

**City of Kitchener**  
**Zoning Bylaw Amendment Comment Form**

**Project Address:** 169-183 Victoria Street South

**Application Type:** Zoning Bylaw Amendment

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Comments Of: Urban Design

Commenter's Name: Rojan Mohammadi

Email: rojan.mohammadi@kitchener.ca

Phone: 519-741-2200 ext 7326

Date of Comments: August 30, 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)
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1. Documents Reviewed:

- Urban Design Brief (June 2024), prepared by GSP Group.
- Vegetation Management Plan (March 2024), prepared by GSP Group.
- Arborist Report (March 2024), Prepared by GSP Group.
- Architectural Design, Prepared by aba architects inc.

2. Site Specific Comments & Issues:

- It is highly recommended to start the 1.5m setback from the 3<sup>rd</sup> floor, rather than the 4<sup>th</sup>, to minimize heritage impacts and maintain a more human scale.
  - Include mortar lines in the precast concrete wall panel -brick formliner of the podium to create the appearance of authentic brickwork.
  - Indicate the recessed areas shown on the south elevation on the site plan. Please see the image below for clarification.
  - Written permission for removal of or impact to trees in joint ownership along property lines is required.
  - Tree #1384 is located within City property. Please coordinate with Parks and Cemetery regarding its removal and compensation.
  - The proposed ground floor balconies should be a minimum of 11 square meters in size.
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- Ensure the main entrance is clearly defined and emphasized through architectural elements that are clean, recognizable, and appropriately scaled and detailed to suit the building mass.
- Any proposed vegetation and trees on Victoria Street should be shade tolerant.
- The Urban Design Brief refers to play area, please clearly identify the proposed and provide conceptual details.
- Urban Design Brief should provide conceptual details for roof top amenity area and patio area including precedent images to guide detailed site design through the site plan application.



**City of Kitchener**  
**Heritage – OPA/ZBA Comment Form**

**Project Address:** 169-183 Victoria St S and 59 Park St

**File Number:** ZBA24/021/V/AP

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Comments Of: Heritage Planning

Commenter's Name: Jessica Vieira

Email: jessica.vieira@kitchener.ca

Phone: 519-741-2200 ext. 7291

Date of Comments: August 27, 2024

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Heritage Planning staff has reviewed the following material for the proposed development on the lands municipally addressed as **169-183 Victoria Street South and 59 Park Street** to provide the comments outlined below:

- Draft Heritage Impact Assessment (HIA) prepared by McCallum Sather and dated June 2024.
- Architectural Drawings prepared by aba Architects Inc. and dated June 6, 2024.
- Cover Letter signed by Kristen Barisdale c/o GSP Group and dated June 14, 2024.
- Arborist Report and Vegetation Management Plan prepared by GSP and dated March 28, 2024.

**1. Site Specific Comments:**

The subject property municipally addressed as 59 Park Street is designated under Part V of the *Ontario Heritage Act*, and is located within the Victoria Park Area Heritage Conservation District. The subject properties municipally addressed as 169 – 183 Victoria Street South do not have any heritage status, being neither listed as a non-designated property of cultural heritage value or interest on the Municipal Heritage Register, designated under the Ontario Heritage Act, or identified on the Kitchener Inventory for Historic Buildings. However, the subject lands are located adjacent to heritage resources, including:

- Properties within the Victoria Park Area Heritage Conservation District (VPAHCD) and designated under Part V of the *Ontario Heritage Act*.
- 163-165 Victoria Street South, listed as a non-designated property of cultural heritage value or interest on the Municipal Heritage Register

- 55-57 Henry Street / 189-193 Victoria Street South, listed as a non-designated property of cultural heritage value or interest on the Municipal Heritage Register

The subject lands are also in proximity to other properties within the VPAHCD. Furthermore, the subject lands are also located adjacent to the Victoria Park Area Cultural Heritage Landscape and the Warehouse District Cultural Heritage Landscape, as defined in the Kitchener Cultural Heritage Landscape Study approved by Council in 2015.

