

**From:** Niall Melanson  
**Sent:** Friday, January 13, 2023 1:36 PM  
**To:** rjohnston@sbmltd.ca; Brian Bateman  
**Cc:** Angela Mick; Louise Sanford; Shailesh Shah  
**Subject:** 130-140 Highland Road East, ZBA22/028/H/BB - Engineering & KU clearance

Good afternoon Brian

Please be advised that Engineering and Kitchener Utilities have reviewed SBM's Functional Servicing Report and can provide our clearance for the ZBA.

Rob – Please be advised that the City will be reconstructing this stretch of Highland Road East this year. It would be beneficial for all if we could coordinate service lateral installation with the City's reconstruction project. At a minimum Engineering would expect to see a Site Plan Application made by the owner. I would suggest following up with Vive. Please let me know if you have further questions.

Cheers

**Niall Melanson, C.E.T.**

Project Manager | Development Engineering | City of Kitchener  
519-741-2200 Ext. 7133 | TTY 1-866-969-9994 | [niall.melanson@kitchener.ca](mailto:niall.melanson@kitchener.ca)

**From:** Proximity <proximity@cn.ca>  
**Sent:** Monday, January 16, 2023 4:11 PM  
**To:** Brian Bateman  
**Subject:** 2023-01-16\_CN\_RES\_Circulation for Comment - OPA/ZBA (130-140 Highland Rd. E. & 270 Spadina Ave.)  
**Attachments:** [130-140 Highland Agency Letter.pdf](#); [OPA22016HBB\\_SCHA\\_12.pdf](#); [ZBA22028HBB\\_MAP1.pdf](#)

Hello Brian,

Thank you for consulting CN on the application mentioned in subject. CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval for the segment of the project identified as Area 2 in attached location plan:

1. The Owner shall engage a consultant to undertake an analysis of noise. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
2. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:  
  
“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”
3. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the noise isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
4. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
5. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

CN anticipates the opportunity to review a N&V study taking into consideration CN development guidelines.

Thank you and do not hesitate to contact me with any questions.

Best regards

**Ashkan Matlabi**, Urb. OUQ. MBA

Urbaniste sénior / Senior Planner (CN Proximity)  
Planning, Landscape Architecture and Urban Design  
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**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** Tuesday, January 10, 2023 1:24 PM  
**To:** Proximity <[proximity@cn.ca](mailto:proximity@cn.ca)>; \_DL\_#\_DSD\_Planning <[DSD-PlanningDivision@kitchener.ca](mailto:DSD-PlanningDivision@kitchener.ca)>; Bell - c/o WSP <[circulations@wsp.com](mailto:circulations@wsp.com)>; Carlos Reyes <[Carlos.Reyes@kitchener.ca](mailto:Carlos.Reyes@kitchener.ca)>; Darren Kropf <[Darren.Kropf@kitchener.ca](mailto:Darren.Kropf@kitchener.ca)>; Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>; David Paetz <[David.Paetz@kitchener.ca](mailto:David.Paetz@kitchener.ca)>; Ellen Straus <[Ellen.Straus@kitchener.ca](mailto:Ellen.Straus@kitchener.ca)>; Enova Power Corp. - Greig Cameron <[greig.cameron@enovapower.com](mailto:greig.cameron@enovapower.com)>; Enova Power Corp. - Shaun Wang <[shaun.wang@enovapower.com](mailto:shaun.wang@enovapower.com)>; Feds <[vped@feds.ca](mailto:vped@feds.ca)>; GRCA - Planning ([planning@grandriver.ca](mailto:planning@grandriver.ca)) <[planning@grandriver.ca](mailto:planning@grandriver.ca)>; Greg Reitzel <[Greg.Reitzel@kitchener.ca](mailto:Greg.Reitzel@kitchener.ca)>; Hydro One - Dennis DeRango <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jim Edmondson <[Jim.Edmondson@kitchener.ca](mailto:Jim.Edmondson@kitchener.ca)>; Justin Readman <[Justin.Readman@kitchener.ca](mailto:Justin.Readman@kitchener.ca)>; Katherine Hughes <[Katherine.Hughes@kitchener.ca](mailto:Katherine.Hughes@kitchener.ca)>; Mike Seiling <[Mike.Seiling@kitchener.ca](mailto:Mike.Seiling@kitchener.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Park Planning (SM) <[Park.Planning@kitchener.ca](mailto:Park.Planning@kitchener.ca)>; Region - Planning <[PlanningApplications@regionofwaterloo.ca](mailto:PlanningApplications@regionofwaterloo.ca)>; Property Data Administrator (SM) <[PropDataAdmin@kitchener.ca](mailto:PropDataAdmin@kitchener.ca)>; Robert Morgan <[Robert.Morgan@kitchener.ca](mailto:Robert.Morgan@kitchener.ca)>; Steven Ryder <[Steven.Ryder@kitchener.ca](mailto:Steven.Ryder@kitchener.ca)>; Sylvie Eastman <[Sylvie.Eastman@kitchener.ca](mailto:Sylvie.Eastman@kitchener.ca)>; WCDSB - Planning <[planning@wcdsb.ca](mailto:planning@wcdsb.ca)>; WRDSB - Board Secretary ([elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)) <[elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)>; WRDSB - Planning <[planning@wrdsb.ca](mailto:planning@wrdsb.ca)>  
**Cc:** Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>  
**Subject:** Circulation for Comment - OPA/ZBA (130-140 Highland Rd. E. & 270 Spadina Ave.)

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Please see attached - additional documents available for review in [ShareFile](#). Comments or questions should be directed to **Brian Bateman**, Senior Planner ([brian.bateman@kitchener.ca](mailto:brian.bateman@kitchener.ca); 519-741-2200 x7869).

