

City of Kitchener - Comment Form

Project Address: 135-161 Jackson Avenue & 136 Brentwood Avenue

Application Type: OPA and ZBA

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

Commenter's name: Gaurang Khandelwal

Email: Gaurang.khandelwal@kitchener.ca

Phone: 519-741-2200 x 7611

Written Comments Due: NA

Date of comments: February 8, 2024

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

- Sustainability Statement – 135-161 Jackson Avenue & 136 Brentwood Avenue, prepared by MHBC, dated November 22, 2023.

2. Comments & Issues:

I have reviewed the documentation (as listed above) to support an Official Plan Amendment and a Zoning By-law Amendment proposing to develop the subject property with 4 street facing townhouses and 116 stacked townhouses for a total of 120 units, regarding sustainability and energy conservation and provide the following:

- Although the Ontario Building Code (OBC) is advanced, going forward all developments will need to include robust energy conservation measures as the City (and Region of Waterloo) strive to achieve our greenhouse gas reduction target.
- **Based on my review of the supporting documentation, the Official Plan and Zoning By-law Amendments can be supported.**
- A Sustainability Statement (as per the City's Terms of Reference) will be required as part of a complete Site Plan Application. It can build upon the information already provided, including the opportunities and strategies identified at this stage, and can further explore and/or confirm which additional sustainable measures are best suited to the development.
- It is recommended that more progressive measures that go beyond the OBC be explored to further energy conservation, generation and operation, and benefit future residents/tenants.
- Potential items for further consideration:
 - The use of alternative water supply and demand management systems such as rain water harvesting and grey water reuse, or design of the site and building for "readiness" to add these systems in the future.

- The use of alternative or renewable energy systems to meet new energy demand created by the development (i.e. ground source or air source heat pumps, roof-top solar photovoltaic panels, solar thermal hot water system, capture of waste heat from industrial processes to use for thermal energy needs, etc), or design of the site and building for “readiness” to add these systems in the future.

3. **Policies, Standards and Resources:**

- Kitchener Official Plan Policy 7.C.4.5. The City will encourage and support, where feasible and appropriate, alternative energy systems, renewable energy systems and district energy in accordance with Section 7.C.6 to accommodate current and projected needs of energy consumption.
- Kitchener Official Plan Policy 7.C.6.4. In areas of new development, the City will encourage orientation of streets and/or lot design/building design with optimum southerly exposures. Such orientation will optimize opportunities for active or passive solar space heating and water heating.
- Kitchener Official Plan Policy 7.C.6.8. Development applications will be required to demonstrate, to the satisfaction of the City, energy is being conserved or low energy generated.
- Kitchener Official Plan Policy 7.C.6.27. The City will encourage developments to incorporate the necessary infrastructure for district energy in the detailed engineering designs where the potential for implementing district energy exists.

4. **Advice:**

- As part of the Kitchener Great Places Award program every several years there is a Sustainable Development category. Also, there are community-based programs to help with and celebrate and recognize businesses and sustainable development stewards (Regional Sustainability Initiative - <http://www.sustainablewaterlooregion.ca/our-programs/regional-sustainability-initiative> and TravelWise - <http://www.sustainablewaterlooregion.ca/our-programs/travelwise>).
- The ‘[Sustainability Statement Terms of Reference](#)’ can be found on the City’s website under ‘Planning Resources’ at ... <https://www.kitchener.ca/SustainabilityStatement>



PLANNING, DEVELOPMENT
AND LEGISLATIVE SERVICES
Community Planning
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Kitchener Ontario N2G 4J3 Canada
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Fax: 519-575-4466
www.regionofwaterloo.ca

Melissa Mohr 1-226-752-8622
File: D17/2/24002
C14/2/24002
February 13, 2024

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

Dear Mr. Bateman,

**Re: Proposed Official Plan Amendment OPA 24/02 and
Zoning By-law Amendment ZBA 24/02
135-161 Jackson Avenue and 136 Brentwood Avenue
MHBC Planning (C/O Juliane von Westerholt) on behalf
of 100019071 Ontario Inc. (C/O Sanjiv Shukla)
CITY OF KITCHENER**

MHBC Planning has submitted a site-specific Official Plan Amendment and Zoning By-law Amendment Application for a development proposal at 135-161 Jackson Avenue and 136 Brentwood Avenue (referred to as subject lands) in the City of Kitchener.

The applicant has proposed to demolish the existing dwellings on each lot, amalgamate the properties and construct 4 street facing townhouses along the Jackson Street frontage with 116 stacked townhouses in five clusters internal to the site for a total of 120 units with 128 on-site parking spaces. A privately owned public space (POPS) is proposed as an amenity area along the Jackson frontage.

The subject lands are located in the Urban Area and designated Built Up Area in the Regional Official Plan. The site is designated Low Rise Residential in the City of Kitchener Official Plan and zoned RES-5 Zone in the City of Kitchener Zoning By-

law. The applicant has requested an **Official Plan Amendment** to add a special policy to permit an FSR of 1.0 (whereas a maximum FSR of 0.6 is permitted) and a building height of 12.5 metres (whereas a maximum height of 9 m is permitted). The applicant has requested a **Zoning By-law Amendment** to permit a new site specific provision to permit an FSR of 1.0 (whereas a maximum FSR of 0.6 is permitted); a maximum building height of 12.5 metres (whereas a maximum height of 9m is permitted), a parking reduction and a reduced front and rear yard setback.