This Zoning By-law Amendment is proposing to change the zoning under By-law 85-1 from MU-1 to MU-2 and add a site specific provision to regulate certain setbacks, allow an increased building height of 28.8 metres, allow a floor space ratio of 4.2, allow for a reduced parking ratio, and allow residential units on the ground floor. The intent of this ZBA is to facilitate the development of an 8-storey multiple dwelling consisting of 120 dwelling units, including 24 affordable units. The heritage resource on 59 Park Street is proposed to be retained in situ, with a garage addition demolished and transformer block established in the rear yard.

## 2. Heritage Planning Comments

- A draft HIA has been submitted to the City in support of this application. The draft HIA concludes that there are minimal negative impacts anticipated to heritage resources and recommends a series of mitigation measures, including the development of a Conservation / Protection Plan.
  - The draft HIA has not yet been approved by the Director of Planning. The draft HIA is scheduled to go to the Heritage Kitchener Committee at its October 1, 2024 meeting. Comments received from that meeting will be provided under separate document, along with Heritage Staff comments.
- Per the draft HIA, the proposed development is intended to provide a transition from the high-rises across Victoria Street South to the low-rise single-detached buildings within the Victoria Park Area Heritage Conservation District. Heritage Staff recommended that the “podium” and stepback at the rear begin at the third floor rather than the fourth, as it is on the front of the building.
  - In Heritage Staffs opinion, this creates a more sympathetic design to the adjacent heritage resources and a better transition in heights. The 45-degree angular plane would be more closely met.
- Heritage Staff would also recommend having a clearly visible mortar line in form liner of the pre-cast proposed for the “podium” cladding, as this creates a better illusion of brick (eg. pre-cast on 100 Victoria Street South) and helps aid in integrating the proposed development into the surrounding heritage neighborhood.

- Addition of elements such as concrete header and sill on windows would also help contribute to the appearance of masonry and is reflective of the elements which help characterize the Victoria Park Area Heritage Conservation District (again, similar to what was done on 100 Victoria Street South development)
- Question: Is there intention to consolidate with 59 Park Street?
  - Heritage Staff would recommend that the properties on Victoria Street be kept separate from the property on Park and an easement be proposed for the transformer in the rear of 59 Park Street instead. In this way Heritage Permits would not be required for the construction of the new building itself as the subject properties on Victoria Street are not designated under the *Ontario Heritage Act*. A Heritage Permit would still be required for the demolition of the garage addition.
- Question: Is it anticipated that 59 Park Street will continue to be used for residential purposes?

## Andrew Pinnell

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**From:** Elyssa Pompa  
**Sent:** Friday, August 30, 2024 3:54 PM  
**To:** Andrew Pinnell  
**Cc:** Tim Donegani  
**Subject:** FW: Circulation for Comment - 169-183 Victoria Street South (ZBA)  
**Attachments:** Dept & Agency Circ Letter\_169-183 Vic St S.pdf

Hi Andrew, Policy's comments for Inclusionary Zoning are below. If you have any questions, please contact myself or Tim.

Inclusionary Zoning (IZ) is a land-use planning tool, authorized through the Planning Act, that can be used by municipalities to require affordable housing units in new residential and mixed-use developments located in Protected Major Transit Station Areas (PMTSAs). This tool has been used successfully in a number of jurisdictions to create a modest but meaningful supply of affordable housing.

On March 18, 2024, Council passed [By-law 2024-068](#) to amend Zoning By-law 2019-051 and [By-law No. 2024-069](#) to amend Zoning By-law 85-1, and [Amendment 48](#) to the Official Plan (in full force and effect). The amending by-laws require affordable housing units in new developments to be included as part of market housing development within PMTSAs.

The subject property is located within the Central Station PMTSA, a Prime Area. Inclusionary Zoning set-aside rates (percentage of gross leasable residential floor area to be provided as affordable units) are determined at the date of building permit issuance for above grade permits issued after January 1, 2025. Additional information is provided in the [Inclusionary Zoning Implementation Guideline](#). The set aside rates and effective date are not up-to-date in the draft guideline, and reference should be made to the amending by-laws.

