



PLANNING, DEVELOPMENT
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July 25, 2023

Alison Fox
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File No.: D20-20/
VAR KIT GEN

- (3) 08 URBAN, ACTIVA TRUSSLER NORTH
SUBDIVISION
- (6) 06 HIGHLAND, 460 HIGHLAND ROAD
WEST MCCRORY ASSOCIATES LIMITED
- (9) 04 URBAN, 1020 OTTAWA STREET
NORTH OTTAWA-RIVER DEVELOPMENTS
- (11) VAR KIT GEN, 134 TO 152 SHANLEY STREET
SHANNONDALE
- (16) VAR KIT, 485 HURON ROAD ACTIVA HOLDINGS
INC (HURON B2 LANDS)

Subject: Committee of Adjustment Meeting August 15, 2023, City of Kitchener

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

- 1) A 2023 - 088 – 52 Earl Street – No Concerns.
- 2) A 2023 - 089 – 204 Fifth Avenue – No Concerns.
- 3) A 2023 - 090 – 2-56 Benninger Drive – No Concerns.
- 4) A 2023 - 091 – 181 Weber Street East – There are no Concerns for the above application to keep the existing setbacks due to the existing conditions of the building.

However, the owners are advised that at the future development application stage on the subject property, a dedicated road widening of approximately 3.05m may be required to comply with the ROP Designated Road width of 26.213m, and the existing building will be encroaching within the Regional right-of-way. Under any future development application stage, an encroachment agreement may also be required to keep the existing building with the existing setbacks.

Staff strongly advise that the applicants consider doing the building addition fronting Weber Street accordingly such that the building does not encroach into future Regional right-of-way.

- 5) A 2023 – 092 – 68 Rushbrook Drive – No Concerns.
- 6) A 2023 - 093 – 460 Highland Road West – No Concerns.
- 7) A 2023 - 094 – 39 Third Avenue – No Concerns.
- 8) A 2023 - 095 – 64 Garden Avenue– No concerns.
- 9) A 2023 - 096 – 1020 Ottawa Street North – There are no Regional concerns for this application. The staff notes that the City staff ensures this is consistent with the stationary noise report completed for the development (City’s requirement).
- 10) A 2023 - 097 – 68 Betzner Avenue North – There are no requirements/concerns to this application. However, the staff note that dwellings on the subject lands may have environmental noise impacts from traffic on Weber Street East (RR #08).
- 11) A 2023 – 098 – 134 -152 Shanley Street– No requirements/concerns for this application. The owners are advised that the proposed development (specifically higher floors) may have transportation noise impacts from the Region of Waterloo Railway Line (approximately 109m) and Weber Street West (approximately 153m).
- 12) A 2023 – 099 – 195 Victoria Street North – There are no requirements for this application. However, the owners are advised that:
 - a) The proposed development will have transportation noise impacts from Metrolinx/CN Railway Line (approximately 88 and the abutting Victoria Street North (RR #55), and any potential stationary noise sources in the vicinity. The owners are responsible for ensuring that the proposed development does not have any environmental noise impacts (both on-site and off-site).
 - b) A development application, e.g. Site Plan / Consent on these lands, would require approximately 3.05m of road dedication along the frontage on Victoria Street.
- 13)A 2023 – 100 – 332 Prospect Avenue – There are no concerns/requirements for the above application. The owners are advised that the subject property falls within the Region of Waterloo Zoning Regulated Area, specifically under the Take-off/Approach Surface for Runway 08. For more information in this regard, please contact Jordan Vander Veen, Manager @ 519-648-2256 ext 8514 Email: jvanderveen@regionofwaterloo.ca
- 14)A 2023 – 101 – 471 Duke Street West – No Concerns.
- 15)A 2023 – 102 – 485 Huron Road (Commercial) – No Concerns.

16)A 2023 – 103 – 485 Huron Road (Residential) – There are no concerns. The owners should ensure that this does not affect the recommendations of the approved noise study for this development.

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,

A handwritten signature in black ink, appearing to read 'Joginder Bhatia', followed by a blue circular stamp or mark.

Joginder Bhatia
Transportation Planner
C (226) 753-0368

CC:

Marilyn Mills, City of Kitchener

CofA@Kitchener.ca

Shilling Yip & Melissa Mohr, Region of Waterloo – FYI only regarding OPA 21/02 and ZBA 21/04 for 134-152 Shanley Street.