**Christine Kompter**

Administrative Assistant | Planning Division | City of Kitchener

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# City of Kitchener - Comment Form

**Project Address:** 130, 140 Highland Rd. E.

**Application Type:** OPA and ZBA

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

**Commenter's name:** Gaurang Khandelwal

**Email:** gaurang.khandelwal@kitchener.ca

**Phone:** 519-741-2200 x 7611

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**Written Comments Due:** NA

**Date of comments:** May 26, 2023

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

- Sustainability Statement – 130, 140 Highland Rd. E., prepared by MHBC, dated November 24, 2022
- Sustainability Statement (Updated) – 130&140 Highland Road E, prepared by MHBC, dated March 24, 2023

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

I have reviewed the documentation (as listed above) to support an Official Plan Amendment and a Zoning By-law Amendment for the proposed development of a 17-storey apartment building with a total of 211 units, regarding sustainability and energy conservation and provide the following:

- 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.
- **Based on my review of the supporting documentation, the Official Plan and Zoning Bylaw Amendments can be supported as several sustainable measures have been proposed or are being considered for the development.**
- 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.
- Potential items for further consideration:
  - Alternative water supply systems such as rainwater harvesting or grey water reuse, or the ability to incorporate such systems in the future

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

**From:** Barbara Steiner  
**Sent:** Wednesday, January 11, 2023 3:46 PM  
**To:** Brian Bateman  
**Cc:** Sandro Bassanese; Lenore Ross  
**Subject:** City Envl Plng (Natl Hrtg) - OPA/ZBA (130-140 Highland Rd. E. & 270 Spadina Ave.) OPA22/016/H/BB and ZBA22/028/H/BB  
**Attachments:** [2022-11-01 - 140 - Aboud - 22-124A 140 Highland Road East Kitchener TPP 2022-10-31.pdf](#)

Brian:

Thank you for forwarding the Tree Preservation Plan (Aboud & Associates Inc. 31 Oct 2022) required under the City's *Tree Management Policy* (rev. 2001) as a supporting study to the application for OPA / ZBA. For these types of development applications (i.e. not SP) Environmental Planning staff are normally responsible for review and comment as opposed to Urban Design staff.

Because the re-development at **270 Spadina Rd E** has been the subject of a SPA for some years, and trees affected have been extensively reviewed by Urban Design staff (S. Bassanese), **we are deferring any (further) comment to Urban Design for that area of the application.**

With the addition of 130 and 140 Highland Rd E to the application, I have reviewed the Tree Preservation Plan submitted and observe:

1. Trees at **140 Highland Rd E** that existed in April 2019 were removed prior to April 2020, presumably as approved with the development / SPA at 270 Spadina Rd E. **Comment also deferred to Urban Design staff.**
2. Trees at **130 Highland Rd E** are restricted to those in shared ownership with the City (Highland Courts Park) and are comprised of Siberian Elms (proposed removal), White Mulberry (proposed removal), and one Little-leaf Linden which is proposed to be retained (but potentially impacted). No natural heritage values (i.e. retention representative of Ontario biodiversity) associated with the fate of these non-native trees will be impaired. So, therefore, **we defer the review and decision-making on the fate of these trees to City Parks / Forestry staff.**

Therefore, City Environmental Planning staff have no further concerns with Official Plan Amendment **OPA22/016/H/BB** or Zoning By-law Amendment **ZBA22/028/H/BB**.

### **Barbara Steiner**

Senior Environmental Planner | Planning | City of Kitchener  
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**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** Tuesday, January 10, 2023 1:24 PM  
**To:** CNR <[proximity@cn.ca](mailto:proximity@cn.ca)>; \_DL\_#\_DSD\_Planning <[DSD-PlanningDivision@kitchener.ca](mailto:DSD-PlanningDivision@kitchener.ca)>; Bell - c/o WSP <[circulations@wsp.com](mailto:circulations@wsp.com)>; Carlos Reyes <[Carlos.Reyes@kitchener.ca](mailto:Carlos.Reyes@kitchener.ca)>; Darren Kropf

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**Cc:** Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>

**Subject:** Circulation for Comment - OPA/ZBA (130-140 Highland Rd. E. & 270 Spadina Ave.)

Please see attached - additional documents available for review in [ShareFile](#). Comments or questions should be directed to **Brian Bateman**, Senior Planner ([brian.bateman@kitchener.ca](mailto:brian.bateman@kitchener.ca); 519-741-2200 x7869).

### Christine Kompter

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Melissa Mohr 1-226-752-8622  
File: D17/2/22016  
C14/2/22028  
April 6, 2023

Brian Bateman  
Senior Planner  
City of Kitchener  
200 King Street West, 6<sup>th</sup> Floor  
P.O. Box 1118, Kitchener, ON  
N2G 4G7

Dear Mr. Bateman,

**Re: Proposed Official Plan Amendment OPA 22/16 and  
Zoning By-law Amendment ZBA 22/28  
130-140 Highland Road East and 270 Spadina Road East  
MHBC Planning Inc. (C/O Pierre Chauvin) on behalf of  
270 Developments Inc. (C/O Vive Development  
Corporation  
CITY OF KITCHENER**

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MHBC Planning has submitted a site-specific Official Plan Amendment and Zoning By-law Amendment Application for a development proposal at 130-140 Highland Road East and 270 Spadina Avenue (referred to as subject lands) in the City of Kitchener.

