Trevor Heywood B.Sc.(Env.)

Resource Planner

Grand River Conservation Authority

400 Clyde Road, PO Box 729

Cambridge, ON N1R 5W6

Phone: 519-621-2763 ext. 2292

Email: theywood@grandriver.ca

www.grandriver.ca | [Connect with us on social media](#)

Please be advised that Engineering and Kitchener Utilities can provide our clearance for the ZBA application at 1154 Queens Boulevard. Of further note, Engineering has advised Meritech that once the ZBA is approved by the City the owner will need to make a Site Alteration Permit application with Engineering.

Niall Melanson, C.E.T.

Project Manager, Development Engineering, City of Kitchener
niall.melanson@kitchener.ca, 519-741-2200 x 7133
200 King St. W., Kitchener, ON N2G 4GX

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.

Thank you,

Jordan Neale

Planning Technician, WCDSB

480 Dutton Dr, Waterloo, ON N2L 4C6

519-578-3660 ext. 2355

City of Kitchener

Application Type: Zoning By-law Amendment Application ZBA23/015/Q/ES

Project Address: 1154 Queens Boulevard

Comments of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: June 29, 2023

- a. The truck movement plan submitted for garbage pick-up utilizing the design vehicle Light Single Unit (LSU) is acceptable.
- b. Site plan should note the following:
 - Barrie free and visitor parking signs.
 - Barrier free parking space flush with the curb.
 - Crosswalk to access garbage area to be in an alternative material to painted lines.
- c. Transportation Services recommend that the total amount of parking being provided be reduced. Transportation Services suggest the following parking allotment noted below. The below parking supply totals 15 parking spaces.
 - Tenant portion: 12 spaces
 - Visitor portion: 2 spaces
 - Barrie free portion: 1 space

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

No heritage planning issues or concerns for this application.

Thanks!

Kind Regards,

Deeksha Choudhry, **MSc, BES**

Heritage Planner | Planning Division | City of Kitchener

519-741-2200 ext. 7291 | TTY 1-866-969-9994

deeksha.choudhry@kitchener.ca



Residents are encouraged to visit kitchener.ca/covid19 for the most up-to-date information about City services.

City of Kitchener - Comment Form

Project Address: 1154 Queens Boulevard

Application Type: ZBA

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

Commenter's name: Raida Chowdhury

Email: raida.chowdhury@kitchener.ca

Phone: 519-741-2200 ext. 7078

Written Comments Due: July 13, 2023

Date of comments: July 6, 2023

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

- Sustainability Statement, 1154 Queens Boulevard, prepared by Dryden, Smith & Head Planning Consultants Ltd. dated May 19, 2023.

2. Comments & Issues:

I have reviewed the supporting documentation (as listed above) to support a site plan application proposing 3-storey multiple dwelling building with 10 residential units, regarding sustainability and energy conservation, and provide the following comments:

- Although the Ontario Building Code (OBC) is progressive, going forward all developments will need to include energy conservation measures that go beyond the OBC as the City (and Region of Waterloo) strive to achieve our greenhouse gas reduction target.
- A Sustainability Statement (as per the City's Terms of Reference) will be required as part of a complete Site Plan Application which can further explore and/or confirm additional sustainability measures that are best suited to the development as the design evolves.
- **We appreciate that several sustainability measures have been considered in the supporting documentation. However, further clarification and detail regarding water and energy conservation measures is required, with respect to Kitchener Official Plan Policy 7.C.5.1 and Kitchener Official Plan Policy 7.C.6.8.**
- The development considers or proposes several sustainable measures including:
 - The compact and efficient design of an underutilized lands
 - White or light-colored material on the roof to reduce heat island effects and reduce cooling requirements
 - The use of landscaping features and native plants on-site
 - Electric vehicle parking spaces, fitted with re-charge stations
- It is suggested that as the building design is refined, the following sustainability measures are incorporated into development:

- Building envelope (wall, roof, and window thermal performance) designed beyond OBC requirements
- Use of alternative water supply and demand management systems such as rainwater harvesting and grey water reuse, or readiness of the development to incorporate such systems in the future
- Separately metered units to allow for more efficient management of energy use on a dwelling-by-dwelling basis
- Measures to incorporate net zero emissions or LEED standards
- On-site waste management which includes composting

3. Conditions of Site Plan Approval:

- To submit a revised Sustainability Statement to the satisfaction of the City's Director of Planning. Further, the approved sustainability measures recommended in the Sustainability Statement will be implemented in the landscape, stormwater management, and building design, to the satisfaction of the City's Manager of Development Review.

4. 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.5.1. The City will encourage the reduction of water consumption levels through the promotion of the efficient use of water and the implementation of water saving technologies and may specify appropriate water conservation measures within existing and new development.
- 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.6.8. 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.

5. 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 '[Sustainability Statement Terms of Reference](#)' can be found on the City's website under 'Planning Resources' at ... <https://www.kitchener.ca/SustainabilityStatement>

Parks and Cemeteries have reviewed the documentation submitted in support of zone change application ZBA23/015/Q/ES at 1154 Queens Boulevard to facilitate the development of a 3-storey multiple dwelling building containing 10 dwelling units. Surface parking, amenity area, and waste storage are located at the rear of the site.

It is acknowledged that with only 10 units the development will not require site plan approval.

The site is within the St Mary's Planning Community which is well served with active park space and there here are no existing or required street trees.

Parkland Dedication will be required as cash in lieu of land and will be assessed at Building Permit.

Regards,

Lenore

Lenore Ross MSc, MCIP, RPP

Parks Planning and Development Project Manager

Design & Development | Parks and Cemeteries | City of Kitchener

519-741-2200 ext 7427 | TTY 1-866-969-9994 | Lenore.Ross@Kitchener.ca

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