

Internal memo

Development Services Department



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Date: October 12, 2023
To: Brian Bateman
From: Jason Brûlé
cc: Carlos Reyes
Subject: Zoning By-law Amendment Application
Marann Homes
117 Bloomingdale Road, Kitchener
ZBA23/033/B/BB

The below comments have been prepared through the review of the supplied Existing Conditions Plan, Functional Grading Plan, Functional Servicing Plan and Functional Servicing & SWM Report prepared by MTE Consultants Inc. revised May 15, 2023 in support of the above noted application.

General Comments:

1. Engineering supports the zoning by-law amendment with some advisory comments provided below.

Sanitary:

2. Flows for this site were confirmed in the City's model and no issues were found. Design parameter in the design sheet are not consistent with City of Kitchener. The residential average daily flow rate is 305 L/c/d or 0.00353 L/s, the infiltration rate is 0.15 L/s/ha and the ICI values seem off but are not critical in this instance.

Water (Angela Mick, KU):

3. No concerns for this site. The report noted the 300mm watermain as being a Regional main. It is actually a City main in the Regional Road.

Stormwater Management:

4. The stormwater management approach for this site is supportable. It is going to be very important to confirm (at the detailed design stage) that the offsets are achieved (dependent on system chosen) and the soils are conducive to that level of infiltration for future longevity of the facility.

Jason Brûlé, C.E.T.
Engineering Technologist

City of Kitchener
OPA & ZBA Comment Form

Project Address: 117 Bloomingdale Road, Kitchener

Application Type: Official Plan Amendment & Zoning Bylaw Amendment

Comments Of: Urban Design

Commenter's Name: Katey Crawford

Email: Katey.Crawford@kitchener.ca

Phone: 519-741-2200 ext. 7157

Date of Comments: October 10th, 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

- Urban Design Brief (August 2023), prepared by GSP Group Inc.
- Site Plan (July 12th, 2023), prepared by GSP Group Inc.
- Floor Plans & Elevations (May 2nd, 2023), prepared by Orchard Design Studio Inc.
- Tree Preservation Plan (June 5th, 2023), prepared by Aboud & Associates Inc.

2. Site Specific Comments & Issues:

UD Brief & Elevations

- Show extent of proposed exterior decking and stairs on elevations and site plan for proposed buildings 1-3.
- Provide upper unit glazing on side elevations for proposed building #4. The incorporation of glazing will reduce blank wall appearance, further activate public realm, and increase unit sun exposure.
- Provide elevations for Building #2, with proposed grading shown/accounted for.
- Page 24 notes "All elevations, including side elevation, have window opening and balconies; no blank facades" However, elevations provided show no glazing on side elevations for building #4.

Please revise Building #4 elevations as per note above. Include note regarding east elevation blank wall for proposed building #2.

- Please note on page 25, utility infrastructure and metering equipment shall be located away from public view and appropriately screened.

Provide the following:

1. Updated Urban Design Brief as per comments above.
2. Updated Elevations as per comments above.
3. Updated Site Plan as per comments above.

Preliminary Comments



October 12, 2023

Brian Bateman
Senior Planner
City of Kitchener
200 King Street West
Kitchener ON N2G 4V6
brian.bateman@kitchener.ca

**Re: Zoning Bylaw Amendment Application ZBA23/033/B/BB
117 Bloomingdale Road North, Bridgeport
Marann Homes**

Dear Mr. Bateman,

The Grand River Conservation Authority (GRCA) staff have reviewed the above-noted application for 40 stacked townhouses.

Recommendation

The GRCA has no objection to the application in principle. We request the applicant to refine the grading at the north of the site, and we advise the City to consider implications for a future public trail.

Documents Reviewed by Staff

Staff have reviewed the following documents submitted with this application:

- Planning Justification Report (GSP Group, August 2023)
- Urban Design Brief (GSP Group, August 2023)
- Functional Servicing and Stormwater Management Report (MTE, May 2023)
- Geotechnical Investigation (Chung & Vander Doelen, December 2020)
- Slope Stability Assessment (Chung & Vander Doelen, February 2018)
 - Slope Cross-Sections (Chung & Vander Doelen, March 2023)
- Site Plan (GSP Group, revised July 12, 2023)
- Grading and Servicing Plans (MTE, revised March 15, 2023)

GRCA Comments

The GRCA has reviewed this application under Ontario Regulation 686/21, acting on behalf of the Province regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as well as in accordance with Ontario Regulation 150/06 and GRCA's Board approved policies.

Information currently available at our office indicates that the subject lands contain the Grand River, as well as its associated floodplain and valley slope. We have confirmed that the regulatory flood is contained on the slope, so the erosion hazard associated with the valley slope would be the greater constraint.

The erosion hazard was verified through geotechnical / slope stability reports previously submitted by the applicant during pre-consultation. The plans show most of the grading and all structures to be outside of the erosion hazard and the 6 metre access allowance. As such, we have no objections to the application in principle.

The GRCA typically requests that grading is kept outside of the 6 metre erosion hazard allowance. For this site, we understand that grading is required for demolition and restoration of the site. That said, some 3:1 slope grading is still shown within the allowance at the west and east property boundaries, and we request this is revised to remove it from the allowance to the extent possible.

We also request the grading is refined to reduce any concentrated flowpaths along the north of the site, and encourage greater dispersed overland runoff. It is recommended that all grading avoid impacts to any existing mature deciduous trees along the physical top of slope.

We understand all other stormwater management (SWM) for the site is infiltrated for the 100-year event, and is otherwise directed to municipal infrastructure. We support the proposed infiltration, as it will eliminate the need for a new outlet to the Grand River. We otherwise defer further SWM comments to the municipality.

Advisory Comment to the City

The urban design brief illustrates a potential connection between the site and Schaefer Park. It is shown within the 6 metre access allowance to the erosion hazard. Any future trails in this area will need to comply with GRCA policies 8.2.21 / 8.2.22. We request municipalities to secure trails that are not river access points outside of the erosion hazard, and generally recommend that it is also outside of the 6 metre allowance wherever possible.