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 “Delineated Built Up Area” on Map 2 of the Regional Official Plan (ROP) and the site is designated Low Rise Residential in the City of Kitchener Official Plan.

Built Up Area Policies:

Section 1.6 of the Regional Official Plan establishes the overview of the Regional Planning Framework and Section 2.B.1 and 2.C establish policies for the Urban System. Section 2.F of the Regional Official Plan establishes policies for intensification targets within the Delineated Built-Up Area, which is set at 60% annually for the City of Kitchener. Furthermore, development in the Built Up Area is intended to provide gentle density and other missing middle housing options that are designed in a manner that supports the achievement of 15-minute neighbourhoods. The proposed density will contribute to the achievement of Kitchener’s intensification target for the delineated Built Up Area of the City of Kitchener. In addition, the applicant has proposed stacked townhouses throughout the development, which is encouraged as a form of missing middle housing in the Delineated Built-Up Area of the Region.

Region of Waterloo International Airport:

The development is located within the Airport Zoning Regulations, with a maximum allowable height of 404.5m ASL.

A Land Use Application must be submitted to NAV Canada for the buildings and any cranes. The application can be found here: <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>

In addition to the above, the development may be subject to noise and the presence of flying aircrafts. Regional staff shall require the following noise-warning clause be implemented through a registered development agreement between the

Owner/Developer and the Regional Municipality of Waterloo through a future consent or condominium application:

“Prospective purchasers and tenants are advised that all units in this plan of condominium are located within or in close proximity to one of the flight paths leading into and out of the Region of Waterloo International Airport and that directional lighting along this path and noise from aircraft using the flight path may cause concern to some individuals.”

Environmental Noise (Road and Stationary Noise) Study:

An Environmental Noise report entitled “Road Traffic and Stationary Noise Impact Study, 135-161 Jackson Avenue, Kitchener” prepared by JJ Acoustic Engineering Ltd., dated October 30, 2023 and associated peer review fee of \$5,085.00 have been received and provided to the Region’s third party peer reviewer. Regional staff have received the attached comments, which indicate that clarification is required regarding the traffic modeling, copies of the STAMSON output files and additional support is required in order to ensure the values, results and conclusions contained in the study are reasonable.

The items requested in the attached set of comments shall be provided prior to a recommendation being made to the City of Kitchener on the file. Alternatively, the Region will require a Holding Provision until the updates have been received and accepted by the Region. The required wording for the holding provision is:

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

Please note that the implementation of any accepted implementation measures contained in the accepted noise study shall be implemented through the development of the site and included in the site plan (if required) and secured through future agreements with the Regional Municipality of Waterloo and/or City of Kitchener as part of a future consent/condominium application.

Hydrogeology and Water Programs/Source Water Protection

Regional staff have reviewed the Functional Servicing and Stormwater Management Report (MTE, 2023) and request that the developer incorporate contingency oversizing

of the proposed infiltration galleries by 15% to account for future decline in performance. In addition, Please be advised that the Region does not support permanent active or passive dewatering controls for below-grade infrastructure (e.g. foundations, slabs, parking garages, footings, piles, elevator shafts, etc.) therefore, Below-grade infrastructure requiring dry conditions shall be waterproofed. Therefore, the Region shall require a Functional Servicing/Stormwater Management Report as part of the future Site Plan Application for our records.

As a hydrogeology study has not been submitted as part of the Complete Application for the Official Plan Amendment and Zoning By-law Amendment, a prohibition on Geothermal Wells as defined in Chapter 8 of the Region Official Plan shall be implemented within the site specific Zoning By-law amendment, including vertical open and closed loop geothermal energy systems. The required wording for the prohibition is:

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

Finally, the Region supports clean rooftop runoff directed to the infiltration gallery and for chloride laden runoff from parking lots/internal drives to be directed to the storm sewer and shall require a salt management plan to be prepared to the satisfaction of the Regional Municipality of Waterloo as part of a future site plan application. Regional staff encourage the Owner/Developer to incorporate the following design considerations with respect to salt management into the design of the site and within the salt management plan:

- Ensuring 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.

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 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.

Policy 3.A.6 in the Regional Official Plan Amendment 6 applies to this site. It states: *“Where a development application proposing residential uses is submitted for a site containing one hectare or more of developable land, the Region and the area municipalities will require, a minimum of 30 percent of new residential units to be planned in forms other than single-detached, semi-detached, and street fronting and single unit condominium townhouse units. Examples of other potential housing forms may include, but are not limited to: duplexes; tri-plexes; four-plexes; multi-plexes; stacked and back-to-back townhouses; and apartments.”*

A review of the proposed unit types in the Planning Justification Report indicates that this proposal adheres to Policy 3.A.6.

Policy 3.A.15 in the Regional Official Plan Amendment 6 states:

Area municipalities will develop official plan policies and implementing zoning by-laws to regulate the demolition of existing residential rental buildings with six or more units consistent with the following criteria:

(a) where the replacement of rental units is permitted, any replacement units will include the same or higher number of units of comparable bedroom mix and affordability; and (b) where the demolition of rental units is permitted, existing tenants will be compensated in accordance with the regulations of the Residential Tenancies Act, 2006.