Plans, Studies and Reports to submit as part of a complete Planning Act application:

- Inclusionary Zoning Implementation Brief. Please refer to Section 7 of the Inclusionary Zoning Implementation Guideline for additional information. The Inclusionary Zoning Implementation Brief must be submitted as part of a complete Site Plan application.

Policies, Standards and Resources:

- Official Plan
- Zoning By-law
- [Inclusionary Zoning Implementation Guidelines](#) – Please contact Elyssa Pompa, Planner (Policy) at [elyssa.pompa@kitchener.ca](mailto:elyssa.pompa@kitchener.ca) for the most up-to-date version of the Inclusionary Zoning Implementation Guidelines document.

**Elyssa Pompa** (she/her), MES Pl., RPP, MCIP  
Planner (Policy) | Planning and Housing Policy Division | City of Kitchener  
519-741-2200 x 7327 | TTY 1-866-969-9994 | [elyssa.pompa@kitchener.ca](mailto:elyssa.pompa@kitchener.ca)

# City of Kitchener - Comment Form

**Project Address: 169-183 Victoria St South**

**Application Type: ZBA**

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

**Commenter's name:** Mike Balch

**Email:** Mike.Balch@kitchener.ca

**Phone:** 519-741-2200 x 7110

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**Written Comments Due:** August 30, 2024

**Date of comments:** August 29, 2024

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

- Sustainability Statement for 169-183 Victoria St South, as prepared by Kristen Barisdale of GSP Group.

**2. Comments & Issues:**

I have reviewed the supporting documentation (as listed above) to support a site plan application proposing an 8-storey multiple dwelling, regarding sustainability and energy conservation, and provide the following comments:

- Although the Ontario Building Code (OBC) is progressive, going forward all developments will need to include energy conservation measures that go beyond the OBC as the City (and Region of Waterloo) strive to achieve our greenhouse gas reduction target.
- A Sustainability Statement (as per the City's Terms of Reference) will be required as part of a complete Site Plan Application which can further explore and/or confirm additional sustainability measures that are best suited to the development as the design evolves.
- **Upon review of the supporting documentation, the Zoning Bylaw Amendment can be supported as several sustainable measures have been proposed or are being considered for the development. However, further clarification is needed as the development progresses through the building design/Site Plan process and more details become available, particularly clarifying the following:**
  - Why the use of alternative water supply and demand management systems such as rainwater harvesting and grey water reuse, or readiness of the development to incorporate such systems in the future, will not be considered
  - Consideration 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.
- The development proposes several sustainable measures including:

- The compact and efficient design of an underutilized lands
- The utilization of existing servicing
- The consideration to encourage greater public transit use
- Pedestrian supportive design
- On-site secure bike parking promoting active transportation
- Proposed low-flush toilets and low-flow shower heads
- Cool/light coloured roofing material
- On-site garbage, recycling, and compost
- Potential items for consideration are:
  - If the units will be separately metered to allow for more efficient management of energy use on a tenant-by-tenant basis
  - Using low or no VOC paints and finishes to minimize air pollutants in interior materials
  - Building orientation for southern exposure reducing heating 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>



## City of Kitchener ZBA comments

<b>Application type:</b>	Zoning By-law Amendment Application ZBA24/021/V/AP
<b>Project address:</b>	169-183 Victoria Street South
<b>Comments of:</b>	Transportation Services
<b>Commenter's name:</b>	Dave Seller
<b>Email:</b>	dave.seller@kitchener.ca
<b>Phone:</b>	519-783-8152
<b>Date of comments:</b>	August 26, 2024
<b>Comments due:</b>	August 30, 2024

### Preamble

As part of a complete Zoning By-law amendment application a Transportation Impact Study (TIS) and Parking Study was submitted (June 2024) by Paradigm Transportation Solutions Limited in support of this ZBA application. Transportation Services reviewed the TIS and Parking Study offer the following comments.