This is considered a major zoning bylaw amendment application. Consistent with GRCA's 2023 approved fee schedule, we will invoice the applicant \$2,500 for our review. A separate fee will be required for a GRCA permit.

We trust this information is of assistance. If you have any questions or require additional information, please contact me at 519-621-2763 ext. 2292 or theywood@grandriver.ca.

Sincerely,



Trevor Heywood
Resource Planner
Grand River Conservation Authority

Encl. Resource Mapping

cc: Eric Saulesleja, GSP Group
Carrie Musselman, City of Kitchener
Lenore Ross, City of Kitchener

City of Kitchener
COMMENT FORM

Project Address: 117 Bloomingdale Rd. N.

Application Type: Zoning By-law Amendment ZBA23/033/B/BB

Comments of: Environmental Planning – City of Kitchener

Commenter's Name: Carrie Musselman

Email: carrie.musselman@kitchener.ca

Phone: 519-741-2200 X 7068

Date of Comments: October 31, 2023

1. Plans, Studies and Reports reviewed:

- 117 Bloomingdale Rd, City of Kitchener, Region of Waterloo Scoped Environmental Impact Study, prepared by Aboud & Associates Inc., June 2, 2023.
- 117 Bloomingdale Rd, City of Kitchener, Scoped EIS Addendum Report, prepared by Aboud & Associates Inc., July 11, 2023.
- Tree Preservation Plan, Drawing No. TP1 and TP2, prepared by Aboud & Associates Inc., June 2023.
- Geotechnical Investigation, 117 Bloomingdale Rd N, Kitchener. Prepared by Chung & Vander Doelen Engineering Ltd., December 7, 2020.
- Slope Stability Assessment, Proposed Future Development, 117 Bloomingdale Rd N, Kitchener, prepared by Chung & Vander Doelen Engineering Ltd., February 12, 2018.
- 117 Bloomingdale Rd N - Site Plan, prepared by GSP, July 12, 2023

2. Site Specific Comments & Issues:

I have reviewed the studies as noted above, submitted in support of a complete a zoning bylaw amendment application that is proposing development that includes the removal of the existing industrial buildings and detached dwelling and the construction of four stacked townhouse dwellings with a total of 40 dwelling units and 46 parking spaces at 117 Bloomingdale Rd N, and note:

- The proposed development complies with the Endangered Species Act as it has been determined that the candidate SAR habitat present within the study area will not be negatively impacted through the applied mitigation measures.
- The proposed development complies with the City of Kitchener Official Plan (2014) as Locally Significant Valley Kitchener Core Natural Heritage Feature will not be impacted by the proposed works through the implementation of recommended mitigation techniques.
- Development is proposed to occur outside of the EUF-1 and Flooding Hazard overlay areas and the Slope Stability Assessment Report has confirmed that the proposed development is compliant with section 17.2.2 b) ii, iii, iv, and vi of the Kitchener 2019-051 Zoning By-law.
- A Tree Preservation Plan was submitted in support of the application. In summary, the TPP noted a total of 35 trees were inventoried. Two of the thirty-five trees are recommended to be removed to facilitate the proposed development.

- The slope assessment report concluded that the total setback for future development is 12 m from the existing top of slope. The total setback consists of Stable Slope Allowance: 2 m, Toe Erosion Allowance: 4 m, and Erosion Access Allowance: 6 m.
- To protect the natural features, functions, and associated buffers on the subject property. The City would be interested in having a discussion with the applicant/owner at the time of Site Plan Application regarding conveying any and/or all portion(s) identified as Natural Heritage Conservation to the City. If the lands are not conveyed, then we request the owner to enter into a Conservation Easement that would be registered on title.

Based on my review of the supporting studies the proposed Zoning By Law amendment can be supported, subject to:

1. The NHC-1 zone be applied to the lands adjacent to the Grand River up to and including the Slope Erosion Allowance as shown on the Site Plan (GSP, July 12, 2023).
2. The proposed development (i.e., future site plan) is in accordance with the Scoped Environmental Impact Study, prepared by Aboud and Associates Inc., dated June 10, 2022.
3. Mitigation measures outlined in Section 7 of the Scoped Environmental Impact Study, prepared by Aboud and Associates Inc., dated June 10, 2022, are implemented, and incorporated into plans and drawing (i.e., future site plan) where applicable.

3. Policies, Standards and Resources:

Natural Linkages

- As per Section 7.C.2.50 of the Official Plan. The incorporation of Natural Linkages and Corridors will be required in the design of new development or redevelopment with the intent of maintaining, enhancing or, wherever feasible, restoring linkages among natural heritage features.

Trails or other uses

- As per Section 7.C.2.51 of the Official Plan. The introduction of recreational trails or other uses that could harm Natural Linkages and Corridors is discouraged unless it can be demonstrated to the satisfaction of the appropriate approval authority that the proposed use will not harm the natural habitat.
- As per Section 13.C.2.6. of the Official Plan, The location and design of multi-use pathways will have regard for the Natural Heritage System and its features. Development, redevelopment or site alteration may be permitted on lands adjacent to the Natural Heritage System features where an Environmental Impact Study demonstrates that the location and design of the multi-use pathway will not result in adverse environmental impacts on the natural heritage feature or ecological functions of the feature.

Development adjacent

- As per Section 7.C.2.23 of the Official Plan. Development, redevelopment or site alteration will only be permitted on lands adjacent to the Natural Heritage Conservation features where an Environmental Impact Study or other appropriate study has determined to the satisfaction of the City, Region, Grand River Conservation Authority and/or Province, as appropriate, that approval of the proposed development, redevelopment or site alteration would not result in adverse environmental impacts on the natural heritage feature or the ecological functions of the feature.

Environmental Impact Study

- As per Section 7.C.2.52 of the Official Plan. Any required Environmental Impact Study will be completed in accordance with the Environmental Impact Studies Policies in Section 17.E.11.

Acquiring Lands / Conservation Easement

- As per Section 7.C.2.58 of the Official Plan. Notwithstanding Policy 7.C.2.57, where feasible, the City will consider acquiring land to protect and improve the Natural Heritage System.