Please be advised that if the existing single detached buildings to be demolished are rental tenure, Policy 3.A.15 of the Regional Official Plan applies.

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.

Fees:

Please be advised that the Region is in receipt of the Official Plan Amendment review fee of \$7,000.00 and the Zoning By-law Amendment Review fee of \$3,000.00 (total \$10,000) deposited January 25, 2024. In addition, the peer review fee totalling \$5,085.00 has been received and deposited January 11, 2024.

Conclusions:

The Region has no objection to OPA24/02 and ZBA24/02 subject to the following to be implemented within the Zoning By-law:

1. That the attached comments regarding the noise study be addressed to the satisfaction of the Regional Municipality of Waterloo prior to a recommendation being brought forward to the City of Kitchener. Alternatively, the Region shall accept a Holding Provision apply to the entirety of the subject lands until a satisfactory transportation and stationary noise study is received and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The required wording for the holding provision is:

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

2. Inclusion of a geothermal prohibition in the zoning by-law amendment. The required wording for the prohibition is:

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

3. The Owner/Applicant is advised that the Owner/Applicant will be required to provide the Final Functional Servicing and Stormwater Management Report to the Region through the site plan application.

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 Juliane vonWesterholt (Applicant), 100019071 Ontario Inc. C/O Sanjiv Shukla (Owner)

From: Christine Goulet
Sent: Friday, January 12, 2024 12:29 PM
To: Brian Bateman
Subject: 135-161 Jackson/136 Brentwood OPA/ZBA

Hi Brian,

I have reviewed the proposed sanitary peak flow and the development is approved for **4.4L/s**. Kitchener Utilities is satisfied with the water distribution report. The SWM report will be reviewed in detail at time of site plan application.

Thanks,

Christine Goulet, C.E.T.

Project Manager | Development Engineering | City of Kitchener
519-741-2200 Ext. 7820 | TTY 1-866-969-9994 | christine.goulet@kitchener.ca



From: Ricardo Ruiz <ricardo.ruiz@enovapower.com>
Sent: Tuesday, February 20, 2024 9:59 AM
To: Brian Bateman
Cc: Garrett Stevenson; Sandro Bassanese; Taofeeq Aremu
Subject: RE: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

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Good Morning Brian,
I confirmed this morning that the design for this project has not been started. At this point, there is no hydro servicing issue preventing this development from moving forward. There will likely be trees that will require removal or trimming along Jackson Avenue if the overhead poles/wires need to be replaced/extended. Please let us know if you hear anything different and we can assist where we can.
Thanks,
Ricardo

From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: Tuesday, February 20, 2024 8:35 AM
To: Ricardo Ruiz <ricardo.ruiz@enovapower.com>
Cc: Garrett Stevenson <Garrett.Stevenson@kitchener.ca>; Sandro Bassanese <Sandro.Bassanese@kitchener.ca>
Subject: RE: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

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Thanks, Ricardo. Appreciate you getting back to me quickly.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Ricardo Ruiz <ricardo.ruiz@enovapower.com>
Sent: Friday, February 16, 2024 4:02 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: RE: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

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Hi Brian,

To my knowledge, there should be no hydro servicing issue preventing the development from occurring. Some of the poles that are existing will require to be replaced with taller poles in order to service this project.

The designer on this job is off this afternoon. I will discuss with him on Tuesday and let you know if anything has come up that I am not aware of. I will get back to you as soon as I can. Thanks,

Ricardo Ruiz (he/him) C.E.T. | Distribution Design Supervisor

Office Number: 519-745-4771 Ext. 6304

Mobile Number: 519-497-6221

ricardo.ruiz@enovapower.com

www.enovapower.com

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

Sent: Friday, February 16, 2024 3:37 PM

To: Ricardo Ruiz <ricardo.ruiz@enovapower.com>

Subject: FW: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

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Hi Ricardo,

Need your assistance with a hydro servicing matter that has been raised by members of the public commenting to a proposed development proposal on Jackson Ave. Residents seem to think there is a hydro servicing issue in the area that would prevent the development from occurring. Can you shed some light on this? I suspect like many developments they will have to upgrade hydro but that is typical for most developments. Appreciate a response. Thanks.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Christine Kompter <Christine.Kompter@kitchener.ca>

Sent: Thursday, January 18, 2024 3:00 PM

To: MTO - Jeremiah Johnston (Jeremiah.Johnston@ontario.ca) <jeremiah.johnston@ontario.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 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>; Fire Prevention (SM)

<FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Landuse Planning <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>; Planning Applications <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>; UW-WUSA (Feds) (pres@wusa.ca) <pres@wusa.ca>; Viamonde School Board - Daniel Stojc <stojcd@csviamonde.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Subject: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

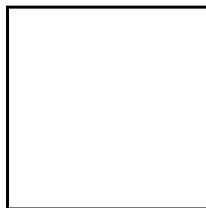
Please see attached. Additional documentation can be found in AMANDA folders 24-100398 & 24-100402 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Brian Bateman**, Senior Planner (brian.bateman@kitchener.ca; 519-741-2200 x7869).