### Development proposal

The applicant is proposing to redevelopment the property with an 8-storey residential building consisting of 120 dwelling units, with approximately 24 dwelling units proposed as affordable housing. The development is estimated to generate 33 AM and 39 PM peak hour vehicle trips. The site will be serviced by one full moves access along Park Street and one access along Henry Street. A total of 53 parking spaces are being proposed to have access to/from the underground parking garage at Park Street, while Henry Street will provide access only for loading and garbage pick-up.

### Intersection analysis

#### 2023 Existing Traffic Conditions

The two intersections noted below were reviewed and both intersections are operating within acceptable levels of service except for the following traffic movements at Victoria Street South and Park Street. It should be noted that Henry Street functions as one-way eastbound, where vehicles travel from Victoria Street South towards Park Street.

#### Study intersections

- Victoria Street South (Regional Road 55) at Park Street - signalized
- Victoria Street South (Regional Road 55) at Henry Street – unsignalized

Park Streets eastbound left turn movement is operating with the 95<sup>th</sup> percentile queues exceeding the available storage length in the AM and PM peak hours. Park Streets westbound left turn movement is operating with the 95<sup>th</sup> percentile queues exceeding the available storage length in the AM and PM peak hours. During the PM peak hour, the left turn lane operates with a LOS E and vehicle delays of 60 seconds.

Victoria Street Souths southbound left turn movement is operating with a 95<sup>th</sup> percentile queues exceeding the available storage length in the PM peak hour.

### 2029 Background Traffic Volumes

The same two intersections were reviewed as noted above for this horizon year and both intersections are forecasted to operate within acceptable levels of service except for the following traffic movements at Victoria Street South and Park Street.

Park Streets eastbound left turn movement is forecasted to operate with the 95<sup>th</sup> percentile queues exceeding the available storage length in the AM and PM peak hours. Park Streets westbound left turn movement is forecasted to operate with the 95<sup>th</sup> percentile queues exceeding the available storage length in the AM and PM peak hours. During the PM peak hour, the left turn lane operates with a LOS E and vehicle delays of 67 seconds. Park Streets westbound through movement is forecasted to operate a LOS E and vehicle delays of 56 seconds in the AM peak hour.

Victoria Street South southbound left turn movement is forecasted to operate with the 95<sup>th</sup> percentile queues exceeding the available storage length in the AM and PM peak hours.

It should be noted that the 2029 background traffic calculations included other developments in the area, specifically:

- 130-142 Victoria Street South
  - Estimated 75 AM and 98 PM peak hour trips
  - 249 residential units
  - 574 m<sup>2</sup> ground floor commercial space
  - 576 m<sup>2</sup> office space
- 200 Victoria Street South
  - Estimated 106 AM and 126 PM peak hour trips
  - 436 residential units
  - 703 m<sup>2</sup> ground floor commercial space
- Victoria Street at Park Street (northwest corner)
  - Estimated 294 AM and 387 PM peak hour trips
  - Up to 1200 residential units
  - 1750 m<sup>2</sup> ground floor commercial space

### 2029 Total Traffic Volumes

The three intersections below were reviewed and are forecasted to operate with acceptable levels of service during the AM and PM peak hours except for the following traffic movements at Victoria Street South and Park Street. The new access at Henry Street was not reviewed as its only function is for loading and garbage pick-up, which has nominal traffic. Total traffic includes forecasted background traffic plus site development traffic.

#### Study intersections

- Victoria Street South (Regional Road 55) at Park Street - signalized
- Victoria Street South (Regional Road 55) at Henry Street - unsignalized
- Park Street at (NEW) site access - unsignalized

Park Streets eastbound left turn movement is forecasted to operate with the 95<sup>th</sup> percentile queues exceeding the available storage length in the AM and PM peak hours. Park Streets westbound left turn movement is forecasted to operate with the 95<sup>th</sup> percentile queues exceeding the available storage length in the AM and PM peak hours. During the PM peak hour, the left turn lane operates with a LOS E and vehicle delays of 68 seconds. Park Streets westbound through movement is forecasted to operate a LOS E and vehicle delays of 56 seconds in the AM peak hour.