Tree Management

- As per Section 8.C.2.16. of the Official Plan, the City will require the preparation and submission of a tree management plan in accordance with the City's Tree Management Policy (available on the City's Website), where applicable, as a condition of a development application.
 - Any tree management plan must identify the trees proposed to be removed, justify the need for removal, identify the methods of removal and specify an ecologically sound tree replacement scheme and any mitigative measures to be taken to prevent detrimental impacts on remaining trees.
- policy 8.C.2.6., the City will incorporate existing and/or new trees into the streetscape or road rights-of-way and encourage new development or redevelopment to incorporate, protect and conserve existing healthy trees and woodlands in accordance with the Urban Design Policies in Section 13 (Landscape and Natural Features) of the Urban Design Manual and the Development Manual.

Hedgerows

- As per Section 8.C.2.19. of the Official Plan, when considering development, redevelopment or site alteration proposals, the City may require the protection and enhancement of hedgerows, especially where:
 - a) they link other elements of the Natural Heritage System;
 - b) wildlife regularly use them as habitat or movement corridors;
 - c) they are composed of mature, healthy trees;
 - d) they contain trees that are rare, unique, culturally important or over 100 years in age; or,
 - e) they contribute to the aesthetics of the landscape.

Natural Heritage Features

- The mapping and criteria for identifying individual natural heritage features is included in the Kitchener Natural Heritage System Technical Background Report (rev. June 2014).

4. **Advice:**

- The subject property is 0.89 ha (2.21 acres) in size and so the City's Tree Conservation By-law applies. If the owner would like to remove a tree (not part of a planning approval), a tree conservation permit may be required. Additional information can be found on the City's website at: <https://www.kitchener.ca/en/building-and-development/tree-conservation.aspx#Tree-conservation-permits>.

City of Kitchener - Comment Form

Project Address: 117 Bloomingdale Road

Application Type: ZBA

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

Commenter's name: Raida Chowdhury

Email: raida.chowdhury@kitchener.ca

Phone: 519-741-2200 ext. 7078

Written Comments Due: October 13, 2023

Date of comments: October 5, 2023

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

- Planning Justification Report – Sustainability Statement, 117 Bloomingdale Road, prepared by GSP Group, August 2023.

2. Comments & Issues:

I have reviewed the supporting documentation (as listed above) to support an OPA/ZBA application proposing 373 residential units and 1,086 m² of commercial space on the 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, an updated Sustainability Statement is required, which clarifies how the proposed development's energy conservation measures will go beyond OBC requirements.**

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>

From: Planning (SM)
Sent: Friday, October 13, 2023 10:15 AM
To: Brian Bateman
Subject: FW: Circulation for Comment - 117 Bloomingdale Road (ZBA)

FYI

Regards,

Arwa Alzoor

Planning Technician / Site Development | Planning Division | City of Kitchener
519-741-2200 ext. 7847 | arwa.alzoor@kitchener.ca |



From: Planning <planning@wcdsb.ca>
Sent: Friday, October 13, 2023 10:13 AM
To: Planning (SM) <planning@kitchener.ca>
Subject: FW: Circulation for Comment - 117 Bloomingdale Road (ZBA)

You don't often get email from planning@wcdsb.ca. [Learn why this is important](#)

From: Planning
Sent: Friday, October 13, 2023 10:11 AM
To: brian.bateman@kitchener.ca
Subject: RE: Circulation for Comment - 117 Bloomingdale Road (ZBA)

Good Afternoon 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 and the Waterloo Catholic District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the development sign advising prospective residents about schools in the area.

If you require any further information, please contact me by e-mail at Jordan.Neale@wcdsb.ca.

Thank you,

Jordan Neale

Planning Technician, WCDSB
480 Dutton Dr, Waterloo, ON N2L 4C6
519-578-3660 ext. 2355

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Monday, September 18, 2023 12:01 PM
To: jvink <jvink@woolwich.ca>; _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 - Howard Chang (SChang@regionofwaterloo.ca) <SChang@regionofwaterloo.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: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: Circulation for Comment - 117 Bloomingdale Road (ZBA)

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Please see attached. Additional documentation can be found in AMANDA folder 23-121017 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Brian Bateman**, Senior Planner (brian.bateman@kitchener.ca; 519-741-2200 x7869).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener
200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7
519-741-2200 ext. 7425 | TTY 1-866-969-9994 | 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

File: C14-60/2/23033
November 10, 2023

Brian Bateman, MCIP, RPP
Senior Planner
City of Kitchener
City Hall, P.O. Box 1118
200 King Street West
Kitchener, ON N2G 4G7

Dear Mr. Bateman:

Re: ZBA 23/033/M/BB
Post Circulation Comments
Marann Homes
117 Bloomingdale Road
City of Kitchener

Regional staff has reviewed the above-noted application and provides the following comments at this time. This application proposes a joint amendment to the City of Kitchener's Zoning By-law No. 85-1 and Zoning By-law No. 2019-051. The Subject Property is currently zoned "R-3 1R" in Zoning By-law No. 85-1. The purpose of the proposed amendment is to change the zoning to a combination of "RES-5" ("Low-Rise Residential Five Zone") and "NHC-1" ("Natural Conservation Zone") in Zoning By-law No. 2019-051. The proposed amendment also adds site-specific provisions to permit small increases to the maximum Floor Space Ratio ("FSR") and maximum building height, as well as a holding provision to require a Record of Site Condition before the proposed development may proceed. The amendment will facilitate redevelopment by removing the existing industrial buildings and detached dwelling and replacing them with four stacked townhouse dwellings with a total of 40 dwelling units and 46 parking spaces. An amendment to the Bridgeport E. Community Plan is also required.

The subject lands are located in the 'Built-Up Area' of the 'A Place to Grow' Growth Plan for the Greater Golden Horseshoe and is designated 'Urban Area' and 'Built-Up Area' within the Region of Waterloo Official Plan (ROP). Lands are designated Low Rise Residential in the City of Kitchener Official Plan.