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: Jennifer Arends
Sent: Tuesday, January 23, 2024 7:24 AM
To: Brian Bateman
Subject: FW: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)
Attachments: [Agency Circulation Letter - OPA-ZBAJackson.pdf](#)

Hi Brian,

I've reviewed the submission attached. No comments from fire regarding zoning and planning amendments. They'll have to go through fire route design, provide and MUI sign and most likely private fire hydrants from what's illustrated in their mockup – but that will go into more detail with site plan phase.

Thank you,

Jennifer Arends

Fire Prevention Officer | City of Kitchener
519-741-2200 Ext. 5509 | TTY 1-866-969-9994 | jennifer.arends@kitchener.ca

From: Sherry Handsor <Sherry.Handsor@kitchener.ca> **On Behalf Of** Fire Prevention (SM)
Sent: Thursday, January 18, 2024 3:04 PM
To: Jennifer Arends <Jennifer.Arends@kitchener.ca>
Subject: FW: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Thursday, January 18, 2024 3:00 PM
To: MTO - Jeremiah Johnston (Jeremiah.Johnston@ontario.ca) <jeremiah.johnston@ontario.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 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>; Fire Prevention (SM)
<FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; GRCA -
Planning (planning@grandriver.ca) <planning@grandriver.ca>; Landuse Planning
<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>; Planning Applications

<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>; UW-WUSA (Feds)
(pres@wusa.ca) <pres@wusa.ca>; Viamonde School Board - Daniel Stojc <stojcd@csviamonde.ca>;
WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca)
<elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>

Subject: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

Please see attached. Additional documentation can be found in AMANDA folders 24-100398 & 24-100402 (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: Christine Kompter
Sent: Thursday, January 11, 2024 9:41 AM
To: Brian Bateman
Subject: FW: Circulation for Comment - 135-161 Jackson Avenue & 136 Brentwood Avenue (OPA/ZBA)

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@grandriver.ca>
Sent: Thursday, January 11, 2024 9:38 AM
To: Christine Kompter <Christine.Kompter@kitchener.ca>
Subject: RE: Circulation for Comment - 135-161 Jackson Avenue & 136 Brentwood Avenue (OPA/ZBA)

Good Morning Christine,

Thank you for circulating the GRCA on this application. In review of our regulatory mapping, there do not appear to be any GRCA regulated features present on the property. As such, we will not be providing comments. We trust that the municipality will review stormwater management for the site.

Have a great day!

Ashley Gallagher

Engineering & Planning Services Technical Assistant
Grand River Conservation Authority

400 Clyde Road, PO Box 729
Cambridge, ON N1R 5W6
Office: 519-621-2763 ext. 2320
Toll-free: 1-866-900-4722
Email: agallaugh@grandriver.ca

From: Christine Kompter <Christine.Kompter@kitchener.ca>

Sent: Wednesday, January 10, 2024 2:41 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 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>; Fire Prevention (SM) <FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; Planning <planning@grandriver.ca>; Landuse Planning <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>); Planning Applications <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>; UW-WUSA (Feds) (<pres@wusa.ca> <pres@wusa.ca>); Viamonde School Board - Daniel Stojc <stojcd@csviamonde.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 - 135-161 Jackson Avenue & 136 Brentwood Avenue (OPA/ZBA)

Please see attached. Additional documentation can be found in AMANDA folders 24-100398 & 24-100402 (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: Johnston, Jeremiah (MTO) <Jeremiah.Johnston@ontario.ca>
Sent: Thursday, January 18, 2024 4:03 PM
To: Brian Bateman
Subject: RE: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

Very well,

MTO maintains the same position on permits as previously provided.

Thank you,

Jeremiah Johnston Corridor Management Planner
Corridor Management Section
Ministry of Transportation Operations Branch West
659 Exeter Road, London, ON N6E 1L3
M: (226)-980-6407

From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: January 18, 2024 4:01 PM
To: Johnston, Jeremiah (MTO) <Jeremiah.Johnston@ontario.ca>
Subject: RE: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Same building form but a little different site configuration. Underground parking gone for just surface parking

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Johnston, Jeremiah (MTO) <Jeremiah.Johnston@ontario.ca>
Sent: Thursday, January 18, 2024 3:59 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: RE: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

Good afternoon Brian,

Has the development changed since MTO commented at Pre-con in 2022?

Thank you,

Jeremiah Johnston Corridor Management Planner
Corridor Management Section
Ministry of Transportation Operations Branch West
659 Exeter Road, London, ON N6E 1L3
M: (226)-980-6407

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: January 18, 2024 3:00 PM
To: Johnston, Jeremiah (MTO) <Jeremiah.Johnston@ontario.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 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>; Fire Prevention (SM) <FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; GRCA - Planning (<planning@grandriver.ca>) <planning@grandriver.ca>; Landuse Planning <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>; Planning Applications <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>; UW-WUSA (Feds) (<pres@wusa.ca>) <pres@wusa.ca>; Stojc, Daniel <stojcd@csviamonde.ca>; WCDSB - Planning <planning@wcdsb.ca>; Elaine Burns <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Subject: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Please see attached. Additional documentation can be found in AMANDA folders 24-100398 & 24-100402 (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
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519-741-2200 ext. 7425 | TTY 1-866-969-9994 | christine.kompter@kitchener.ca





City of Kitchener
Zone Change / Official Plan Amendment Comment Form

Address: 135-161 Jackson Ave and 136 Brentwood Ave
Owner: 100019071 Ontario Inc. (Sanjiv Shukla)
Application: OPA24/002/J/BB and ZBA24/002/J/BB

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

Date of Comments: Jan 11 2024

- 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 OPA and/or ZBA to to redevelop the subject properties with 4 street facing townhouses along the Jackson Street frontage with 116 stacked townhouses in five clusters internal to the subject lands for a total of 120 units with 128 on-site parking spaces. A Privately Owned Public Space (POPS) is proposed as an amenity area along the Jackson Avenue frontage. Both Official Plan and Zoning By-law Amendments are required to support this development proposal.