Victoria Street Souths southbound left turn movement is forecasted to operate with the 95<sup>th</sup> percentile queues exceeding the available storage length in the AM and PM peak hours.

The new site access to Park Street is forecasted to operate with a LOS C or better and v/c ratios of 0.06 or lower in the AM and PM peak hours.

It should be noted that Park Streets westbound queues are forecasted to extend past the new site access in the AM and PM peak hours. This is to occur with or without this site being developed.

### **Transportation Demand Management (TDM) analysis**

This development is well situated to take advantage of the existing typical and higher-order transit services which support residents to choose non-auto travel more frequently. There are Grand River Transit (GRT) routes and ION light rail that are within 750m of this development. They include the following routes: 20 and 301 ION Central Station. These routes offer connectivity to a broader transit network throughout the Region of Waterloo and within Kitchener itself.

The walkability for pedestrians accessing the site and surrounding area can easily be accommodated as sidewalks are provided on both sides of roadways in the surrounding area which provide connections to entertainment, employment and commercial uses.

Travel by bicycle to/from this development is not restricted by any access-controlled roadways. Cyclists have access to the Iron Horse Trail which provide connections to Waterloo and through Kitchener and access to the Kitchener downtown cycling network.

### **Left turn lane analysis**

A left turn lane analysis was completed along Park Street at the new site access utilizing the Ministry of Transportation Design Supplement for the TAC Geometric Design Guide for Canadian Roads and it was determined that a left turn lane along Park Street is not warranted under the 2029 Total Traffic scenario. Transportation Services supports Paradigms conclusion.

### **Queueing analysis – Park Street westbound traffic**

A queueing analysis was completed for 2029 Total Traffic westbound volumes along Park Street utilizing SimTraffic Simulations. SimTraffic measures the full impact of queuing and blocking. The analysis consisted of five iterations of 60-minute simulations during the AM and PM peak hours. The analysis indicated that queue lengths of 28 and 27 metres can be expected for westbound traffic along Park Street in the AM and PM peak hours, respectively. There is approximately 20 metres of queue storage available on Park Street from the proposed parking garage access to the stop bar at Victoria Street

South. There is a potential for westbound traffic to queue past the site access along Park Street in limited circumstances. Transportation Services supports Paradigms analysis and conclusions.

The site access at Park Street is forecasted to operate with 95<sup>th</sup> percentile internal site queue lengths of 33 and 30 metres during the AM and PM peak hours, respectively. This results in approximately a 5-vehicle queue. Transportation Services supports Paradigms analysis and conclusions.

### **Parking demand analysis**

Paradigms analysis includes a review of City of Kitchener's Growing Together strategy, ITE Parking Demand, Transportation Tomorrow Survey (2016) - Area Specific Auto Ownership and parking demand data in similar developments. The analysis indicated a forecasted parking demand ratio of 0 to 0.91 space per unit (0 to 110 spaces). The applicant is proposing 53 parking spaces.

It should be noted that this development is located within a Strategic Growth Area (SGA) that has been approved by City of Kitchener council. This SGA zone was part of the Growing Together zoning strategy and SGA zones are not subject to minimum parking requirements.

### **Conclusions**

Any of the vehicle turning movements specifically noted above for existing, background or total traffic would occur with or without this development. Transportation Services are of the opinion that this development will not negatively impact the surrounding road network.

Based on the parking demand analysis, the proposed parking supply of 53 spaces is adequate for this development. Of the 53 spaces being provided, 6 spaces must be allocated for visitor parking.