Water Services

Water Services Engineering and planning staff have reviewed the functional servicing report dated May 2023, and provide the following comments:

- The fire flow demand calculations in the report indicate that the fire flow demand is 183 l/s based on the FUS calculations
- Based on the data collected during the hydrant test, the maximum available fire flow is 162 L/s while maintaining minimum of 20 psi in the rest of the system.
- The Region of Waterloo requests to be circulated on the detailed fire flow analysis at the site plan submission stage to confirm the existing infrastructure can support the proposed development

Hydrogeology and Water Programs

Water Services HWP staff requires a Salt Management Plan at time of site plan (with implementation by way of future condominium application). As part of the SMP, staff would encourage the proponent to incorporate design considerations with respect to salt management, including:

- Ensure that cold weather stormwater flows are considered in the site design. Consideration should be given to minimize the transport of meltwater across the parking lots or driveway. This also has the potential to decrease the formation of ice and thereby the need for de-icing.
- Directing downspouts towards pervious (i.e. grassy) surfaces to prevent runoff from freezing on parking lots and walkways.
- Locating snow storage areas on impervious (i.e. paved) surfaces.
- Locating snow storage areas in close proximity to catchbasins.
- Using winter maintenance contractors that are Smart About Salt™ certified.
- Using alternative de-icers (i.e. pickled sand) in favour of road salt.

The proponent is eligible for certification under the Smart About Salt™ program for this property. Completion of the SMP is one part of the program. To learn more about the program and to find accredited contractors please refer to: <http://www.smartaboutsalt.com/>. Benefits of designation under the program include cost savings through more efficient use of salt, safe winter conditions by preventing the formation of ice, and potential reductions in insurance premiums.

Record of Site Condition

According to the Regions Threats Inventory Database, there are medium environmental threats located on and adjacent to the subject lands due to past land uses. As the application is proposing a more sensitive land use, a Record of Site Condition (RSC) is required in accordance with the Region's "Implementation Guidelines for the Review of Development Applications on or Adjacent to Known and Potentially Contaminated Sites". The applicant's Planning Justification Report (GSP, August 2023) has acknowledged the proposed zoning by-law includes a holding provision to require the RSC. This is satisfactory to Regional staff.

Land Use Compatibility

Land Use compatibility is a concern with this proposal as the subject lands are directly adjacent to an industrial land use that may be categorized as Class II industrial land use under the MECP D-6 guidelines on land use compatibility due to the size of the facility and operation including outdoor storage on site. Class II industrial land uses require a minimum of 70 m between the industrial land use and the sensitive land use. The applicant has submitted a land use compatibility study for noise (HGC, June 16, 2022) in support of the application and currently under peer review by the Region. Staff supports use of a holding provision on the lands to allow for completion of the peer review.

In the meantime, staff notes the study has proposed two 3 metre high noise walls along the east boundary of the property to mitigate noise from the adjacent industrial facility. One 8 metres in length and the other 33 metres.

Staff recommends implementation of the accepted study recommendations will need to be secured through the site plan and/or future Planning Act application(s).

Corridor Planning

Conditions for Zone Change / Plan of Condominium Application Stage

Environmental Noise Study

- Staff notes the submission of the transportation noise assessment (Addendum, HGC, June 27, 2022) submitted with the application,
- The report is being peer reviewed together with the compatibility report noted above. Pending review and acceptance of the noise assessment addendum by the Region, the conditions for the implementation of the report must be secured through a Holding Provision,
- The site must be developed accordingly,
- The implementation of the report through a registered agreement with the Region would be a condition for future condominium application.

Functional Servicing and Stormwater Management Report MTE dated May 15, 2023

- Under the existing conditions, there is no storm flows into the Regional right-of-way and there is no storm connection. Previously, on April 26, 2023 the applicant's consultant was requested to provide a drainage analysis of the system in case a storm connection would be proposed into Regional storm system. However, nothing is provided in this regard, neither separately nor included in the Functional Servicing Report dated 15 May 2023 as prepared by MTE.
- The report is currently under review by Regional staff.
- The report must be found acceptable by the Region.

Review and acceptance of this report may be secured through a holding provision.

Conditions for Site Plan Application Stage

Dedicated Road Widening

- Dedicated road widening of approximately 5.5m will be required along entire property frontage on Bloomingdale Road North (RR #20) to comply with ROP designated road width of 26.213m. An Ontario Land surveyor (OLA) would determine the exact amount of widening to be conveyed.
- The draft reference plan, prepared by an OLS must be submitted for review and approval prior to submitting the plan to Lands Registry office.
- All costs associated with the road widening would be owner' s responsibility and the lands must be dedicated to the Region free of any contamination and encumbrances.

Environmental Site Assessment

An Environmental Site Assessment Phase I/II ESA will be required for the portions of lands to be dedicated to the Region. If there is no Phase I already completed for the site, a joint Phase I/Phase II report may be completed.

For further information in this regard please contact Sean Anderson, Project Engineer (Environmental) 519-749-3371 (cell) or sanderson@regionofwaterloo.ca.

Transit Planning

- No transit easement would be required, as amenities could be accommodated within the future road widening portions.
- The applicant would be required to construct or provide funds for the construction of a shelter pad at this stop. Details of size and location and the amount of funds for the transit future shelter pad will be provided at site plan stage.

Access Permit / Access Regulation

The proposed access must have minimum 7.6 m throat width at the future property line after road dedication. Although, it appears that with the curb radii, this would be meeting the Regional standards.

An Access Permit with applicable fee (currently \$230), at such time in future, will be required for the proposed access on Bloomingdale Road North (Regional Road #20). An access permit will also be required to close the existing access (no application fee for access closure). Access permit application is available at:

[https://www.regionofwaterloo.ca/en/resources/Access Permit-access.pdf](https://www.regionofwaterloo.ca/en/resources/Access%20Permit-access.pdf)

Encroachments

The existing privacy wall including its foundation pillars will be encroaching into Bloomingdale Road (RR #20) right-of-way after dedication of road widening. The wall and foundation pillars must be removed and the Regional road boulevard must be restored to Regional standards.