There is a six (6)-storey residential building that is under construction on the lands described as 270 Spadina Avenue and the applicant has proposed to consolidate this property with the lands addressed as 130-140 Highland Road East and add a seventeen (17)-storey purpose built rental apartment building on the lands. The proposed building consists of a 5-storey podium with a 12-storey tower with 122 residential units proposed within the building. Vehicular access is proposed from Highland Road East and Spadina Road East. Structured parking has also been proposed with access to the parking structure from Highland Road East. Vehicular access to the site is proposed from Highland Road East and Spadina Road East with pedestrian access to the new building from Highland Road East.

The subject lands are located in the Urban Area and designated Built Up Area in the Regional Official Plan. The site is designated Low Density Commercial Residential and

Medium Density Residential in the City of Kitchener Official Plan and zoned Commercial Residential One Zone (CR-1) Zone, Medium Density Residential and Special Regulation 738R in the City of Kitchener Zoning By-law. The applicant has requested an **Official Plan Amendment** to redesignate the lands from the Low Density Commercial Residential and Medium Density Multiple Residential to the High Density Commercial Residential designation. The Applicant has requested a **Zoning By-law Amendment** to rezone the subject lands from Commercial Residential One Zone (CR-1) Zone, Medium Density Residential Zone and Special Regulation 738R to Commercial Residential Three Zone (CR-3) Zone with site-specific special regulations for the height of the building, step backs, setbacks and parking provisions tailored to the development. These amendments will facilitate the additional density proposed on site and permit site-specific provisions tailored to the development.

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 the site is designated Low Density Commercial Residential and Medium Density Multiple Residential in the Mill Courtland –Woodside Park Secondary Plan in the City of Kitchener Official Plan.

### Planned Community Structure:

The majority of the Region’s future growth will occur within the Urban Area designation 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).

Development occurring within the Urban Area shall be planned in a way that contributes to the creation of complete communities with development patterns densities and an approximate use of land uses that support walking, cycling and the use of transit serviced by a municipal drinking-water supply system and a municipal wastewater system. It is Regional staff’s understanding that the development proposes additional apartment style housing units that are a different housing form than what is otherwise available within the immediate area. In addition, Regional staff understand that the proposed development is to connect to local the municipal water and sanitary services available in the Highland Road East right of way.

### ROPA 6 Adopted Policies:

The subject lands are located in the Built Up Area as designated through ROPA 6. The development concept proposes a higher density development that contributes to the minimum intensification target established for the Built Up Area of Kitchener of 60%. Section 2.F of ROPA 6 establishes policies to support the achievement of the minimum intensification targets within the delineated built up area. Growth is directed to the Built Up Area of the Region to make better use of infrastructure, transition the Region of

Waterloo into an energy efficient, low carbon community and support the gradual transition of existing neighbourhoods into 15 minute neighbourhoods where compact well connected places that allow all people of all ages and abilities to access the needs for daily living within 15 minutes by walking, cycling or rolling.

Further to the above, ROPA 6 encourages and supports higher density developments that provide for a range of housing forms. The apartment style units proposed through this development will promote an alternative housing form than what is readily available within the immediate neighbourhood and it will contribute to the creation of the 15-minute neighbourhood envisioned within the plan with access to transit along Highland Road East.

In addition to the above planning comments, Regional staff have the following technical comments relating to the proposed Official Plan Amendment and Zoning By-law Amendment:

**Environmental Threats/Record of Site Condition:**

There are known and high environmental threats on the subject lands due to past/historic uses of the site for various manufacturing uses. As a density increase of a sensitive land use has been proposed on the subject lands, a Record of Site Condition and Ministry Acknowledgement letter shall be required for the entirety of the subject lands in accordance with the Region of Waterloo's *Implementation Guideline for the Review of Development Applications On or Adjacent to Known and Potentially Contaminated Sites*.

Regional staff acknowledge that the lands described as 270 Spadina Road East have an existing Record of Site Condition (RSC) filed on them (RSC # 225764) including a Ministry Acknowledgment Letter. Since the Record of Site Condition and Ministry Acknowledgement Letter were not received for 130-140 Highland Road East as part of the Complete Application for the Official Plan Amendment or Zoning By-law Amendment, the Region shall require a Holding Provision to be implemented as part of the Zoning By-law Amendment prohibiting the proposed development until the submission of the RSC and the Ministry's Acknowledgement Letter have been received to the satisfaction of the Regional Municipality of Waterloo for the lands municipally addressed as 130 and 140 Highland Road East. The following wording is required for the holding provision:

*That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) in accordance with O. Reg. 153/04, as amended, has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry and the RSC and Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.*

**Noise Study Peer Review (transportation and stationary noise):**

A peer review of the Environmental Noise Study entitled "Noise Feasibility Study Proposed Residential Development, 130-140 Highland Road East, Kitchener, Ontario,

Canada” prepared by HGC Engineering dated October 18, 2022, was completed by RWDI and their comments are attached to this letter. Based on the attached comments, additional information is needed to support the assertions and results provided within the noise study. The issues raised through the attached comments from RWDI must be addressed. To ensure the Region received a satisfactory Noise study, the Region shall require a holding provision be implemented within the site-specific Zoning By-law Amendment. The required wording for the Holding Provision shall be:

*That a holding provision shall apply to the entirety of the subject lands until a satisfactory detailed transportation (road) and stationary noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of the points of reception (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.*

**Corridor Planning:**

**Future Site Plan Stage**

*Transit Planning/Transportation Demand Management (TDM):*

Regional Transit staff have reviewed the Transportation Impact Study (TIS) and Parking Study that was submitted with the application and have the following comments related to transit and TDM measures:

Regional staff are supportive of reduced parking supplies, the provision of unbundled parking and surplus bike parking as impactful TDM measures for this site. The applicant includes additional TDM strategies within section 8.6 of the Planning Justification Report to justify additional parking reductions including the implementation of subsidized transit passes. If this tool is implemented, it requires a commitment from the owner/applicant to manage, administer, and fund the full cost of monthly transit passes for the residents of the building. In addition, if subsidized transit passes are implemented within this development, further consultation and confirmation of expectations between all three parties (Applicant, City, Region (GRT) is required. Another TDM strategy proposed by the applicant is the provision for car-sharing vehicles to be used on site. Please note that the most established car-sharing program in Waterloo Region is Communauto. Regional staff understand that Communauto offers unique programming to “launch” a car share vehicle through a business agreement with the property owner. Please contact Janet MacLeod [jmacleod@communauto.ca](mailto:jmacleod@communauto.ca) to learn more about opportunities about the car share program at Communauto.