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

## Andrew Pinnell

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**From:** Christine Goulet  
**Sent:** Wednesday, August 28, 2024 9:22 AM  
**To:** Andrew Pinnell  
**Subject:** RE: Circulation for Comment - 169-183 Victoria Street South (ZBA)  
**Attachments:** Fire Flow Requirements CN-253.pdf

Hi Andrew,

I've reviewed their functional servicing report and am in support of the zone change with a sanitary peak flow of 3.14L/s (an increase of 2.88L/s). I noted during the pre-submission that the Region preferred the water be serviced off of Park or Henry, and they are currently showing it off of Victoria, so this may need to change. I circulated the water distribution to Kitchener Utilities and they have noted that there should be a valve at the main and the property line for the new service. They have provided the fire flow requirements to be given to the developer. (attached)

Thanks,

**Christine Goulet, C.E.T.**

Project Manager | Development Engineering  
519-741-2200 Ext. 7820

**City of Kitchener**  
**Zoning By-law Amendment Comment Form**

**Address:** 169-183 Victoria Street South  
**Owner:** 1000002286 ONTARIO LTD., LEGION HEIGHTS VICTORIA INC. & 2306975  
**Ontario Inc.**  
**Application:** Zoning By-law Amendment #ZBA24/021/V/AP

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Comments Of: Park Planning  
Commenter's Name: Lenore Ross  
Email: Lenore.ross@kitchener.ca  
Phone: 519-741-2200 ext 7427  
Date of Comments: Aug 19 2024

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**Documents Reviewed:**

I have reviewed the documentation noted below submitted in support of a ZBA to facilitate the redevelopment of the lands with an 8-storey multiple dwelling consisting of 120 dwelling units. Approximately 24 dwelling units are proposed to be provided as affordable housing. Access to two underground parking levels is proposed off Park Street and the principal pedestrian entrance would be located on Victoria Street. Interior and exterior (rooftop and at-grade) amenity spaces would be provided. A total of 120 enclosed, secured bicycle parking stalls would be provided.

- Cover Letter
- Planning Justification Report
- Urban Design Brief
- Architectural drawings
- Arborist Report
- Vegetation Management Plan
- Functional Grading Plan and Functional Servicing Plan

**Site Specific Comments & Issues:**

There are minor updates required to the documentation noted below to address Park Planning's concerns with the proposed ZBA application. Park Planning can provide conditional support to the application subject to receiving satisfactory updates to the documentation noted.

**Comments on Submitted Documents**

**Parkland Dedication**

- The site is within the Victoria Park Planning Community and immediately adjacent to the Cherry Hill Planning Community. Through Places and Spaces – An Open Space Strategy for Kitchener, the Victoria Park Planning Community has been identified as critically underserved with active neighbourhood park space as Victoria Park is considered as a legacy park and not included in the assessment of active neighbourhood park space. Cherry Hill Planning Community has been identified as well served with active neighbourhood park space. Given the location of the site on the border of

**City of Kitchener**  
**Zoning By-law Amendment Comment Form**

two Planning Communities and the proximity of both active neighbourhood parks space and park facilities available at Victoria Park, Parkland Dedication as **cash in lieu of land** is recommended.

- In accordance with the Planning Act, City of Kitchener Bylaw 2022-101 and the Park Dedication Policy MUN-PLA-1074, Parkland Dedication will be required for the site plan application taken as a cash-in-lieu of land.
- Parkland dedication requirements 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 and density approved through the ZBA and required as a condition of final 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.
- An estimate is provided for the proposed development 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 0.17835 ha site with 120 proposed units (credit for demolition of 5 units) and an FSR of 4.2 is **\$68,308**.

**Calculation:**

115 units /1000 units x \$3,830,000/ha = \$440,450 (alternate rate Bylaw 2022-101)

0.17835 ha x 0.05 x \$3,830,000/ha = \$625,578 (5% rate Bylaw 2022-101)

**0.17835 ha x \$3,830,000/ha x 0.1 = \$68,308 (More Homes Built Faster Act 10% cap)**

**The following comments should be addressed at this time.**

**GSP Group – Arborist Report dated March 28 2024 and Vegetation Management Plan L0.0 dated March 28 2024**

There is an existing City owned street tree located in the boulevard/front lawn of 59 Park St. This tree should be shown on the Vegetation Management Plan and included in the Arborist' Report. This tree should be protected in place to City standards throughout all construction.

A valuation of existing City owned trees should be included in the Arborist Report – this should be provided for tree #1384 and for the tree located at 59 Park St. Approval for removal and any required compensation will be required.