Stormwater Management

Storm sewers within the Regional road right-of-way are generally sized and designed to only accommodate stormwater from the right-of-way and in some instances off road surface drainage under existing conditions. A private stormwater connection to any storm sewer on Bloomingdale Road North (RR #20) will be discouraged where an alternate stormwater connection is available, including infiltration if soil conditions and Source Protection under the Clean Water Act permit, or if it is determined that the Bloomingdale Road storm sewer does not have the sufficiency (condition and capacity) to accommodate private stormwater flows from this site. It is the responsibility of the applicant's engineering consultant to determine an appropriate stormwater outlet from this site and the sufficiency of the receiving storm system if there is no other option available and to include this information in the stormwater management report. The applicant or their consultant should contact Mr. Malcolm Lister, manager, Technical Services for the Region of Waterloo at 519-575-4432 or mlister@regionofwaterloo.ca to determine if any engineering plans and/or further technical information for Bloomingdale Road North is available which may be of assistance.

The applicant must submit electronic copies of detailed Site Grading & Drainage Control Plan(s) and Site Servicing Plan(s) along with a SWM report for Regional review and approval. This should include drainage details for the subject property, abutting properties and the public road allowance so as to ensure compatible drainage and to show thereon all existing and proposed connections to the municipal storm sewers, sanitary sewers and water mains and all detailed erosion and siltation control features, all to the satisfaction of the Regional Municipality of Waterloo.

The site must be graded in accordance with the approved plan and the Regional Road allowance must be restored to the satisfaction of the Regional Municipality of Waterloo

Site Servicing / Work Permit / Municipal Consent

A Municipal Consent will be required for the installation of the proposed/required service connections.

A Region of Waterloo Work Permit must be obtained from the Region of Waterloo prior to commencing construction within the Region's right of way. In this regard, please visit

[Apply For A Permit - Regional Municipality of Waterloo Online Application \(permitcentral.ca\)https://rmowroadpermits.mirasan.ca/](https://rmowroadpermits.mirasan.ca) for further guidance.

Review Fee

A Regional application review fee of \$805 will be required for this development at the Site Plan application stage. The City of Kitchener may collect this fee on behalf of the Region along with the Site Plan application package.

Environmental Planning

The subject lands are located on the Grand River, and the northern portion of the site includes a core environmental feature (Significant Valleyland), as designated by the Regional Official Plan (ROP). A scoped EIS (Aboud & Associates, June 2, 2023) and addendum (July 11, 2023) have been submitted in support of the application and currently under peer review by the Region. Staff supports use of a holding provision on the lands to allow for completion of the peer review. The feature(s) will need to be placed in an appropriate zoning.

Housing

General

The following Regional policies and initiatives support the development and maintenance of affordable housing:

- Regional Strategic Plan
 - Objective 4.2 requires the Region to make affordable housing more available to individuals and families.
- 10-Year Housing and Homelessness Plan
 - contains an affordable housing target which is that 30% of all new residential development between 2019 and 2041 in Waterloo Region is to be affordable to low and moderate income households.
- Building Better Futures Framework
 - shows how the Region plans to create 2,500 units of housing affordable to people with low to moderate incomes by 2025.
- Region of Waterloo Official Plan
 - Section 3.A (Range and Mix of Housing) contains land use policies that ensure the provision of a full and diverse range and mix of permanent housing that is safe, affordable, of adequate size, and meets the accessibility requirements of all residents.

The Region supports the provision of a full range of housing options, including affordable housing. Should this ZBA be approved, staff recommend that the applicant consider providing a number of affordable housing units on the site, as defined in the Regional Official Plan. 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.

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	\$418,100
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	\$679,300

*Based on the most recent information available from the PPS Housing Tables (2022).

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$418,100.

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	\$1,960
A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$1,075 1-Bedroom: \$1,245 2-Bedroom: \$1,469 3-Bedroom: \$1,631 4+ Bedroom: n/a

*Based on the most recent information available from the PPS Housing Tables (2022)

In order for a rental unit to be deemed affordable, the average rent for the proposed units must be at or below the average market rent in the regional market area as shown above.

Please do not hesitate to contact Judy Maan Miedema, Principal Planner directly by email at JMaanMiedema@regionofwaterloo.ca or by phone at 226-753-9593 should you have any questions or wish to discuss in more detail.

Proposed Zoning By-law Amendment

Staff generally supports the zoning proposed subject to the above-noted comments. Staff recommends the proposed zoning by-law amendment include a holding provision which provides for completion and acceptance of the following to the satisfaction of the Regional Commissioner of Planning, Development and Legislative Services:

- 1) Filing of a Record of Site Condition with the MECP;
- 2) A Functional Servicing and Stormwater Management Report;
- 3) A Scoped Environmental Impact Statement; and
- 4) A Land Use Compatibility Report for road traffic and stationary noise.

Regional Development Charges

Any future development on the subject lands will be subject to provisions of Regional Development Charges By-law 19-037 or any successor thereof.

Other

Staff acknowledges the Region's required review fees for the ZBA application and peer review were received September 5, 2023 and October 25, 2023 respectively.

Region staff has no objection to proceeding with a City staff recommendation to Kitchener Council subject to the above-noted comments.

Should you have any questions, please feel free to contact me (226) 753-1064 (c).

Yours truly,



Shilling Yip, MCIP, RPP
Senior Planner

cc. Eric Saulesleja, GSP Group
Joginder Bhatia, Region Corridor Planning

From: Gaurang Khandelwal
Sent: Monday, September 25, 2023 11:09 AM
To: Brian Bateman
Subject: RE: Circulation for Comment - 117 Bloomingdale Road (ZBA)

Hi Brian,

Policy comments at the time of pre-sub for this application seem to have been addressed through the PJR and the approach to the ZBA. No further comments from policy.

Regards,

Gaurang Khandelwal (he/him), MA, MCIP, RPP
Planner (Policy) | Planning Division | City of Kitchener
519-741-2200 x 7611 | TTY 1-866-969-9994 | gaurang.khandelwal@kitchener.ca



From: Natalie Goss <Natalie.Goss@kitchener.ca>
Sent: Tuesday, September 19, 2023 9:44 AM
To: Gaurang Khandelwal <Gaurang.Khandelwal@kitchener.ca>
Subject: FW: Circulation for Comment - 117 Bloomingdale Road (ZBA)

Please review and provide any necessary comments. Pre-submission was in 2022.