- Completed and signed Official Plan and Zoning By-law Amendment application forms
- A Planning Justification Report, prepared by MHBC Planning, dated November 2023;
- An Urban Design Brief, prepared by MHBC Planning, dated November 2023;
- An Architectural package, including the Site Plan, elevations, and floor plan drawings, prepared by SRM Architecture, dated November 23rd ,2023
- An Existing Conditions dated December 22, 2022, Site Servicing and Grading Plans, prepared by MTE, dated September 21st, 2023;
- Shadow Study, prepared by SRM Architecture, dated November 20th, 2023;
- Arborist Report and Tree Management Plan, prepared by Hill Design Studio, dated Nov 28 2023
- Various renderings of the proposed development; SRM Architects

2. Site Specific Comments & Issues:

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

Zone Change / Official Plan Amendment Comment Form

3. Comments on Submitted Documents

1) **Parkland Dedication**

- a) The site is within the Eastwood 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 and the development site is within the recommended walking distance to existing active neighbourhood park space and acquiring additional physical public parkland in this location is not a priority and parkland dedication and full cash in lieu of land is recommended.
- b) The development concept illustrates a POPS (Privately Owned Publicly Accessible Space) at the front property line. If this is considered by the City, full public access easements would be required to be registered on title and all maintenance responsibilities would remain with the developer and the future residents/condominium corporation. The City's Park Dedication Bylaw 2022-101 and Park Dedication Policy permit the City to consider such arrangements and allow a partial credit of 25% of the POPS land area towards the required park dedication requirements. Parkland dedication credit is not provided for any structure, improvements or plantings.

Based on the preliminary site plan submitted with the OPA/ZBA an estimate is provided using the approved land valuation of \$3,830,000/ha and a dedication rate of 1ha/1000 units; a maximum dedication of either land or CIL of 10% and a capped rate of \$11,862/unit. The estimated cash-in-lieu park dedication for the proposed 1.13375ha site with 120 proposed units (demolition and credit for 6 units) of **\$434,226 as cash in lieu of land.**

Calculation:

$$114 \text{ units}/1000 \text{ units} \times \$3,830,000/\text{ha} = \$436,630 \text{ (alternate rate Bylaw 2022-101)}$$

$$1.13375\text{ha} \times 0.05 \times \$3,830,000/\text{ha} = \$217,113 \text{ (5\% rate Bylaw 2022-101)}$$

$$1.13375\text{ha} \times \$3,830,000/\text{ha} \times 0.1 = \$434,226 \text{ (More Homes Built Faster Act 10\% cap)}$$

A second estimate is provided including the option for a ~235m² POPS space (utilizing the Council approved 25% land credit- 0.0235ha x 0.25 x \$3,830,000 = \$22,501) of **\$411,725 as cash in lieu of land in addition to the proposed POPS subject to registered public access easements, maintenance agreements and finalization of design details through a site plan application.**

2) **Arborist Report and Tree Management Plan, prepared by Hill Design Studio, dated Nov 28 2023**

- a) The Plan and Report indicate that a total of four (4) City owned street trees (#122, #123, #125 and #126) are proposed for removal. Three of these street trees are assessed as being in 'Good' condition and one (#125) is identified as 'Dead'. An ISA valuation of all City owned trees in Fair or better condition is required.

Zone Change / Official Plan Amendment Comment Form

- b) City records indicate there is an existing City owned street tree located within the boulevard at 136 Brentwood Ave; please confirm and revise.
 - c) The proposed site layout and driveway configuration for street TH F3 and F4 should be revised to better protect the existing street trees. Consider providing parking at grade internal to the site.
 - d) Any City owned trees approved for removal will require financial compensation to the approved ISA valuation as a condition of final Site Plan approval.
- 3) **Urban Design Brief prepared by MHBC Planning, dated November 2023; Architectural package, including the Site Plan, elevations, and floor plan drawings, prepared by SRM Architecture, dated November 23rd, 2023 and Park renderings prepared by SRM Architects.**
- a) The proposed site layout and driveway configuration for Street TH F3 and F4 should be revised to better protect the existing street trees.
 - b) The Urban Design Brief and various conceptual renderings illustrate a fence enclosing the proposed POPS and a solid landscape bed adjacent to the public realm. Low fencing adjacent to the parking lot is certainly warranted but if this amenity space is to be considered as POPS, the interface with the public realm will need to be revised to present a clear and welcoming entrance to the public. Fencing that does not allow direct access from the street or that obscures clear sight lines should not be included. If pursued at the Site Plan application stage and supported, Parks and Cemeteries will, in conjunction with Urban Design, review and approve all landscape elements associated with the proposed POPS.

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:**

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

It is recommended that parkland dedication for the application be taken as cash-in-lieu of land in accordance with the Planning Act, City of Kitchener Bylaw 2022-101 and the Park Dedication Policy.