**A revised Arborist Report and Vegetation Management Plan is required.**

City of Kitchener  
**Zoning By-law Amendment Comment Form**



**GSP Group and ABA Architects - Urban Design Brief dated June 2024**

As noted in Parks Presubmission comments for the development proposal, the Urban Design Brief “should include seating and play equipment for residents of all ages and abilities. **The UDB should provide conceptual details for on-site amenity spaces including commentary and precedent images to guide detailed site design through the site plan application.**”

**A revised Urban Design Brief is required.**

**Policies, Standards and Resources:**

- Kitchener Official Plan
- City of Kitchener Park Dedication Bylaw 2022-101 and Park Dedication Policy MUN-PLA-1074
- 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

**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 ZBA and required as cash in lieu of land a condition of Site Plan Approval. Dedication requirements are subject to the Planning Act, Parkland Dedication Bylaw, Park Dedication Policy and rates in effect.

Fees or securities related to new Street Trees may be required as a condition of the Site Plan application





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

Will Towns 1-519-616-1868  
File: C14/2/24021  
September 25, 2024

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

Dear Mr. Pinnell,

**Re: Zoning By-law Amendment ZBA24/021  
169-183 Victoria Street South  
GSP Group Inc. (c/o Kristen Barisdale) on behalf of  
Victoria Heights Inc.  
City of Kitchener**

On behalf of the property owners, GSP Group has submitted a zoning by-law amendment (ZBA) application for a development proposal at 169-183 Victoria Street South in the City of Kitchener.

The applicant is proposing to demolish five existing residential dwellings on the individual parcels and redevelop the consolidated site with an eight-storey multi-residential building. 120 rental dwelling units and 53 parking spaces are proposed, including two levels of below-grade parking. 24 of the dwelling units (30 percent) are planned to be operated as affordable units (rents below 30 percent of the median total income of families in the Region).

The subject lands are located in the Urban Area, Delineated Built Up Area, and Central Station Major Transit Station Area (MTSA) in the Regional Official Plan (ROP). The site is designated Strategic Growth Area A in the City's Official Plan, and currently zoned Low Intensity Mixed Use Corridor (MU-1). Once the ongoing appeal to the City's Growing Together ZBA is concluded, the site will be zoned Strategic Growth Area Two: Mid Rise Growth Zone (SGA-2). The ZBA is required to permit increased building height and increased floor space ratios, and seek site-specific relief from setback and parking requirements.

The Region has had the opportunity to review the proposal and offers the following:

## **Community Planning** **Provincial Policy Statement 2020**

The PPS encourages the development of livable communities. It also provides a framework for planning authorities to ensure the wise use of resources while protecting Ontario's long-term prosperity and environmental and social well-being. It directs growth to built-up areas and promotes a mix of land uses that efficiently use resources, minimize negative environmental impacts, and support active transportation and transit use. It also requires land use planning authorities to be mindful of compatibility of sensitive uses in evaluating development proposals.

A review of applicable PPS policies and land use compatibility more broadly has been undertaken in Section 4.3 of the Planning Justification Report (PJR) provided by GSP Group as part of the application. The development proposes an intensified use of serviced, underutilized land in an MTSA – the area is well-served by transit and active transportation options, both now and in the future. It also seeks to expand the range of housing options in the neighbourhood through the proposed types (both one- and two-bedroom units are proposed) and affordability of units proposed. Therefore, Regional staff are satisfied that the proposal is consistent with the PPS. Additional technical comments related to noise and compatibility are provided in a subsequent section.

## **Growth Plan for the Greater Golden Horseshoe**

The Growth Plan recognizes the Greater Golden Horseshoe (GGH) as a fast-growing and dynamic region. It directs development in a way that supports economic prosperity, the environment, and quality of life – specifically emphasizing intensification, compact built form, and housing choice in built-up areas, and supporting higher densities in MTSAs.

