

# City of Kitchener - Comment Form

**Project Address:** 83-87 Weber Street East

**Application Type:** OPA/ZBA

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

**Commenter's name:** Raida Chowdhury

**Email:** raida.chowdhury@kitchener.ca

**Phone:** 519-741-2200 ext. 7078

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**Written Comments Due:** August 14, 2023

**Date of comments:** August 18, 2023

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

- Sustainability Statement 83-87 Weber Street East, MHBC, July 5, 2023

**2. Comments & Issues:**

I have reviewed the supporting documentation (as listed above) to support a OPA/ZBA application proposing a 25-storey mixed use building on the existing subject property, 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.
- **Upon 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.**
- The applicant should, in an updated Sustainability Statement, further clarify:
  - o Whether the building envelope (wall, roof, and window thermal performance) will be designed beyond OBC requirements
  - o Whether the sustainable sourcing of construction and building materials will be considered

**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.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.

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>

City of Kitchener  
**Zone Change Comment Form**

**Address:** 83-87 Weber Street

**Owner:**

**Application:** OPA/ZBA

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Comments Of: Urban Design- Planning

Commenter's Name: Pegah Fahimian

Email: Pegah.fahimian@kitchener.ca

Phone: 519-741-2200 Ext. 7342

Date of Comments: August 10, 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)

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**1. Documents Reviewed:**

- Architectural Drawings by Reinders+ Law.
- Shadow Study by Reinders+ Law.
- Urban Design Brief- MHBC, June 2023
- Wind Study - Pedestrian Level Wind- Boundary Layer Wind Tunnel Laboratory, June 16, 2023

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

I have reviewed the updated/revised documentation noted below that has been submitted in support of an OPA and ZBA to allow for a Floor Space Ratio (FSR) of 13.7 and proposing a Zoning By-law Amendment to Zoning By-law 85-1 to add a Special Use Provision to allow for; a maximum floor space ratio of 13.7; a front yard setback of 0 metres; a reduction in parking to permit a parking ratio of 0 spaces for non residential uses and 0 spaces for dwellings greater than 51 square metres in size and 0.165 spaces per dwelling unit for units less than 51 square metres; and to permit a rear yard building setback of 2.4 metres. The proposed amendments will allow for the development of a 25-storey mixed-use development with a Floor Space Ratio of 13.7 with a total of 336 residential units, 3 ground floor commercial units, 14 vehicle parking spaces and 414 bicycle parking spaces.

**3. Comments on Submitted Documents**

There are key design considerations that must be addressed through a redesign of the site to create a more functional site for residents and ensure the project fits in the context of the neighborhoods, as detailed below.

The City's Tall Building Guidelines should be consulted to inform the revised design of the site with respect to the following:

- a. Tower design
- b. Podium characteristics



# City of Kitchener

## Zone Change Comment Form

### Planning Justification Report: MHBC

#### Physical separation:

- The proposal needs to fully meet the tall building guidelines, specifically with regard to separation as the guidelines are an excellent compatibility test for proposals exceeding their zoning permissions. The tower separation distance is estimated to be 12 m. The current layout does not show enough separation on the northwest, which may lead to overlooking and privacy concerns from adjacent properties. The proposal must be modified by reducing building length and/or height until the resulting built form meets its corresponding separation target.

#### Podium Design:

- Contemporary architectural style and details are to be refined through the site plan process. The building facades facing Weber Street should contain an appropriate amount of detailing and articulation, particularly at the podium and tower. Consider adding further architectural expression to the street-facing elevations; explore options to maximize interest and expressiveness of exposed podium facades. This can include strategically incorporating public art and visual elements into the exposed facades.
- This project should play a significant role in reinforcing the character of Weber Street. There is a need for public art, well integrated into the architecture of the building, and I suggest the following as options.
  - Public Art (sculpture, mural, digital)
  - Digital Art, see the examples below
  - Enhanced architecture at the corner
  - Community-oriented space
  - Enhanced exterior lighting (colored, programmable, patterned, etc.)





City of Kitchener  
Zone Change Comment Form

- The tower should step back from its base a **minimum of 3m** along any street-facing elevations.
- The proposed podium along Weber Street should be broken down using enhanced detailing and articulation.



- The proposed corner treatment will be further enhanced to create visual interest at the street edge.



**Amenity area:**

- Required amenity space calculations are contained in the Urban Design Manual and include two parts – one for a general amenity area and one for children’s play facilities in multiple residential developments.  $(2m^2 \times \#units) + (2.5m^2 \times \#bedrooms - \#units) = \text{outdoor amenity space}$ .
- The Urban Design Brief should include text and conceptual images that demonstrate the commitment to providing sufficient and appropriate amenity space for all potential residents on site. An updated urban design brief should be provided to address this issue.
- Wind assessment is required for outdoor amenities and the pedestrian realm.