N

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Monday, September 18, 2023 12:01 PM
To: jvink <jvink@woolwich.ca>; _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 - Howard Chang <SChang@regionofwaterloo.ca> <SChang@regionofwaterloo.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>; WCDSB - Planning
<planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>;
WRDSB - Planning <planning@wrdsb.ca>
Cc: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: Circulation for Comment - 117 Bloomingdale Road (ZBA)

Please see attached. Additional documentation can be found in AMANDA folder 23-121017 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Brian Bateman**, Senior Planner (brian.bateman@kitchener.ca; 519-741-2200 x7869).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener
200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7
519-741-2200 ext. 7425 | TTY 1-866-969-9994 | christine.kompter@kitchener.ca



From: Jeremy Vink <jvink@woolwich.ca>
Sent: Tuesday, September 19, 2023 8:36 AM
To: Brian Bateman
Cc: Christine Kompter
Subject: RE: Circulation for Comment - 117 Bloomingdale Road (ZBA)

You don't often get email from jvink@woolwich.ca. [Learn why this is important](#)

Brian

The Township has no comments to this application.

I did try the link to the Sharepoint file link, but the link would not let me in. I am curious if there was a TIS and what the results were.

Thanks.

Jeremy Vink MCIP RPP
Manager of Planning
Development Services
Township of Woolwich



From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Monday, September 18, 2023 12:01 PM
To: Jeremy Vink <jvink@woolwich.ca>; _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 - Howard Chang (<SChang@regionofwaterloo.ca> <SChang@regionofwaterloo.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>); WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (<elaine_burns@wrdsb.ca> <elaine_burns@wrdsb.ca>); WRDSB - Planning <planning@wrdsb.ca>

Cc: Brian Bateman <Brian.Bateman@kitchener.ca>

Subject: Circulation for Comment - 117 Bloomingdale Road (ZBA)

Please see attached. Additional documentation can be found in AMANDA folder 23-121017 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Brian Bateman**, Senior Planner (brian.bateman@kitchener.ca; 519-741-2200 x7869).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener

200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7

519-741-2200 ext. 7425 | TTY 1-866-969-9994 | christine.kompter@kitchener.ca



From: Planning <planning@wcdsb.ca>
Sent: Friday, October 13, 2023 10:11 AM
To: Brian Bateman
Subject: RE: Circulation for Comment - 117 Bloomingdale Road (ZBA)

Good Afternoon 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 and the Waterloo Catholic District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the development sign advising prospective residents about schools in the area.

If you require any further information, please contact me by e-mail at Jordan.Neale@wcdsb.ca.

Thank you,

Jordan Neale

Planning Technician, WCDSB

480 Dutton Dr, Waterloo, ON N2L 4C6

519-578-3660 ext. 2355

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Monday, September 18, 2023 12:01 PM
To: jvink <jvink@woolwich.ca>; _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 - Howard Chang (SChang@regionofwaterloo.ca) <SChang@regionofwaterloo.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: Brian Bateman <Brian.Bateman@kitchener.ca>

Subject: Circulation for Comment - 117 Bloomingdale Road (ZBA)

Caution - External Email - This Message comes from an external organization. Do NOT click on unrecognized links or provide your username and/or password.

Please see attached. Additional documentation can be found in AMANDA folder 23-121017 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Brian Bateman**, Senior Planner (brian.bateman@kitchener.ca; 519-741-2200 x7869).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener

200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7

519-741-2200 ext. 7425 | TTY 1-866-969-9994 | christine.kompter@kitchener.ca



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From: Dave Seller
Sent: Wednesday, October 4, 2023 3:08 PM
To: Brian Bateman
Subject: ZBA comments: 117 Bloomingdale Road

City of Kitchener

Application Type: Zoning By-law Amendment ZBA23/033/B/BB

Project Address: 117 Bloomingdale Road North

Comments of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: October 4, 2023

Development proposal

The ZBA will facilitate redevelopment by removing the existing industrial buildings and detached dwelling and replacing them with four stacked townhouse dwellings with a total of 40 dwelling units and a total of 46 parking spaces.

Parking supply

The applicant is proposing to provide a total of 46 parking spaces for 40 dwelling units which equates to 1.15 parking spaces per unit. Visitor parking must be provided at a ratio of 0.15 spaces per unit and based on 40 units, 6 (15%) must be allocated for visitor parking. These parking ratios reflect the 2019-051 zoning by-law.

Conclusion

Transportation Services is satisfied with the proposed parking supply for this development.

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

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

Address: 117 Bloomingdale Road
Owner: Marann Homes
Application: Zoning By-law Amendment Application ZBA23/033/B/BB

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

Date of Comments: Oct 13 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 application for a joint amendment to the City of Kitchener's Zoning By-law No. 85-1 and Zoning By-law No. 2019-051. The Subject Property is currently zoned "R-3 1R" in Zoning By-law No. 85-1. The purpose of the proposed amendment is to change the zoning to a combination of "RES-5" ("Low-Rise Residential Five Zone") and "NHC-1" ("Natural Conservation Zone") in Zoning By-law No. 2019-051. The proposed amendment also adds site-specific provisions to permit small increases to the maximum Floor Space Ratio ("FSR") and maximum building height, as well as a holding provision to require a Record of Site Condition before the proposed development may proceed. The amendment will facilitate redevelopment by removing the existing industrial buildings and detached dwelling and replacing them with four stacked townhouse dwellings with a total of 40 dwelling units and 46 parking spaces.

- Planning Justification Report, including draft text of the proposed amendment, prepared by GSP Group ("GSP")
- Functional Servicing and Stormwater Management Report, prepared by MTE Consultants Inc. ("MTE")
- Existing Conditions Plan, Functional Grading Plan, and Functional Servicing Plan, prepared by MTE,
- Scoped Environmental Impact Study, prepared by Aboud & Associates Inc. ("AA"), which includes the addendum prepared by AA;
- Tree Preservation Plan, prepared by AA;
- Site Plan, prepared by GSP;
- Urban Design Brief, prepared by Orchard Design and GSP.