In addition to the above, Grand River Transit (GRT) staff respectfully request the PARTS TDM Checklist and note that additional comments may be provided once the review of the checklist is completed.

Finally, please note that this stretch of Highland Road East is identified in the City of Kitchener’s 10-year capital forecast for reconstruction in 2023.

*Transit Requirements:*

Grand River Transit (GRT) operates Route 16 on Highland Road East adjacent to the subject lands. Please be advised that no changes to this route are planned.

There are transit stops in the vicinity of the site. Transit stop no. 3105 is located on the east side of Highland Road at the south side of the intersection of Highland Road East and Spadina Road East, approximately 75m from the subject lands. It features a combined shelter/landing pad. Transit stop no. 2820 is located on the west side of Highland Road East at the Highland Road East and Spadina Road East intersection, which features a stop pole and landing pad in the boulevard.

In anticipation of additional density at the subject lands, transit stop no. 3105 will be relocated to the Highland Road East frontage and will be upgraded with additional transit amenities. Through a future Site Plan application, the owner/developer shall be responsible to provide for the following transit amenities:

- a) Construction of a 9.5m x 2m landing pad, preferably at the same time as the City's reconstruction of Highland Road East as indicated above;
- b) Provide funds for a 4m x 3.2 transit shelter likely adjacent to the parking lot nearside of the proposed driveway on Highland Road East; and
- c) Provide a 5m x 3m easement for a shelter pad. Please be advised that the pad may be required on the Highland Road East frontage behind the sidewalk (likely adjacent to the parking lot near the driveway).

For clarification in this regard, please contact Bridget Coady at 519-585-7597 ext. 7379 or via email: [bcoady@regionofwaterloo.ca](mailto:bcoady@regionofwaterloo.ca)

### **Hydrogeology and Source Water Programs**

The subject lands are located in Wellhead Protection Sensitive Area 8 (WPSA 8); therefore, Regional staff require a prohibition on geothermal energy to 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**

Please be advised that the Region acknowledges receipt of the Official Plan Amendment and Zoning By-law Amendment review fees totalling \$10,000 (received February 14, 2023).

**Follow Up:**

The Region is not satisfied with the Environmental Noise study as per the attached comments. Please be advised that the Region must be satisfied with the conclusions, recommendations and implementation measures for transportation and stationary noise therefore, the Region shall require a holding provision to ensure the study is addressed appropriately.

**Conclusions:**

The Region has no objection to the Official Plan Amendment and Zoning By-law Amendment subject to the following being implemented within the site-specific Zoning By-law Amendment:

1. The implementation of a holding provision to obtain detailed transportation and stationary noise study to the satisfaction of the Regional Municipality of Waterloo. The required wording for the holding provision is:

*That a holding provision shall apply to the entirety of the subject lands until a satisfactory detailed transportation (road) and stationary noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of the points of reception (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.*

2. The implementation of a holding provision to obtain a Record of Site Condition and Ministry Acknowledgement Letter on the lands addressed as 130 and 140 Highland Road East. The required wording for the holding provision is:

*That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) in accordance with O. Reg. 153/04, as amended, has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry and the RSC and Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.*

And,

3. That a geothermal prohibition be implemented within the site specific 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.*

Please be advised that further implementation measures may be required at this stage once the Region has received a satisfactory noise study.

**Next Steps:**

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. MHBC Planning Inc. C/O Pierre Chauvin and/or Juliane von Westerholt (Applicant), 270 Developments Inc. C/O Vive Development Corporation (Owner)



**From:** Mike Seiling  
**Sent:** Tuesday, January 10, 2023 2:26 PM  
**To:** Brian Bateman  
**Subject:** FW: Circulation for Comment - OPA/ZBA (130-140 Highland Rd. E. & 270 Spadina Ave.)  
**Attachments:** [130-140 Highland Agency Letter.pdf](#); [OPA22016HBB\\_SCHA\\_12.pdf](#); [ZBA22028HBB\\_MAP1.pdf](#)