**Streetscape:**

- Details of the streetscape are to be provided. Any streetscape elements proposed are to be reviewed.
- The area between the building’s face and the property line should be well integrated with the street and public realm to deliver high-quality, seamless private, semi-private and public spaces.



**City of Kitchener**  
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**Wind Study - Pedestrian Level Wind – Preliminary Impact Assessment. Boundary Layer Wind Tunnel Laboratory report**

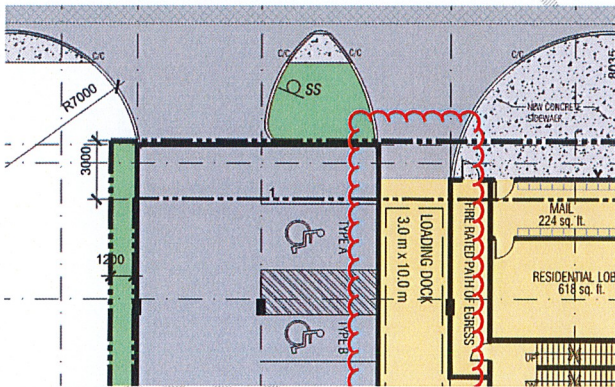
A further quantitative wind study coupled with a detailed wind tunnel analysis will be required as part of the full site plan application package.

A revised design proposal that addresses the wind impacts outlined in the submitted wind study should be developed.

**4. Comments on Submitted Documents**

**Architectural Floor plans-**

- The proposed loading area does not contribute positively to the streetscape. Design modifications should be provided to address this issue.



- For tall buildings with retail or other active uses at grade, provide a ground floor height of 4.5m (minimum) to permit a variety of retail types and activities.
- The building facades fronting Weber Street should contain an appropriate amount of glazing and articulation, particularly along the lower 5m where the building addresses the sidewalk.
- You may consider relocating the proposed mailroom to provide more glazing along the Weber Street.
- The underground parking structure should have a sufficient setback from the property lines to accommodate the necessary soil volume to support required large-statured, high-canopy trees.
- The location of residential and commercial garbage storage, loading area and Passenger pick up /drop-off area should be noted on the site plan.

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**Zone Change Comment Form**

- The area between the building's face and the property line should be well integrated with the street and public realm to deliver high-quality, seamless private, semi-private and public spaces.
- Provide natural surveillance by employing high percentages of glazing, active uses at ground level and incorporating more units with windows and balconies on the main facade with views onto the street.
- The building 's interface and relationship with the street and adjacent properties should be thoroughly explored.
- 3-bed units are desirable as they provide more living space for families. A higher percentage of these units might help with community engagement.
- The proposed tower should have unique top features that are architecturally excellent, highly visible and makes a positive contribution to the image of Kitchener developing skyline.
- Provide materiality and texture shifts at the podium and across the towers and incorporate variations in tower setbacks from the base to distinguish the tower form from the podium.
- Residential and commercial entrances should be clearly identified and offer access from both the public realm and the private parking side of the building. The proposed main entrance will be further enhanced to create visual interest at the street edge. (for example, cantilevered entrance canopy, corrugated-metal panels and fritted glass.
- Balconies may be staggered in a creative pattern to lighten the structure and provide private outdoor space for the units.
- All utility locations, including the meter room and transformer room to be shown on the layout. Building-mounted or ground-based AC units should be located away from public view and fully screened.
- Wind assessment and shadow study is required for outdoor amenities and the pedestrian realm.

Preliminary Comments

## Zone Change / Official Plan Amendment Comment Form

**Address:** 83-87 Weber St E  
**Owner:** Brigade Holdings Corporation  
**Application:** Official Plan Amendment # Zoning By-law Amendment #

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Comments Of: Parks and Cemeteries  
Commenter's Name: Lenore Ross  
Email: Lenore.ross@kitchener.ca  
Phone: 519-741-2200 ext 7427

Date of Comments: July 14 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:

I have reviewed the documentation noted below submitted in support of an Official Plan Amendment to add a Specific Policy Area to the Official Plan to allow for a Floor Space Ratio (FSR) of 13.7 and proposing a Zoning By-law Amendment to Zoning By-law 85-1 to add a Special Use Provision to allow for; a maximum floor space ratio of 13.7; a front yard setback of 0 metres; a reduction in parking to permit a parking ratio of 0 spaces for non residential uses and 0 spaces for dwellings greater than 51 square metres in size and 0.165 spaces per dwelling unit for units less than 51 square metres; and to permit a rear yard building setback of 2.4 metres. The proposed amendments will allow for the development of a 25 storey mixed use development with a Floor Space Ratio of 13.7 with a total of 336 residential units, 3 ground floor commercial units, 14 vehicle parking spaces and 414 bicycle parking spaces.