City of Kitchener
Zoning By-law Amendment Comment Form

Project Address: 135-161 Jackson Avenue & 136 Brentwood Avenue

File Number: OPA2024/02/J/BB

ZBA2024/02/J/BB

Date of Site Plan Review Committee Meeting: No meeting, email circulation

Comments Of: Transportation Services

Commenter's Name: Steve Ryder

Email: steven.ryder@kitchener.ca

Phone: (519) 741 2200 x 7152

Date of Comments: January 22, 2024

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

1. Recommendation of Commenting Division:

Transportation Services has no objections to the proposed Official Plan Amendment (OPA) for the subject property. At this time, Transportation Services **does have concerns with the proposed Zoning By-law Amendment (ZBA)** to rezone the subject site for the purpose of construction of a 124-unit multiple dwelling development plus four (4) street fronting townhouses. Please see the following comments (**with comments/questions directed towards the traffic consultant highlighted in yellow**):

- The proposed ZBA application requests a parking reduction to a combined (residential plus visitor) parking rate of 1.03 spaces per unit but there is no indication of what the split between residential and visitor spaces will be. The traffic assessment notes that 128 spaces will be provided (which differs from the final application) but also does not indicate what the split would be.
 - The applicant must ensure that all parking needs for this development are provided internal to the site and there is no reliance for on-street parking on local streets to provide visitor parking.
 - Transportation Services would like to ensure that a specific number of visitor spaces are maintained through the parking reduction. The subject site would typically require 0.1 spaces per unit for visitor parking, or 13 spaces (124 units).

- The Traffic Assessment completed by Paradigm Transportation Solutions Ltd. notes that it is assumed that secure bicycle parking will be available "in unit". The submitted conceptual site plan also notes that 120 Class A secured bike spaces will be provided "in unit".
 - While providing a secured bike space within a unit is achievable, there are specific dimensions and language in the Zoning By-law 2019-051 that must be met to be considered a Class A space. It cannot be assumed that a "unit" is considered a Class A bike space and the bicycle parking spaces must be shown appropriately in the site and floor plans of the development.
- The requested parking reduction from 132 to 124 spaces is not justified by any additional TDM measures beyond what is required under the Zoning By-law. Aside from an extra six (6) Class B bike racks there is no mention of any additional measures to help mitigate the demand for residential parking as part of the proposed development.
 - The Traffic Assessment notes that parking unbundled from units and sold separately would make the site eligible for a 9% reduction in parking by using the City of Kitchener's PARTS TDM Checklist.
 - The submitted Planning Justification Report notes that the site is eligible for the 9% parking reduction but does not specify what measure would permit the reduction.
- ***Transportation Services staff recommend changes be made to the conceptual site plan and ZBA application so that they align and provide more justification for the proposed reduction in parking before support can be offered for both the proposed OPA & ZBA applications.***

TRAFFIC IMPACT OF PROPOSED DEVELOPMENT:

- Staff acknowledge that the estimated trip generation of the proposed development results in approximately 61 new trips in the morning (AM) peak hour, and 72 new trips in the afternoon (PM) peak hour.
 - This yields roughly 1 new trip per minute in the AM peak hour, and just over 1 new trip per minute in the PM peak hour.
 - Most of the generated trips from the site are estimated to use the Jackson Ave access, which would mean Jackson Ave would see the biggest increase of daily traffic as a result of the proposed development.
 - While this number does appear to significantly increase the number of trips during the peak hours along Jackson Ave, it should be noted that existing volumes along Jackson Ave in the area of the proposed site access is very low.
- Staff notes that while a second access off Brentwood Ave may not be ideal from a neighbourhood perspective, it will aid in a better distribution of trips generated by the site itself.
- ***In regard to the estimated trip distribution, was any consideration given to the proximity to the highway via a traffic signal at Weber/Montgomery as opposed to accessing Weber via Jackson Ave (where minor street stop control is the only traffic control)?***

From: Steven Ryder
Sent: Tuesday, March 26, 2024 10:42 AM
To: Brian Bateman
Cc: Darren Kropf
Subject: RE: MHBC's Responses to Your Comments - Jackson

Hi Brian,

Sorry for the delay, We do not have any concerns with the proposed parking rate. The response matrix they provided did not have any concerns from me, either.

Thanks,

Steve

From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: Tuesday, March 26, 2024 9:42 AM
To: Steven Ryder <Steven.Ryder@kitchener.ca>
Cc: Darren Kropf <Darren.Kropf@kitchener.ca>
Subject: RE: MHBC's Responses to Your Comments - Jackson

Hello Steve,

Just following up as I have not received a response and my report is past due. Unless I receive a response by tomorrow, I will assume TP has no concerns with the applicant's request for a 1.02 parking spaces (inclusive of visitor) instead of 1.1. I must move forward with the report going to April 22 PSIC. Please contact me should you have any concerns.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Brian Bateman
Sent: Tuesday, March 19, 2024 10:22 AM
To: Steven Ryder <Steven.Ryder@kitchener.ca>
Subject: RE: MHBC's Responses to Your Comments

Hi Steve,

Attached is the latest revised plan for your information.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Brian Bateman
Sent: Monday, March 18, 2024 4:36 PM
To: Steven Ryder <Steven.Ryder@kitchener.ca>
Subject: FW: MHBC's Responses to Your Comments

Hi Steve,
Just following up on my email sent you on March 5. Are you satisfied with their responses to your comments? Please advise. Thanks.