2. Site Specific Comments & Issues:

Parks and Cemeteries has no significant concerns with the proposed Zoning Bylaw amendments and can provide conditional support subject to the minor updates to submitted studies are noted below.

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

3. Comments on Application and Submitted Documents

1) Parkland Dedication

- a) The site is within the Bridgeport East Planning Community and through Places and Spaces – An Open Space Strategy for Kitchener, this community has been identified as well served with active neighbourhood park space with Schaeffer Park approximately 150m west of the site.
- b) The City of Kitchener Park Dedication By law 2022-101 and Park Dedication Policy have been updated and new parkland dedication criteria, rates and land values have been approved by Council on August 22, 2022. The Bylaw is under appeal. Further changes to the Bylaw may be required as a result of the Bill 23 – More Homes Built Faster Act.
- c) The parkland dedication requirement for the proposed development will be **deferred** at the Zoning By-law Amendment application 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 ZBA and required as a condition of Site Plan Approval. Parkland dedication will be taken as **cash-in-lieu of land** according to the Planning Act, Parkland Dedication Bylaw and Parkland Dedication Policy in effect.
- d) Based on the development information provided and using the approved land valuation of \$3,830,000/ha, a dedication rate of 1ha/1000 units or 5%; a maximum dedication of either land or CIL of 10% and a capped rate of \$11,862/unit, the parkland dedication for the proposed 0.8119ha site with 40 proposed units (demolition of 1 unit) is **\$155,479**

Calculation:

0.8119ha x 0.05 = \$155,479 (5% Bylaw 2022-101)

1ha /1000 units x 39 units = \$149,370 (alternate rate Bylaw 2022-101)

0.8119ha x 0.1 = 0.033ha or \$31,958 (More Homes Built Faster Act / Bill 23 10% cap)

2) Urban Design Brief, prepared by Orchard Design and GSP

- a) Pg 16 Circulation Diagram – the figure shows a potential connection to Shaefer Park within the 6m Access Allowance; this connection directs people to private lands and should be removed

3) Proposed Zoning of Natural lands and ownership

- a) The lands at the rear of the site along the Grand River should be zoned appropriately: NHC-1 and OSR-1. The lands adjacent to the Grand River at the end of Colyer Place are zoned similarly.
- b) If at a future Site plan application these lands will be conveyed to the City additional conditions may be required prior to acceptance of the land e.g. R-plan, removal of hazard trees
- c) If the lands will be retained by the Developer, a Registered Conservation Easement may be required along with additional conditions prior to approval of the Site Plan application e.g. fencing/demarcation bollards, restoration / buffer plantings.

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

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

- 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 **cash-in-lieu of land** according to the Planning Act, Parkland Dedication Bylaw and Parkland Dedication Policy in effect.



PLANNING, DEVELOPMENT
AND LEGISLATIVE SERVICES
Community Planning
150 Frederick Street 8th Floor
Kitchener Ontario N2G 4J3 Canada
Telephone: 519-575-4400
TTY: 519-575-4608
Fax: 519-575-4466
www.regionofwaterloo.ca

Shilling Yip (226) 753-1064 (C)
Files: D17-40/2/23018
C14-60/2/23030

November 22, 2023

Brian Bateman, MCIP. RPP
Senior Planner
DSD – Planning Division
City of Kitchener
200 King Street W.
Kitchener, ON N2G 4G7

Dear Mr. Bateman:

Post Circulation Comments
OPA 23/018/B/BB
ZBA 23/030/B/BB
Romanian Orthodox Parish
2150 Bleams Road
CITY OF KITCHENER

Region staff has reviewed the above-noted applications and provides the following comments for your consideration at this time.

The purpose of the OPA is to re-designate a portion of the site fronting onto Gravel Ridge Trail from “Institutional” to “Low Rise Residential”, while the purpose of the ZBA is to re-zone a portion of the property from INS-1 and RES-3 to RES-5. Although specific details of the proposed development have not been determine, the applicant is considering at range of either singles, semis or townhomes. The proposed development consists of 0.25 ha which currently forms part of the parish’s entire property which also fronts Bleams Road.

Conceptual figures submitted with the application contemplate 6 to 8 townhouse units.

The lands are designated Urban Area “Built-Up Area” on Map 3a in the Regional Official Plan (ROP). Lands included within the Built-Up Area are intended to accommodate the majority of the Region’s growth within the time horizon of the ROP. This development will contribute to the intensification target within the Built-Up Area.

Water Services

No concerns.

Hydrogeology & Water Programs (Source Water Protection)

Water Services Hydrogeology & Water Programs staff provide the following comments.

Proximity to Municipal Wells

In terms of the Clean Water Act, the property spans the Mannheim ASR and Mannheim East well fields and the north portion of the property is in a WHPA A.

The property is mainly designated Wellhead Protection Sensitivity Area 2, with the north portion in a WHPSA 1, and Regional Recharge Area on Map 6a and 6e respectively in the Regional Official Plan (ROP). The purpose of the mapping and policies in Chapter 8 of the ROP is to protect the Region's long term municipal groundwater supplies.

The property is also adjacent to Permit to Take Water Compliance monitoring wells, so staff will need to ensure these are not impacted during construction and the same/or equally convenient access is maintained during and post construction.

A Servicing Report was completed in support of the application (MTE, July 6, 2023). Staff continues to review this report, so review and acceptance of the report can be secured through a holding provision. Staff did note the Region will only support infiltration of clean runoff in this area.

A construction spill prevention and response plan must be prepared and implemented per the DGSSMS. As part of the Construction Spill Prevention and Response Plan staff will also be requesting that the applicant give notice to the Hydrogeology and Water Programs Manager prior to the start of any construction as staff may need to make changes to operations to supply wells.

Enhanced construction standards are required for stormwater and sanitary sewers within 200 m of a municipal well, per the DGSSMS.