- Planning Justification Report
- Wind Study
- Urban Design Report
- Concept Site Plan and Floor Plans
- Noise Study
- Building Elevations and Renderings
- Shadow Study
- Arborist Report

### 2. Site Specific Comments & Issues:

There are minor updates required to the documentation noted below to address Parks and Cemeteries concerns with the proposed OPA/ZBA applications. Parks and Cemeteries can provide conditional support to the applications subject to receiving satisfactory updates to the documentation noted.

Should document updates not be available prior to the application proceeding to Committee and Council, a Holding Provision should be considered ensure the submission and approval of such documents to Parks and Cemeteries satisfaction.



## Zone Change / Official Plan Amendment Comment Form

### 3. Comments on Submitted Documents

The parkland dedication requirement will be deferred at the Official Plan Amendment/Zoning By-law Amendment application(s) and assessed at a future Site Plan Application. Parkland dedication will be assessed based on the land use class(es) and density approved through the OPA and ZBA and required as a condition of Site Plan Approval. **Parkland dedication will be taken as land/cash-in-lieu of land. It is expected that Park Dedication be satisfied through the physical dedication of land off-site with the balance being provided as cash in lieu.** Off-site lands should generally be within 500m of the proposed development and meet the requirements as identified in Chapter 273.1.4.1, Development Manual Section L and under the Park Dedication Policy, Section 5. Preferred locations for physical dedication would be adjacent to existing park space.

The site is within the City Commercial Core Planning Community and through Places and Spaces – An Open Space Strategy for Kitchener, this community has been identified as underserved with active neighbourhood park space with only 4.7m<sup>2</sup> / person available within the immediate neighbourhood. A rating of “Critical” has been assigned to this Planning Community and it is recommended that physical land dedication be pursued through Planning applications to address the shortfall in planned park space within the community.

The following comments should be addressed at this time.

#### 1) **Planning Justification Report – MHBC dated July 2023**

- a) Pdf pg 15 - Community Benefits. The following statement should be removed from the document as physical dedication of off-site land is the City’s preferred Parkland Dedication option and the attribution of Parkland Dedication funds to the improvement of specific parks within the surrounding area is not consistent with the current bylaw or policy framework:  
“It is anticipated that parkland dedication in the form of cash-in-lieu will be required, which will be directed towards future improvements to parks in the area.”
- b) As part of the Parks and Cemeteries Presubmission requirements for a complete application, it was required that the PJR should include an analysis and discussion of how the proposed development will impact the existing neighbourhood including the availability of services and infrastructure related to parks, open space, urban forests and community facilities relative to the change in planned function and significant increase in density specifically referencing the objectives and policies and in Part C Section 8: Parks, Open Space, Urban Forests and Community Facilities and indicating specifically how the proposal will implement / achieve the policy objectives. This commentary has not been provided and a revised submission is required.
- c) **A revised Planning Justification Report is required.**

#### 2) **Urban Design Brief – MHBC dated June 2023**

- a) Pdf pg 17 - Section 5.4 Public Realm and Streetscape. Makes reference to “opportunities for planters and landscape elements as well as decorative paving treatments along both fronting streets for delineation of the private and public realms. Visual appeal along public and private

## Zone Change / Official Plan Amendment Comment Form

streetscape should be designed by coordinating elements such as trees, signage, street lights, and boulevard treatment.”

- i) The passage should be revised to reflect that the site fronts onto only one street
  - ii) With a 0m front yard setback all landscaping and streetscape elements will be on public lands within the Regional right of way? Has the Region agreed to such landscape enhancements? Perpetual maintenance agreements will be required, and City of Kitchener Parks and Cemeteries and Operations should be involved in design discussions to ensure maintenance requirements are adequately addressed.
- b) Pdf pg 17 - Section 5.4 Public Realm and Streetscape. It is noted that “the 8th storey rooftop amenity terrace provides opportunity for seating furnishings and a BBQ area, complimented by planter arrangements throughout. The design of the rooftop amenity area will be refined during site plan.” There is little active public parkland in the immediate neighbourhood and the developer should provide a clear commitment to providing robust, active on-site amenity spaces and through the UDB provide conceptual details, commentary and precedent images to guide detailed site design through the site plan application. These amenity spaces should have good solar access, protection from wind and incorporate seating and play equipment for residents of all ages and abilities; this will be critical to this proposal.
- c) **A revised Urban Design Brief is required.**