Building; no concerns

---

**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** Tuesday, January 10, 2023 1:24 PM  
**To:** CNR <[proximity@cn.ca](mailto:proximity@cn.ca)>; \_DL\_#\_DSD\_Planning <[DSD-PlanningDivision@kitchener.ca](mailto:DSD-PlanningDivision@kitchener.ca)>; Bell - c/o WSP <[circulations@wsp.com](mailto:circulations@wsp.com)>; Carlos Reyes <[Carlos.Reyes@kitchener.ca](mailto:Carlos.Reyes@kitchener.ca)>; Darren Kropf <[Darren.Kropf@kitchener.ca](mailto:Darren.Kropf@kitchener.ca)>; Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>; David Paetz <[David.Paetz@kitchener.ca](mailto:David.Paetz@kitchener.ca)>; Ellen Straus <[Ellen.Straus@kitchener.ca](mailto:Ellen.Straus@kitchener.ca)>; Enova Power Corp. - Greig Cameron <[greig.cameron@enovapower.com](mailto:greig.cameron@enovapower.com)>; Enova Power Corp. - Shaun Wang <[shaun.wang@enovapower.com](mailto:shaun.wang@enovapower.com)>; Feds <[vped@feds.ca](mailto:vped@feds.ca)>; GRCA - Planning ([planning@grandriver.ca](mailto:planning@grandriver.ca)) <[planning@grandriver.ca](mailto:planning@grandriver.ca)>; Greg Reitzel <[Greg.Reitzel@kitchener.ca](mailto:Greg.Reitzel@kitchener.ca)>; Hydro One - Dennis DeRango <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jim Edmondson <[Jim.Edmondson@kitchener.ca](mailto:Jim.Edmondson@kitchener.ca)>; Justin Readman <[Justin.Readman@kitchener.ca](mailto:Justin.Readman@kitchener.ca)>; Katherine Hughes <[Katherine.Hughes@kitchener.ca](mailto:Katherine.Hughes@kitchener.ca)>; Mike Seiling <[Mike.Seiling@kitchener.ca](mailto:Mike.Seiling@kitchener.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Park Planning (SM) <[Park.Planning@kitchener.ca](mailto:Park.Planning@kitchener.ca)>; Region - Planning <[PlanningApplications@regionofwaterloo.ca](mailto:PlanningApplications@regionofwaterloo.ca)>; Property Data Administrator (SM) <[PropDataAdmin@kitchener.ca](mailto:PropDataAdmin@kitchener.ca)>; Robert Morgan <[Robert.Morgan@kitchener.ca](mailto:Robert.Morgan@kitchener.ca)>; Steven Ryder <[Steven.Ryder@kitchener.ca](mailto:Steven.Ryder@kitchener.ca)>; Sylvie Eastman <[Sylvie.Eastman@kitchener.ca](mailto:Sylvie.Eastman@kitchener.ca)>; WCDSB - Planning <[planning@wcdsb.ca](mailto:planning@wcdsb.ca)>; WRDSB - Board Secretary ([elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)) <[elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)>; WRDSB - Planning <[planning@wrdsb.ca](mailto:planning@wrdsb.ca)>  
**Cc:** Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>  
**Subject:** Circulation for Comment - OPA/ZBA (130-140 Highland Rd. E. & 270 Spadina Ave.)

Please see attached - additional documents available for review in [ShareFile](#). Comments or questions should be directed to **Brian Bateman**, Senior Planner ([brian.bateman@kitchener.ca](mailto:brian.bateman@kitchener.ca); 519-741-2200 x7869).

### 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)





**From:** Trevor Heywood <theywood@grandriver.ca>  
**Sent:** Tuesday, January 10, 2023 2:55 PM  
**To:** Brian Bateman  
**Subject:** RE: Circulation for Comment - OPA/ZBA (130-140 Highland Rd. E. & 270 Spadina Ave.)

Hey Brian,

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

Regards,

**Trevor Heywood**  
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](mailto:theywood@grandriver.ca)  
[www.grandriver.ca](http://www.grandriver.ca) | [Connect with us on social media](#)

---

**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** January 10, 2023 1:24 PM  
**To:** CNR <[proximity@cn.ca](mailto:proximity@cn.ca)>; \_DL\_#\_DSD\_Planning <[DSD-PlanningDivision@kitchener.ca](mailto:DSD-PlanningDivision@kitchener.ca)>; Bell - c/o WSP <[circulations@wsp.com](mailto:circulations@wsp.com)>; Carlos Reyes <[Carlos.Reyes@kitchener.ca](mailto:Carlos.Reyes@kitchener.ca)>; Darren Kropf <[Darren.Kropf@kitchener.ca](mailto:Darren.Kropf@kitchener.ca)>; Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>; David Paetz <[David.Paetz@kitchener.ca](mailto:David.Paetz@kitchener.ca)>; Ellen Straus <[Ellen.Straus@kitchener.ca](mailto:Ellen.Straus@kitchener.ca)>; Enova Power Corp. - Greig Cameron <[greig.cameron@enovapower.com](mailto:greig.cameron@enovapower.com)>; Enova Power Corp. - Shaun Wang <[shaun.wang@enovapower.com](mailto:shaun.wang@enovapower.com)>; Feds <[vped@feds.ca](mailto:vped@feds.ca)>; Planning <[planning@grandriver.ca](mailto:planning@grandriver.ca)>; Greg Reitzel <[Greg.Reitzel@kitchener.ca](mailto:Greg.Reitzel@kitchener.ca)>; Hydro One - Dennis DeRango <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jim Edmondson <[Jim.Edmondson@kitchener.ca](mailto:Jim.Edmondson@kitchener.ca)>; Justin Readman <[Justin.Readman@kitchener.ca](mailto:Justin.Readman@kitchener.ca)>; Katherine Hughes <[Katherine.Hughes@kitchener.ca](mailto:Katherine.Hughes@kitchener.ca)>; Mike Seiling <[Mike.Seiling@kitchener.ca](mailto:Mike.Seiling@kitchener.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Park Planning (SM) <[Park.Planning@kitchener.ca](mailto:Park.Planning@kitchener.ca)>; Region - Planning <[PlanningApplications@regionofwaterloo.ca](mailto:PlanningApplications@regionofwaterloo.ca)>; Property Data Administrator (SM) <[PropDataAdmin@kitchener.ca](mailto:PropDataAdmin@kitchener.ca)>; Robert Morgan <[Robert.Morgan@kitchener.ca](mailto:Robert.Morgan@kitchener.ca)>; Steven Ryder <[Steven.Ryder@kitchener.ca](mailto:Steven.Ryder@kitchener.ca)>; Sylvie Eastman <[Sylvie.Eastman@kitchener.ca](mailto:Sylvie.Eastman@kitchener.ca)>; WCDSB - Planning <[planning@wcdsb.ca](mailto:planning@wcdsb.ca)>; WRDSB - Board Secretary ([elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)) <[elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)>; WRDSB - Planning <[planning@wrdsb.ca](mailto:planning@wrdsb.ca)>  
**Cc:** Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>  
**Subject:** Circulation for Comment - OPA/ZBA (130-140 Highland Rd. E. & 270 Spadina Ave.)