HWP staff will require a Hydrogeological Report, Dewatering Plan, and Vulnerability Assessment if underground structures are proposed in excess of one level (i.e. 3 metres or 10 feet) below ground surface, or if any below-grade infrastructure or excavations will occur below the water table (e.g. basements, underground parking, elevator shafts, footings, pilings, sewers, watermains, etc.). Permanent passive or active dewatering infrastructure will not be permitted. Waterproof seals should be used in lieu of permanent dewatering infrastructure.

Decommission of Private Well

Staff notes there is a private well near the church, if the private well is no longer needed to supply water then it should be decommissioned in accordance with O.Reg 903.

Geothermal Energy Systems

Geothermal energy systems are not permitted within the WHPSA 2. Hydrogeology & Water Programs (HWP) staff request that a prohibition on geothermal energy systems as defined in the Regional Official Plan be included in the Zoning By-law amendment for the subject property.

The above must be secured through a holding provision, i.e., review and acceptance of Servicing Report, completion of construction spill prevention and response plan, Hydrogeological Report, Dewatering Plan, and Vulnerability Assessment if deemed necessary by the Region. Implementation of balance of requirements may be addressed as part of future consent application(s).

Salt Management Plan

A Salt Management Plan (SMP) will be required if surface parking or driveway areas greater than 200m². This can be addressed as part of future consent application(s).

As part of the SMP, HWP would encourage the proponent to incorporate design considerations with respect to salt management, including:

- Ensure that cold weather stormwater flows are considered in the site design. Consideration should be given to minimize the transport of meltwater across the parking lots or driveway. This also has the potential to decrease the formation of ice and thereby the need for de-icing.
- Directing downspouts towards pervious (i.e. grassy) surfaces to prevent runoff from freezing on parking lots and walkways.
- Locating snow storage areas on impervious (i.e. paved) surfaces.
- Locating snow storage areas in close proximity to catchbasins.
- Using winter maintenance contractors that are Smart About Salt™ certified.
- Using alternative de-icers (i.e. pickled sand) in favour of road salt.

The proponent is eligible for certification under the Smart About Salt™ program for this property. Completion of the SMP is one part of the program. To learn more about the program and to find accredited contractors please refer to: <http://www.smartaboutsalt.com/>. Benefits of designation under the program include cost savings through more efficient use of salt, safe winter conditions by preventing the formation of ice, and potential reductions in insurance premiums.

Proximity to Mannheim Water Treatment Facility

Given the site's proximity to the Region's Mannheim Water Treatment facility, a warning clause to advise of adjacent uses to be secured in a registered Region agreement is required. This may be further addressed as part of future consent application(s).

Stationary Noise Study

A stationary noise study will be required to assess the impact of stationary noise from the existing church, on the property. The applicant should be advised that the study may be subject to peer review at the applicant's cost.

The above must be secured through a holding provision, i.e., completion of a stationary noise study.

Record of Site Condition (RSC)

A RSC is required according to the Region's guideline on site contamination. The adjacent property at 2069 Ottawa St S associated with the Region's Mannheim Water Treatment Plant is identified as a potential high threat in the Region's site contamination database. The RSC must be secured through a holding provision, i.e., to complete a RSC, and to file same with the MECP.

Archaeology

No comments.

Housing

General

The following Regional policies and initiatives support the development and maintenance of affordable housing:

- Regional Strategic Plan 2023-2027
 - Strategic Priority 1 is "Homes for All".
- 10-Year Housing and Homelessness Plan
 - contains an affordable housing target which is that 30% of all new residential development between 2019 and 2041 in Waterloo Region is to be affordable to low and moderate income households.
- Building Better Futures Framework
 - shows how the Region plans to create 2,500 units of housing affordable to people with low to moderate incomes by 2025.
- Region of Waterloo Official Plan
 - Section 3.A (Range and Mix of Housing) contains land use policies that ensure the provision of a full and diverse range and mix of permanent housing that is safe, affordable, of adequate size, and meets the accessibility requirements of all residents.

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 housing units on the site, as defined in the Regional Official Plan. 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.

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	\$418,100
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	\$679,300

*Based on the most recent information available from the PPS Housing Tables (2022).

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$418,100.

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	\$1,960
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A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$1,075 1-Bedroom: \$1,245 2-Bedroom: \$1,469 3-Bedroom: \$1,631 4+ Bedroom: n/a
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*Based on the most recent information available from the PPS Housing Tables (2022)

In order for a rental unit to be deemed affordable, the average rent for the proposed units must be at or below the average market rent in the regional market area as shown above.

Please do not hesitate to contact Judy Maan Miedema, Principal Planner (Housing & Development) directly by email at JMaanMiedema@regionofwaterloo.ca or by phone at 226-753-9593 should you have any questions or wish to discuss in more detail.

Proposed Zoning By-law Amendment

As noted above under HWP comments, staff has requested that a prohibition on geothermal energy systems as defined in the Regional Official Plan be included in the Zoning By-law amendment for the subject property.

Staff recommends the use of a holding provision to secure the completion of the following:

- Stationary Noise Study
- Record of Site Condition, and MECP acknowledgement
- Review and Acceptance of Servicing Report (MTE, July 6, 2023)
- Construction Spill Prevention and Response Plan, Hydrogeological Assessment, Dewatering Plan, and Vulnerability Assessment, if deemed necessary by the Region.

Regional Development Charges

Any future development on the subject lands will be subject to provisions of Regional Development Charges By-law 19-037 or any successor thereof.

Other

Staff acknowledges the Region's required OPA approval fee was received May 26, 2023. The ZBA application review fee is \$3,000.00. This fee is outstanding. By copy of this letter the applicant is asked to remit this fee directly to the Region (attention Shilling Yip).

Region staff has no objection to proceeding with a City staff recommendation to Kitchener Council subject to the above-noted comments, and receipt of the outstanding ZBA review fee.

If you have any questions, please feel free to contact me (226) 753-1064 (c).

Yours truly,



Shilling Yip, MCIP, RPP
Senior Planner

cc. Chris Pidgeon, GSP Group