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

- Kitchener Official Plan
- City of Kitchener Park Dedication Bylaw 2022-101 and Park Dedication Policy
- City of Kitchener Development Manual
- Cycling and Trails Master Plan (2020)
- Chapter 690 of the current Property Maintenance By-law
- Places & Spaces: An Open Space Strategy for Kitchener
- Multi-Use Pathways & Trails Masterplan
- Urban Design Manual

#### 5. Anticipated Fees:

Parkland Dedication

The parkland dedication requirement for this submission is **deferred** and will be assessed at a future Site Plan Application. Parkland dedication will be assessed based on the land use class(es) and density approved through the OPA and ZBA and required as a condition of Site Plan Approval

Parkland dedication is required for the application as a combination of **cash-in-lieu and off-site land** according to the Planning Act, Parkland Dedication Bylaw 2022-101 and the Parkland Dedication Policy.

Dedication requirements are subject to the Parkland Dedication Policy and rates in effect.

## Craig Dumart

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**From:** Jason Brule  
**Sent:** Monday, July 24, 2023 11:51 AM  
**To:** Craig Dumart  
**Subject:** RE: Circulation for Comment - 83-87 Weber Street East (OPA/ZBA)  
**Attachments:** 83-87 Weber St E - ZBA and OPA Comments.pdf

Hi Craig,

Attached are Engineering's comments. I also received KU's and included them. All good for the OPA/ZBA. Let me know if you need anything else from me on this.

Regards,

**Jason Brûlé, C.E.T.**  
519-741-2200 ext.7419

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**From:** Ellen Kayes <Ellen.Kayes@kitchener.ca>  
**Sent:** Monday, July 17, 2023 3:18 PM  
**To:** Jason Brule <Jason.Brule@kitchener.ca>  
**Subject:** FW: Circulation for Comment - 83-87 Weber Street East (OPA/ZBA)

Hey Jason,  
I believe you were the last one to do comments on this site.

Thanks  
Ellen

### Ellen Kayes

Program Assistant | Development Engineering - Engineering | City of Kitchener  
(519) 741-2200 ext. 7411 | TTY 1-866-969-9994 | [ellen.kayes@kitchener.ca](mailto:ellen.kayes@kitchener.ca)



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**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** Monday, July 17, 2023 1:56 PM  
**To:** \_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 Heuchert <[Dave.Heuchert@kitchener.ca](mailto:Dave.Heuchert@kitchener.ca)>; David Paetz <[David.Paetz@kitchener.ca](mailto:David.Paetz@kitchener.ca)>; Ellen Kayes <[Ellen.Kayes@kitchener.ca](mailto:Ellen.Kayes@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)>; GRCA - Planning ([planning@grandriver.ca](mailto:planning@grandriver.ca)) <[planning@grandriver.ca](mailto:planning@grandriver.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



# Internal memo

Development Services Department



www.kitchener.ca

**Date:** July 24, 2023  
**To:** Craig Dumart  
**From:** Jason Brûlé  
**Subject:** Zoning By-law Amendment and Official Plan Amendment Application  
Brigade Holdings Corporation  
83-87 Weber Street East, Kitchener  
ZBA 23/022/W/CD  
OPA 23/012/W/CD

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The below comments have been prepared through the review of the supplied Site Servicing Feasibility Study prepared by Strik, Baldinelli, Moniz Ltd.; dated June 12, 2023 in support of the above noted applications circulated July 17, 2023.

#### General Comments:

1. Engineering is in support of the applications. Any comments below can be used to direct detailed design.

#### Sanitary:

2. Proposed flows were verified in the City's model and indicate no impacts downstream of this development.

#### Water (Angela Mick, Kitchener Utilities):

3. KU has no issues with these applications.
4. Advisory comment: Any buildings over 84m tall require a second water service in accordance with Ontario Building Code section 3.2.9.7 (4).

#### Storm and Stormwater Management:

5. A thorough review of the site SWM report will be conducted with detailed design.
6. Note: SWM fees with respect to retention or quality are assessed and calculated in the year in which they are to be paid.

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Jason Brûlé, C.E.T.  
Engineering Technologist

## Craig Dumart

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**From:** Dave Seller  
**Sent:** Thursday, August 10, 2023 1:56 PM  
**To:** Craig Dumart  
**Subject:** Comments: 83-87 Weber Street East (OPA/ZBA)

### City of Kitchener

**Application Type:** Official Plan Amendment Application OPA23/012/W/CD  
Zoning By-law Amendment Application ZBA23/022/W/CD

**Project Address:** 83-87 Weber Street 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: August 10, 2023

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- a. As part of a complete Zoning By-law amendment application, a Parking Study and Access Circulation Review was submitted (June 2023) by Paradigm Transportation Solutions Limited in support of this OPA/ZBA application. Transportation Services offer the following comments.