Please see attached - additional documents available for review in [ShareFile](#). Comments or questions should be directed to **Brian Bateman**, Senior Planner ([brian.bateman@kitchener.ca](mailto:brian.bateman@kitchener.ca); 519-741-2200 x7869).

**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)



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**From:** Katey Crawford  
**Sent:** Friday, May 12, 2023 9:27 AM  
**To:** Brian Bateman  
**Subject:** RE: 130-140 Highland and 270 Spadina UDB revised  
**Attachments:** [15213AX\\_UDB\\_revised May 11th \(november 23\) 2022\\_Draft v2.pdf](#)

Hi Brian,

The attached UDB is acceptable.

Thanks,

Katey

---

**From:** Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>  
**Sent:** Friday, May 12, 2023 9:02 AM  
**To:** 'Juliane vonWesterholt' <[jvonwesterholt@mhbcplan.com](mailto:jvonwesterholt@mhbcplan.com)>  
**Cc:** Katey Crawford <[Katey.Crawford@kitchener.ca](mailto:Katey.Crawford@kitchener.ca)>  
**Subject:** RE: 130-140 Highland and 270 Spadina UDB revised

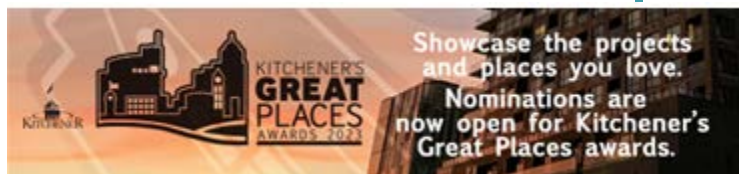
Thanks, Juliane.

## Brian Bateman, MCIP, RPP

### Senior Planner

City of Kitchener

519-741-2200 x7869, TTY 1-866-969-9994



---

**From:** Juliane vonWesterholt <[jvonwesterholt@mhbcplan.com](mailto:jvonwesterholt@mhbcplan.com)>  
**Sent:** Thursday, May 11, 2023 3:11 PM  
**To:** Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>  
**Cc:** Katey Crawford <[Katey.Crawford@kitchener.ca](mailto:Katey.Crawford@kitchener.ca)>  
**Subject:** 130-140 Highland and 270 Spadina UDB revised  
**Importance:** High

Hi Brian,

Here is the revised UDB for your files. Hope this is all you need to move forward with the applications!

Have a good afternoon.

*Sincerely,*

*Juliane von Westerholt*

**JULIANE von WESTERHOLT** BES, MCIP, RPP  
Associate

**MHBC** Planning, Urban Design & Landscape Architecture

540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 X  
720 | C 519 504 1044 | F 519 576 0121 | [jvonwesterholt@mhbcplan.com](mailto:jvonwesterholt@mhbcplan.com)

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**From:** Lenore Ross  
**Sent:** Wednesday, April 12, 2023 4:34 PM  
**To:** Brian Bateman; Katey Crawford; Dave Seller  
**Cc:** Sandro Bassanese  
**Subject:** RE: 270 Spadina Inc., OPA22/016/H/BB and ZBA22/028/BB

Hi Brian,

The updated TPEP and valuation is acceptable for the OPA/ZBA. Additional changes may be necessary if/when detailed design is advanced.

The revised truck turning movement plan *appears* to show an acceptable path for garbage pick up that stays out of the anticipated multiuse trail, however, **I will let Dave provide this clearance.** I don't think the preliminary design for the Highland Road reconstruction and cycling improvements is public yet so the updated truck movement plan does not incorporate the 1.8m sidewalk or the cycle track accurately...but it may be sufficient for the OPA/ZBA. Again, if/when detailed design is advanced, there may need to be refinements in the amount/configuration of land necessary for physical parkland dedication at the Highland Courts Park entrance. The use of the park access will be subject to separate approvals and agreements through Legal and the required changes/upgrades to the park entrance will be at the sole cost of the developer as part of the future site plan application.

I had noted in my previous comments that adequate land *on-site* should be provided to accommodate required tree planting adjacent to Highland Courts Park and while the response matrix indicates that the revised site plan addresses this comment, the surface parking and below grade parking structure still appear to be only 1m off the property line and while this setback is not covered by zoning there will need to be a visual barrier in this space and the preliminary grading plan anticipates a low retaining wall...there will not be room for trees.

Regards,

Lenore

---

**From:** Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>  
**Sent:** Thursday, April 6, 2023 1:26 PM  
**To:** Katey Crawford <[Katey.Crawford@kitchener.ca](mailto:Katey.Crawford@kitchener.ca)>; Lenore Ross <[Lenore.Ross@kitchener.ca](mailto:Lenore.Ross@kitchener.ca)>; Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>  
**Cc:** Sandro Bassanese <[Sandro.Bassanese@kitchener.ca](mailto:Sandro.Bassanese@kitchener.ca)>  
**Subject:** FW: 270 Spadina Inc., OPA22/016/H/BB and ZBA22/028/BB

Hello Katey, Lenore & Dave,

I have been meaning to send this email to you earlier – apologize for the delay. Attached is a letter from MHBC responding to issues you have identified with the proposal. Can you kindly review at your earliest convenience and advise if the response and plans address your concerns. Much appreciated.