Brian Bateman, MCIP, RPP
Senior Planner
City of Kitchener
519-741-2200 x7869, TTY 1-866-969-9994



From: Brian Bateman
Sent: Tuesday, March 5, 2024 9:32 AM
To: Katey Crawford <Katey.Crawford@kitchener.ca>; Lenore Ross <Lenore.Ross@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>
Cc: Sandro Bassanese <Sandro.Bassanese@kitchener.ca>
Subject: FW: MHBC's Responses to Your Comments

Hi Katey, Lenore & Steve,
Juliane from MHBC has provided me with a response matrix to staff comments and is attached for your consideration. Can you kindly review and advise me if your concerns have been addressed satisfactorily by March 12, please and thank you. Katey/Sandro – I would kindly ask that, given the concerns/questions of residents particularly around the Urban Design Guidelines, could you provide me with a detailed response on how this proposal meets the Guidelines so I can include it in my report and be able to answer any questions that will arise at Committee. Steve – if you could provide me with a paragraph or two regarding traffic, that would also be appreciated. Please reach out if you have any questions in the meantime.

P.S. – Juliane said to me before she left on vacation, that the updated site plan is coming but it needs to be matched up with the grading plan. I am hoping it is available shortly. My understanding is they have agreed to the changes that Katey proposes but on working on the setbacks.

Brian Bateman, MCIP, RPP
Senior Planner
City of Kitchener
519-741-2200 x7869, TTY 1-866-969-9994



From: Juliane vonWesterholt <jvonwesterholt@mhbcplan.com>

Sent: Friday, March 1, 2024 6:11 PM

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

Subject: comment summary tables Jackson Ave

Hi Brian,

Here is the material for the Jackson Ave site. Hope this will keep you going. I will be away until March 18th when I am back in office. Take care.

Sincerely,

Juliane von Westerholt

JULIANE von WESTERHOLT BES, MCIP, RPP
Associate

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From: Katey Crawford
Sent: Thursday, March 28, 2024 12:41 PM
To: Brian Bateman
Cc: Sandro Bassanese
Subject: RE: revised site plan and engineering plans

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Brian.,

I am supportive of the OPA/ZBA conditional on an updated and approved **Urban Design Brief**. The applicant has demonstrated general compliance with Urban Design Guidelines/policy by providing the following:

- Upper storey step backs are provided to transition the built form into the neighborhood.
- Street fronting townhouse typology without individual driveway access points provide a complimentary built form with very few disruptions to the Jackson Ave streetscape.
- Built form is facing Jackson Ave to activate the street front and reduce visibility to parking.
- Building façades are complimentary to the neighborhood while remaining modern in appearance. Materials such as red brick masonry and a warm colour palette are being utilized.
- Lower-level storeys are sunken into grade to decrease building height appearance at grade.
- Functioning rear yard setbacks are sufficient to provide sensitive transition, and landscaping/tree planting between property lines and buildings.
- Parking is serviced well with pedestrian connections adjacent which lead in and out of the site.
- Amenity space on site is strategically placed to maximize tree preservation, is centrally located with oversight from adjacent buildings and is appropriate in size based on urban design manual calculation requirement.
- Landscape areas are sufficient to provide required plantings adjacent to the street, offset property lines and within amenity area.

Best,

Katey

Katey Crawford, OALA, CSLA

Senior Urban Designer / Development and Housing Approvals / City of Kitchener
519-741-2200 ext. 7157 / TTY 1-866-969-9994 Katey.Crawford@kitchener.ca



From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: Monday, March 18, 2024 5:13 PM
To: Katey Crawford <Katey.Crawford@kitchener.ca>; Sandro Bassanese <Sandro.Bassanese@kitchener.ca>
Cc: Garrett Stevenson <Garrett.Stevenson@kitchener.ca>
Subject: RE: revised site plan and engineering plans

Hi Katey,

FYI - These are the policies we have to consider with their application request to amend the OP/ZBA:

- a) compatibility of building form with respect to massing, scale, design;
- b) the relationship of housing to adjacent buildings, streets and exterior areas;
- c) adequate and appropriate parking areas are provided on site; and,
- d) adequate and appropriate amenity areas and landscaped areas are provided on site.

Could use your assistance in addressing these for the report. Thanks.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Brian Bateman
Sent: Monday, March 18, 2024 4:56 PM
To: Katey Crawford <Katey.Crawford@kitchener.ca>; Sandro Bassanese <Sandro.Bassanese@kitchener.ca>
Cc: Garrett Stevenson <Garrett.Stevenson@kitchener.ca>
Subject: FW: revised site plan and engineering plans

Hi Katey/Sandro,

See attached – looks like they incorporated most of your suggested changes. Let me know your thoughts.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Juliane vonWesterholt <jvonwesterholt@mhbcpplan.com>
Sent: Monday, March 18, 2024 4:49 PM

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

Subject: revised site plan and engineering plans

Hi Brian,

I am forwarding the revised site plan and engineering plans for you. I will forward additional information, as it becomes available. I will follow up with a summary cover letter for you to describe the site plan changes, but I am just getting back from holidays.