#### Development proposal

The applicant is proposing to develop a 25-storey mixed use building with 336 units and 327 m<sup>2</sup> (3523 ft<sup>2</sup>) of ground floor commercial space. Vehicle access is provided by one full moves access along Weber Street East (Regional Road 8). A total of 14 parking spaces are being proposed and the development is located within the urban growth centre (UGC).

#### Parking supply analysis

The applicant is proposing to provide a total of 14 parking spaces for all uses (residential & commercial). The results of Paradigms analysis of zoning by-law requirements in other municipalities, ITE rates and auto ownership resulted in an estimated residential maximum parking demand range of 0.00 to 0.68 spaces per unit, which equates to 0 to 229 parking spaces, while the commercial demand is between 0 to 6 parking spaces. It should be noted that the upper range data collected for the residential use was prior to the ION opening in June 2019. It is anticipated that the rates would be reduced given the likely partnership between a mixed-use building with over 300 units.

Should visitors and residents choose to drive to this development, there are seven parking lots/parking garages located within 500m that offer daily and monthly parking options.

It should be noted that while the City of Kitchener 2019-051 zoning by-law is not in effect within the UGC, no minimum parking is required for residential or visitor parking. This development proposes a total of 14 parking spaces, which would be over the minimum parking requirements.

#### Transportation Demand Management (TDM) analysis

This development is well situated to take advantage of the existing alternative modes of transportation available in the area to reduce vehicle dependency. Less than 400m from this development there are several Grand River Transit (GRT) routes and ION light rail. These alternative modes of transportation offer connectivity to a broader transit network throughout the Region of Waterloo and within Kitchener itself. The applicant is providing subsidized transit

passes for a minimum of two years to further encourage alternative modes of transportation as their primary means of travel.

The walkability for pedestrians accessing the site and surrounding area can easily be achieved, as sidewalks are provided on both sides of roadways in the surrounding area which provide connections to the Kitchener Market, restaurants, retail and employment opportunities.

There are existing cycling opportunities in the area, as well as future cycling connections to the downtown cycling grid. To encourage cycling and take advantage of these opportunities in the area, the applicant must provide the minimum amount of bike parking noted below, which totals 344 spaces. The applicant is proposing to provide 414 bike parking spaces.

- Class A – 336 residential, 1 non-residential
- Class B – 6 residential, 1 non-residential

Vehicle parking must be unbundled and offered at a separate cost to leasing or owning a unit. This approach is more equitable and effective as tenants are not forced to pay for parking that they do not need.

Car sharing is another option available that allows someone to rent a vehicle that is intended to substitute the ownership of a personal private vehicle. This makes vehicle use affordable for occasional use. There is a car sharing station located less than 250m from this development.

**AutoTURN swept path analysis**

In Appendix B of Paradigm’s report, the following Transportation Association of Canada (TAC) design vehicles as noted below were reviewed for loading/garbage.

- TAC Medium Single Unit (MSU) - acceptable
- TAC Light Single Unit (LSU) - acceptable
- TAC Passenger Vehicle (P) - acceptable
- City Refuse Wayne Titan - acceptable

**Conclusion**

Paradigm’s analysis spoke to unbundled vehicle parking, convenient access to several GRT and ION routes, pedestrian walkability, cycling infrastructure, secure bike parking, and City of Kitchener policies to promote and encourage alternative modes of transportation. Therefore, based on the analysis, Transportation Services supports the proposed parking supply of 14 spaces.

Dave Seller, C.E.T.  
Traffic Planning Analyst | Transportation Services | City of Kitchener  
519-741-2200 ext. 7369 | TTY 1-866-969-9994 | [dave.seller@kitchener.ca](mailto:dave.seller@kitchener.ca)



## Craig Dumart

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**From:** Brandon Coveney <planning@wrdsb.ca>  
**Sent:** Tuesday, July 18, 2023 2:51 PM  
**To:** Craig Dumart  
**Cc:** Planning; Christine Kompter  
**Subject:** Re: [Planning] Circulation for Comment - 83-87 Weber Street East (OPA/ZBA)

**July 18, 2023**

Re: Circulation for Comment - 83-87 Weber Street East (OPA/ZBA)  
Municipality: Kitchener  
Location: 83-87 Weber St N  
Owner/Applicant: Brigade Holdings Corporation

Hi Craig,

The Waterloo Region District School Board (WRDSB) has reviewed the above-noted application that proposes amendments in order to facilitate the construction of a 25 storey mixed-use tower including 336 residential units. The WRDSB offers the following comments:

### Student Accommodation

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

- Suddaby PS (Junior Kindergarten to Grade 6);
- Courtland Avenue PS (Grade 7 to Grade 8); and
- Cameron 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. 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.