**Brian Bateman, MCIP, RPP**  
**Senior Planner**  
City of Kitchener

519-741-2200 x7869, TTY 1-866-969-9994



---

**From:** Pierre Chauvin <[pchauvin@mhbcplan.com](mailto:pchauvin@mhbcplan.com)>  
**Sent:** Friday, March 24, 2023 5:05 PM  
**To:** Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>  
**Cc:** Stephen Litt <[sl@vivedevelopment.ca](mailto:sl@vivedevelopment.ca)>; Mark Hocolik <[mh@vivedevelopment.ca](mailto:mh@vivedevelopment.ca)>; Laird A Robertson <[laird@NEOarchitecture.ca](mailto:laird@NEOarchitecture.ca)>; Santiago <[santiago@neoarchitecture.ca](mailto:santiago@neoarchitecture.ca)>; Juliane vonWesterholt <[jvonwesterholt@mhbcplan.com](mailto:jvonwesterholt@mhbcplan.com)>  
**Subject:** 270 Spadina Inc., OPA22/016/H/BB and ZBA22/028/BB

Hi Brian,  
Please find attached our response to the agency/department comments received. Due to size of the files, I have included the attachments to the letter in the following dropbox link.

<https://www.dropbox.com/t/5skR5G0kxXekyX7i>

We look forward to continuing to work with you to move this exciting project forward.  
Thanks,

**Vacation Alert: I will be off from March 30<sup>th</sup> to April 11<sup>th</sup>.**

**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:** Planning <planning@wcdsb.ca>  
**Sent:** Monday, January 16, 2023 9:09 AM  
**To:** Brian Bateman  
**Subject:** RE: Circulation for Comment - OPA/ZBA (130-140 Highland Rd. E. & 270 Spadina Ave.)

Good Morning Brian,

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).

B) That the developer shall include the following wording in the site plan agreement to advise all purchasers of residential units and/or renters of same:

*“In order to limit risks, public school buses contracted by Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up and drop off students, and so bussed students will be required to meet the bus at a congregated bus pick-up point.”*

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

---

**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** Tuesday, January 10, 2023 1:24 PM  
**To:** CNR <[proximity@cn.ca](mailto:proximity@cn.ca)>; \_DL\_#\_DSD\_Planning <[DSD-PlanningDivision@kitchener.ca](mailto:DSD-PlanningDivision@kitchener.ca)>; Bell - c/o WSP <[circulations@wsp.com](mailto:circulations@wsp.com)>; Carlos Reyes <[Carlos.Reyes@kitchener.ca](mailto:Carlos.Reyes@kitchener.ca)>; Darren Kropf <[Darren.Kropf@kitchener.ca](mailto:Darren.Kropf@kitchener.ca)>; Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>; David Paetz <[David.Paetz@kitchener.ca](mailto:David.Paetz@kitchener.ca)>; Ellen Straus <[Ellen.Straus@kitchener.ca](mailto:Ellen.Straus@kitchener.ca)>; Enova Power Corp. - Greig Cameron <[greig.cameron@enovapower.com](mailto:greig.cameron@enovapower.com)>; Enova Power Corp. - Shaun Wang <[shaun.wang@enovapower.com](mailto:shaun.wang@enovapower.com)>; Feds <[vped@feds.ca](mailto:vped@feds.ca)>; GRCA - Planning ([planning@grandriver.ca](mailto:planning@grandriver.ca)) <[planning@grandriver.ca](mailto:planning@grandriver.ca)>; Greg Reitzel <[Greg.Reitzel@kitchener.ca](mailto:Greg.Reitzel@kitchener.ca)>; Hydro One - Dennis DeRango <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jim Edmondson <[Jim.Edmondson@kitchener.ca](mailto:Jim.Edmondson@kitchener.ca)>; Justin Readman <[Justin.Readman@kitchener.ca](mailto:Justin.Readman@kitchener.ca)>; Katherine Hughes <[Katherine.Hughes@kitchener.ca](mailto:Katherine.Hughes@kitchener.ca)>; Mike Seiling <[Mike.Seiling@kitchener.ca](mailto:Mike.Seiling@kitchener.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Park Planning (SM) <[Park.Planning@kitchener.ca](mailto:Park.Planning@kitchener.ca)>; Region - Planning <[PlanningApplications@regionofwaterloo.ca](mailto:PlanningApplications@regionofwaterloo.ca)>; Property Data Administrator (SM) <[PropDataAdmin@kitchener.ca](mailto:PropDataAdmin@kitchener.ca)>; Robert Morgan <[Robert.Morgan@kitchener.ca](mailto:Robert.Morgan@kitchener.ca)>; Steven Ryder

<[Steven.Ryder@kitchener.ca](mailto:Steven.Ryder@kitchener.ca)>; Sylvie Eastman <[Sylvie.Eastman@kitchener.ca](mailto:Sylvie.Eastman@kitchener.ca)>; Planning <[planning@wcdsb.ca](mailto:planning@wcdsb.ca)>; WRDSB - Board Secretary ([elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)) <[elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)>; WRDSB - Planning <[planning@wrdsb.ca](mailto:planning@wrdsb.ca)>

Cc: Brian Bateman <[Brian.Bateman@kitchener.ca](mailto:Brian.Bateman@kitchener.ca)>

**Subject:** Circulation for Comment - OPA/ZBA (130-140 Highland Rd. E. & 270 Spadina Ave.)

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Please see attached - additional documents available for review in [ShareFile](#). Comments or questions should be directed to **Brian Bateman**, Senior Planner ([brian.bateman@kitchener.ca](mailto:brian.bateman@kitchener.ca); 519-741-2200 x7869).

### Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener

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**From:** Dave Seller  
**Sent:** Thursday, March 23, 2023 11:47 AM  
**To:** Brian Bateman  
**Subject:** UPDATED OPA/ZBA comments: 130, 140 Highland Rd E

## City of Kitchener

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

**Application:** Official Plan Amendment OPA22/016/H/BB  
Zoning By-law Amendment ZBA22/028/H/BB

**Project Address:** 130, 140 Highland Road East & 270 Spadina Road East

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Comments of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: March 23, 2023

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- a. After reviewing the Transportation Impact Study, Parking Study and Access and Circulation Review (October 2022) submitted by Paradigm Transportation Solutions Limited, Transportation Services offer the following comments.

The applicant is proposing a 17 storey residential development consisting of 211 apartment units, with a total of 121 vehicle parking spaces, which results in a parking ratio of 0.57 spaces per unit. The development is estimated to generate 52 AM and 62 PM peak hour vehicle trips. The AM and PM peak hour trips include the 2031 Region of Waterloo mode share reduction. The site will be serviced by two full moves access point along Highland Road East. One site access is proposed to be a shared access with the City of Kitchener Highland Courts Park access for the surface parking area and a new access point between Spadina Road East and the Highland Courts Park access is proposed for the underground parking area.

The two intersections noted below were reviewed under existing traffic conditions and were expressed as Level of Service (LOS), v/c ratios and vehicle delay. The analysis indicated that the two intersections are operating with acceptable level of service and within capacity in the AM and PM peak hours.

- Highland Road East at Spadina Road East
- Highland Road East at Highland Courts Park access

Under the forecasted 2027 total traffic volumes, the three intersections noted below were analyzed and indicated that they are operating with acceptable level of service and within capacity in the AM and PM peak hours. It should be noted that the Highland Courts Park access and the parking garage access are operating with a LOS C or better during the AM and PM peak hours. At times vehicle queues are forecasted to extend past the parking garage access along Highland Road East and based on Paradigm's traffic counts/video observations, the queues are expected to disperse quickly within each cycle of the traffic signal at Highland Road East at Spadina Road East.

- Highland Road East at Spadina Road East

- Highland Road East at Highland Courts Park access
- Highland Road East at parking garage access

Further analysis was completed, as some residents have concerns regarding traffic operations along Highland Road East due to the proposed development. A review of the existing conditions and future 2027 conditions along Highland Road East was completed and the worst-case statistics were taken from the AM and PM peak hours and are noted below.

Existing conditions along Highland Road East at Spadina Road East and Highland Road East at Highland Courts Park access are operating with a LOS A, vehicle delays of 9 seconds or less, v/c ratios of 0.42 or less and vehicle queuing of approximately 8 vehicles (52m) or less. The future 2027 conditions along Highland Road East at Spadina Road East, Highland Road East at Highland Courts Park access and Highland Road East at parking garage access are operating with a LOS A, vehicle delays of 10 seconds or less, v/c ratios of 0.46 or less and vehicle queuing of approximately 9 vehicles (59m) or less.

Therefore, a comparison between the existing conditions and future 2027 conditions along Highland Road East noted minor increases of 1 second in vehicle delay, 0.04 in v/c ratios and 1 vehicle in queuing. Increases in these characteristics are to be expected and are also minor in nature, therefore, Transportation Services would not expect the road network to be negatively impacted.

A left turn lane analysis was completed utilizing Transportation Association of Canada (TAC) and Ministry of Transportation (MTO) guidelines along Highland Road East at Highland Courts Park access and the parking garage access for the 2027 total traffic volumes and it was determined that left turn lanes along Highland Road East is not recommended. The City of Kitchener supports this recommendation.

Based on the results of the Institute of Transportation Engineers (ITE) rates, proxy site data and auto ownership in the area, the forecasted residential parking ratios are between 0.55 and 0.73 spaces per unit, which results in a parking supply of 116 to 154 vehicles, where the applicant is proposing 121 parking spaces.

Residents or visitors to this development have several different alternative modes of transportation available to them, to reduce dependency on the motor vehicle and to support a reduced parking ratio. Below is a list of those alternative modes of transportation.

- Cycling - access to the Iron Horse Trail less than 400m from the site
- Pedestrian walkability - concrete sidewalks are both sides of roadways in the surrounding area and provides access to the downtown with a 12 minute walk and a 9 minute walk to St. Mary's hospital.
- Grand River Transit Route #16, less than 200m from the site, with connections to ION Route 301, which provide access within the Region of Waterloo to major destinations including Uptown Waterloo, Conestoga Mall and Fairway Park Mall.

Truck turning movements for the garbage/loading access to be resubmitted, as the truck is in conflict with the proposed bike lane along Highland Courts Park access.

In support of a reduced parking rate, the following Transportation Demand Management (TDM) strategies must be provided for this development. That vehicle parking is unbundled from the sale/rent agreement for each dwelling unit and that a total of 91 bicycle parking spaces are being provided and should be allocated as follows.

- 85 Class A bicycle parking spaces
- 6 Class B bicycle parking spaces

It should be noted that a portion of the Class A bicycle parking could be located within the individual residential units, whether they are supported vertically or horizontally. Access to secure Class A bicycle parking should have external ground floor access and an internal access to the secure room.

Therefore, based on Paradigm's analysis and recommendations, Transportation Services is supportive of the proposed residential parking ratio of 0.57 spaces per unit and TDM strategies note above. Of the 121 parking spaces provided, 100 spaces be allocated for the residential portion and 21 spaces be allocated for visitor parking. The visitor parking is based on 10% of the number of dwelling units.

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

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