Sincerely,

Juliane von Westerholt

JULIANE von WESTERHOLT BES, MCIP, RPP
Associate

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From: Planning <planning@wcdsb.ca>
Sent: Wednesday, January 31, 2024 10:26 AM
To: Brian Bateman
Subject: RE: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

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

Good Morning Brian,

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

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

B) That the developer 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. A sign specifications document can be found at the bottom of the board's planning department web page (<https://www.wcdsb.ca/about-us/cs/planning/>).

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

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

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

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: Thursday, January 18, 2024 3:00 PM
To: MTO - Jeremiah Johnston (Jeremiah.Johnston@ontario.ca) <jeremiah.johnston@ontario.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 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>; Fire Prevention (SM)
<FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; GRCA -

Planning (planning@grandriver.ca) <planning@grandriver.ca>; Landuse Planning <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>; Planning Applications <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>; UW-WUSA (Feds) (pres@wusa.ca) <pres@wusa.ca>; Viamonde School Board - Daniel Stojc <stojcd@csviamonde.ca>; Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Subject: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

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Please see attached. Additional documentation can be found in AMANDA folders 24-100398 & 24-100402 (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: Emily Bumbaco <emily_bumbaco@wrdsb.ca>
Sent: Wednesday, January 31, 2024 10:04 AM
To: Brian Bateman; Planning
Subject: Re: [Planning] Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

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

**PLANNING
DEPARTMENT**

Brian Bateman
Senior Planner
City of Kitchener
brian.bateman@kitchener.ca

January 31, 2024

Re: Circulation for Comment - 135 and 161 Jackson Ave (OPA/ZBA)

File No.: OPA24/002 ZBA24/002

Municipality: Kitchener

Dear Brian,

The Waterloo Region District School Board (WRDSB) has reviewed the above-noted application an infill development containing approximately 120 residential units in the form of multiple dwellings. The WRDSB offers the following comments.

Student Accommodation

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

- Sheppard Public School (Junior Kindergarten to Grade 6);
- Sunnyside Public School (Grade 7 to Grade 8); and
- Eastwood Collegiate Institute (Grade 9 to Grade 12).

The WRDSB's [2020-2030 Long-Term Accommodation Plan](#) provides detailed enrolment projections for the long-term at these facilities.

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. WRDSB staff are interested in engaging in a conversation with the City of Kitchener, and applicant to review the optimization of pedestrian access to public transit, and municipal sidewalks so students may access school bus pick-up points.

Student Transportation Services of Waterloo Region (STSWR)'s school buses will not travel privately owned or maintained rights-of-way 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 rights-of-way.

WRDSB Conditions

Concerning any future declaration or agreement, the WRDSB requests the following inclusions:

1. That the Owner/Developer shall include the following wording in the condominium declaration to advise all purchasers of residential units and/or renters of same:
 - a. *"Despite the best efforts of the Waterloo Region District School Board (WRDSB), accommodation in nearby facilities may not be available for all anticipated students. You are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may, in future, be transferred to another school."*
 - b. *"For information on which schools are currently serving this area, contact the WRDSB Planning Department at 519-570-0003 ext. 4419, or email planning@wrdsb.ca. Information provided by any other source cannot be guaranteed to reflect current school assignment information."*
 - c. *"In order to limit risks, public school buses contracted by Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up and drop off students, and so bussed students will be required to meet the bus at a congregated bus pick-up point"*
2. That the Owner/Developer enters into an agreement with the City of Kitchener to be registered on the title to the Property that provides:
 - a. *"All agreements of purchase and sale or leases for the sale or lease of a completed home or a home to be completed on the Property must contain the wording set out below to advise all purchasers of residential units and/or renters of same."*
 - i. *"Despite the best efforts of the Waterloo Region District School Board (WRDSB), accommodation in nearby facilities may not be available for all anticipated students. You are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside the area, and further, that students may, in future, be transferred to another school."*
 - ii. *"For information on which schools are currently serving this area, contact the WRDSB Planning Department at 519-570-0003 ext. 4419, or email planning@wrdsb.ca. Information provided by any other source cannot be guaranteed to reflect current school assignment information."*
 - iii. *"In order to limit risks, public school buses contracted by Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up and drop off students, and so bussed students will be required to meet the bus at a congregated bus pick-up point"*
3. That in cases where Agreements of Purchase and Sale have already been executed, the Owner/Developer sends a letter to all purchasers which include the above statements (2 a. i., ii., and iii.).

4. That the Owner/Developer supply, erect and maintain a sign (at the Owner/Developer's expense and according to the WRDSB's specifications), near or affixed to the development sign, advising prospective residents about schools in the area and that prior to final approval, the Owner/Developer shall submit a photo of the sign for review and approval of the WRDSB.
5. Prior to final approval, the WRDSB advises in writing to the Approval Authority how the above condition(s) has/have been satisfied.

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](#) 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.

Sincerely,

Emily Bumbaco
Senior Planner



Waterloo Region District School Board

51 Ardelt Avenue
Kitchener ON, N2C 2R5
T: 519 570-0003
w: wrdsb.ca

On Thu, Jan 18, 2024 at 2:59 PM Christine Kompter <Christine.Kompter@kitchener.ca> wrote:

Please see attached. Additional documentation can be found in AMANDA folders 24-100398 & 24-100402 (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
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