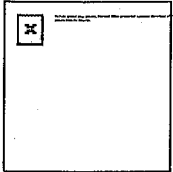
### Education Development Charges

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](mailto:brandon_coveney@wrdsb.ca)

On Mon, Jul 17, 2023 at 1:55 PM Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)> wrote:

Please see attached. Additional documentation can be found in AMANDA folders 23-115952 & 23-115960 (City staff) and [Sharefile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner ([craig.dumart@kitchener.ca](mailto:craig.dumart@kitchener.ca); 519-741-2200 x7073).

**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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## Craig Dumart

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**From:** Planning <planning@wcdsb.ca>  
**Sent:** Friday, August 11, 2023 2:54 PM  
**To:** Craig Dumart  
**Subject:** RE: Circulation for Comment - 83-87 Weber Street East (OPA/ZBA)

Good Afternoon Craig,

The Waterloo Catholic District School Board has reviewed the subject application and based on our development circulation criteria have the following comment(s)/condition(s):

A) That any Education Development Charges shall be collected prior to the issuance of a building permit(s).

If you require any further information, please contact me by e-mail at [Jordan.Neale@wcdsb.ca](mailto:Jordan.Neale@wcdsb.ca).

Thank you,

**Jordan Neale**

Planning Technician, WCDSB

480 Dutton Dr, Waterloo, ON N2L 4C6

519-578-3660 ext. 2355

**From:** Christine Kompter <Christine.Kompter@kitchener.ca>  
**Sent:** Monday, July 17, 2023 1:56 PM  
**To:** \_DL\_#\_DSD\_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Heuchert <Dave.Heuchert@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Kayes <Ellen.Kayes@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; Tom Ruggle <Tom.Ruggle@kitchener.ca>; UW-WUSA (Feds) (pres@wusa.ca) <pres@wusa.ca>; Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine\_burns@wrdsb.ca) <elaine\_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>  
**Cc:** Craig Dumart <Craig.Dumart@kitchener.ca>  
**Subject:** Circulation for Comment - 83-87 Weber Street East (OPA/ZBA)

<b>Caution</b> - External Email - This Message comes from an external organization. Do NOT click on unrecognized links or provide your username and/or password.
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Please see attached. Additional documentation can be found in AMANDA folders 23-115952 & 23-115960 (City staff) and [Sharefile](#) (external agencies). Comments or questions should be directed to **Craig Dumart**, Senior Planner ([craig.dumart@kitchener.ca](mailto:craig.dumart@kitchener.ca); 519-741-2200 x7073).

**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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Region of Waterloo

PLANNING, DEVELOPMENT  
AND LEGISLATIVE SERVICES  
Community Planning

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www.regionofwaterloo.ca

Melissa Mohr 1-226-752-8622  
File: D17/2/23012  
C14/2/23022  
August 21, 2023

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

Dear Mr. Dumart,

**Re: Proposed Official Plan Amendment OPA 23/012 and  
Zoning By-law Amendment ZBA 23/022  
83-88 Weber Street East  
MHBC Planning Inc. (C/O Pierre Chauvin) on behalf of 83  
& 87 Weber Street East, Brigade Holdings Corporation  
(C/O Stephen Litt)  
CITY OF KITCHENER**

MHBC Planning has submitted a site-specific Official Plan Amendment and Zoning By-law Amendment Application for a development proposal at 83-88 Weber Street East (referred to as subject lands) in the City of Kitchener.

The applicant has proposed to demolish the existing offices located on the subject lands to construct a 25 storey mixed-use commercial/residential tower containing approximately 336 residential rental units with three (3) ground floor commercial units. One access from Weber Street East and 14 at-grade parking spaces have been proposed on site.

The subject lands are located in the Urban Area and designated Urban Growth Centre in the Regional Official Plan. The site is designated Market District in the Urban Growth Centre Downtown of the City of Kitchener Official Plan and zoned Commercial Residential (D-5) Zone in the Zoning By-law. The Owner has requested an **Official Plan**

**Amendment** to add a special policy to permit an FSR of 13.7. The applicant has requested a **Zoning By-law Amendment** to add special use provisions to permit a maximum FSR of 13.7; a front yard setback of 0 metres; a reduction in parking to permit a parking ratio of 0 spaces for non-residential uses and 0 spaces for dwellings greater than 51 square metres in size and 0.165 spaces per dwelling unit for units less than 51 square metres; and to permit a rear yard setback of 2.4 metres.

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 “Urban Growth Centre” on Map 1 and Figure 2 of the Regional Official Plan (ROP) and the site is designated Market District in the City of Kitchener Official Plan.

#### Urban Growth Centre Policies:

The subject lands are located within two strategic growth areas of the Region (Urban Growth Centre and Major Transit Station Area). Development within the Urban Growth Centre is intended to achieve by 2031 or earlier a minimum density target of 200 residents and jobs combined per hectare. In addition, development within Urban Growth Centres are to accommodate significant population and employment growth that supports the transit network at the regional scale. The development concept proposes a higher density mixed use development that contributes to the achievement of the minimum intensification target established for the Urban Growth Centre Area of 200 people and jobs per hectare. Furthermore, through the development, the applicant has proposed a reduced vehicular car parking rate with increased bicycle parking that can support access and use of the transit and cycling networks within the vicinity of the subject lands.

#### Major Transit Station Area Policies:

The subject lands are located in the Frederick Station Major Transit Station Area (MTSA). The minimum density target within the Frederick Station MTSA is 160 people and jobs/ha over the entire station area. Regional staff understand that this development exceeds 160 people and jobs per hectare and will contribute to the achievement of the overall density target for the Frederick Station MTSA.

This development proposes a higher density development with apartment style housing, in proximity to transit and sidewalks along Weber Street East that is within walking distance to Frederick Street, where the Frederick Station is located. Higher density mixed use developments are encouraged within MTSA's through the policy framework contained in the ROP.

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:

**Noise Study Peer Review (Transportation and Stationary Noise):**

The Environmental Noise Report entitled “Noise Feasibility Study, Proposed Mixed-Use Development, 83-88 Weber Street East, Kitchener, ON” prepared by HGC Engineering, dated June 20, 2023 has been received and has been sent to the region’s 3<sup>rd</sup> party noise consultant for review. Comments relating to the noise study will follow under separate cover.

Please be advised that the Region must be satisfied with the methodology, conclusions and recommendations contained in the report. In addition, a holding provision may be required to address noise concerns. If a holding provision is required, the required wording of 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 stationary noise sources in the vicinity of the site, the potential impacts of noise (e.g. HVAC systems) on the on-site sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.*

**Corridor Planning:**

**Official Plan Amendment and Zoning By-law Amendment Stage:**

**Functional Servicing Report:**

The Functional Servicing Report entitled “Site Servicing Feasibility Study, proposed Multi-Residential Development, 83-87 Weber Street East, Kitchener”, prepared by SBM and dated June 12, 2023 is accepted at this stage (Official Plan Amendment and Zoning By-law Amendment stage).

The report has demonstrated that detailed stormwater management will be addressed at the detailed Site Plan stage and will be attenuated to the 5-100 year post to pre-development flows. Please be advised that the detailed servicing plan shall require Regional approval through Municipal Consent before final site plan approval and a detailed stormwater management report and detailed site grading plan will be required for review and approval by the Region.



*Parking and Access Circulation:*

The "Parking study and Access and Circulation Study" prepared by Paradigm, dated June 2023, has been reviewed and Regional staff have the following comments:

Grand River Transit (GRT) currently operates numerous transit routes along this section of Weber Street East, with existing transit stops to the east and west of the proposed development. These transit stops have been recently upgraded as part of the Weber Street East road reconstruction project; therefore, please ensure no damage is made to this infrastructure during construction (should this application move forward).

Furthermore, GRT staff generally support the provision of an unbundled parking and surplus bike parking as impactful Transportation Demand Management (TDM) and transit-supportive measures for the site. Regional staff respectfully request the TDM checklist (Appendix D) to the TIS as it was not included in the circulation.

In addition to the above, Regional staff note that Subsidized Transit Passes were listed in the report as a potential TDM measure and the Region wishes to advise the applicant and City that providing Subsidized Transit Passes incurs significant financial and administrative costs and requires a commitment from the Owner/Applicant to manage, administer and fund the total cost of monthly transit passes for residents. If this is to be considered by the applicant and accepted by the City, further consultation and confirmation of expectations between the three parties (Applicant, City and GRT staff at the Region) is required as soon as possible.

Car share was also included as a potential TDM measure. The most established car-sharing program in Waterloo Region is Communauto. Communauto requires a business agreement with the property owner to launch this program on site. Please contact Janet MacLeod at [jmacleod@communauto.ca](mailto:jmacleod@communauto.ca) should you have pursue this option.

Site Plan Application Stage:

*Regional Road Dedication:*

The subject lands have direct frontage on Weber Street East (RR# 8) and Weber Street East has a designated road width of 26.213 (86ft) in accordance with Schedule "A" of the Regional Official Plan. The existing Weber Street East right-of-way measures approximately 18.3m (60ft); therefore a road dedication of approximately 3.96m (13ft) shall be required across the frontage of 87 Weber Street East as the road dedication has already been completed at 83 Weber Street East.

Please be advised that the exact amount of land to be dedicated through a road widening shall be determined by an Ontario Land Surveyor (OLS) in consultation with the Region's Transportation Planner.

Please ensure that if a Record of Site Condition is required by the City of Kitchener, the RSC shall exclude the road dedication along 87 Weber Street East.

*Access Permit/Access Regulation:*

The existing properties currently obtain vehicular access to Weber Street East via two full movement access locations; one at 83 Weber Street East (which is shared with 79 Weber Street East) and one at 87 Weber Street East. The development concept provided with the application proposes a single, full-movement access to Weber Street East at the north end of the property. Regional staff have no objection to the proposed full moves vehicular access, however, the Region requires the proposed access to meet minimum offsets identified in the Regional Access Policy as all Regional Roads are controlled via By-law# 58-87 and Policy found here:

<https://forms.regionofwaterloo.ca/ePay/PDLS-Online-Payment-Forms/Commercial-Access-Permit-Application>.

*Stormwater Management Report and Site Grading:*

A detailed Stormwater Management Report and detailed Site Grading Plan shall be required at the site plan application stage.

*Access Permit/Access Regulation:*

Region of Waterloo Access Permits shall be required for any approved access location to Weber Street East. The application for a new access can be found on the Region's website here: <https://forms.regionofwaterloo.ca/ePay/PDLS-Online-Payment-Forms/Commercial-Access-Permit-Application>. Please be advised that the access must be designed and constructed in accordance with the Region's Access Policy and By-law including the throat width, curb line width, proximity to adjacent access locations and the angle of the access at the centerline compared to the roadway. In addition, please be advised that there is a \$230.00 fee for each access permit (new access) with no fee for the closure of existing accesses.

*Site Plan Review Fee:*

The Region shall require a site plan review fee of \$805.00 at the site plan application stage.

**Region of Waterloo International Airport and NAV Canada:**

Although the subject lands are located outside of the Region of Waterloo International Airport, NAV Canada requires to be notified of any buildings or construction cranes above 30.48m (100ft) above ground level; therefore, the developer shall complete and

submit a Land Use Submission Form to their office. The form can be found here: <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>  
Please note that an application is required for the crane.

### **Regional Cultural Heritage**

Please be advised that if archaeological resources are discovered during development or site alteration, the applicant must immediately cease alteration/development and contact the Ministry of Heritage, Sport, Tourism and Culture Industries. If it is determined that additional investigation and report of archaeological resources is needed, a licensed archaeologist will be required to conduct this field work in compliance with s. 48(a) of the Ontario Heritage Act.

If human remains/or a grave site is discovered during development or site alteration of the subject property, the applicant must immediately cease alteration and must contact the proper authorities (police or coroner) and the Registrar at the Bereavement Authority of Ontario in Compliance with the Funeral, Burial and Cremation Services Act, 2002 S. 96 and associated Regulations.

### **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. Should this development application move forward, staff recommend that the applicant consider providing a number of affordable (as defined in the Regional Official Plan) housing units on the site. Rent levels and house prices that are considered affordable according to the Regional Official Plan are provided below in the section on affordability.

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.

Staff further recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs and mechanisms to support a defined level of affordability.

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:**

The Region acknowledges receipt of the Official Plan Amendment and Zoning By-law Amendment review fees totalling \$10,000 (deposited August 17, 2023).

**Follow Up:**

As indicated above, the Environmental Noise Study has been sent to the Region's 3<sup>rd</sup> party reviewer and comments will be sent under separate cover. The Region must be satisfied with the methodology, conclusions and recommendations contained within the report in order to provide final comments on the above development applications.



In addition, Regional staff require the TDM Checklist for review.

**Conclusions:**

Subject to acceptance of the Noise study and TDM measures, Regional staff require the implementation of the following within the site-specific Zoning By-law Amendment to the satisfaction of the Regional Municipality of Waterloo:

1. The implementation of a holding provision to obtain an Environmental Noise Study, including Transportation and Stationary Noise 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 stationary noise sources in the vicinity of the site, the potential impacts of noise (e.g. HVAC systems) on the on-site sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.*

**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 (Applicant)  
83 & 87 Weber Street East, Brigade Holdings Corporation C/O Stephen Litt (Owner)