The PJR provides an analysis of applicable Growth Plan policies, including comments on the proposed development's ability to achieve a diverse mix of units types and appeal to a range of household income levels. The proposal's emphasis on intensification and proximity to a range of transportation options are highlighted in Section 4.4 of the PJR in relation to Growth Plan requirements. A density of 212 people per hectare is proposed in the preliminary design of the site, contributing to the Growth Plan's minimum of 160 for this MTSA. Regional staff are satisfied that the application is consistent with the Growth Plan.

## **Regional Official Plan**

Section 1.6 of the ROP establishes the Regional Planning Framework and Section 2.B.1 and 2.C establish policies for the Urban System. Section 2.F establishes policies and intensification targets within the Delineated Built-Up Area, which is set at 60% annually for the City of Kitchener. 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. The proposed built form (8-storey apartment building) provides a mix of unit types and is appropriately located along a corridor in which

growth can be located close to transit and active transportation services and infrastructure.

Section 2.D.2 of ROPA 6 establishes policies for development within MTSAs. This section supports the provision of increased mixed-use densities that are transit supportive. The minimum density target established for the Central Station MTSA is 160 people and jobs/hectare, a target to which this development contributes. In addition, Chapter 3 of ROPA 6 establishes policies for housing in the Region – the provision of 30 percent of affordable housing in the development meets the policy intent of 3.A.2.

Overall, Regional staff are satisfied that the proposal conforms to the ROP.

### **Corridor Planning**

Approval of the Environmental and Stationary Noise Study will be required prior to final approval of the ZBA application.

### **Environmental Noise Study (Transportation and Stationary Sources)**

Staff note that a noise study entitled 169-183 Victoria Street South Kitchener, Ontario Noise and Vibration Impact Study dated April 5, 2024, and a memo entitled Noise and Vibration Review – Revised Drawings 169-183 Victoria Street South, Kitchener, ON dated May 9, 2024, both prepared by RWDI were submitted in support of this application. Comments in relation to both the transportation and stationary components of the study and associated recommendations are provided below.

#### Transportation Sources:

##### *Impacts of Transportation Sources on the Development*

Regional staff have reviewed the report and memo in relation to transportation noise. The report indicates that the dominant source of noise affecting the site is Regional Road #55 (Victoria Street South). Additional noise sources were identified from Park Street, and CN/Metrolinx rail traffic.

The report indicates that the acoustical impacts are above acceptable levels and mitigation, including warning clauses and air conditioning, are required to ensure indoor noise levels do not exceed acceptable levels noted in NPC-300 and NPC-216. Communication with the applicant confirmed that all units will be supplied with central air conditioning. The location, installation, and sound ratings of the air conditioning devices should comply with NPC-300.

The report indicates that for all units, the requirements of the Ontario Building Code (OBC) will provide adequate sound insulation. Since the noise source, Victoria Street South, is a roadway under the Region's jurisdiction, a registered agreement to implement the recommendations of the noise study will be required.

##### *Transportation Noise Recommendations*

The report recommends the following noise warning clauses be registered on title for all dwelling units. The Region agrees with this recommendation and will require that the

owner enter into a registered agreement with the Region to ensure that the following clause(s) are included in all future agreements of Offers of Purchase and Sale, lease/rental agreements and condominium declarations as part of a future condominium or consent application (if applicable).

*Type A:*

*Purchasers/tenants are advised that sound levels due to increasing road traffic may on occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.*

*Type D:*

*This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.*

*Proximity to Railway:*

*Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.*

Prior to the issuance of any building permits, a Professional Engineer will certify that the noise attenuation measures, including central air conditioning, are incorporated in the building plans. Upon completion of construction, the Professional Engineer will certify that dwelling units have been constructed accordingly.

Stationary Sources:

*Impact of Off-site Noise Sources on the Development*

Stationary noise sources assessed include the GO Transit Park Street layover site, and surrounding commercial buildings. No significant industrial facilities were identified with the potential to impact the development.

Commercial establishments with noise sources assessed have been included in Table 5 (Commercial Facilities Included in the Stationary Source Noise Modelling, p. 5). The assessment included continuous stationary noise sources only; no impulsive sources were identified. According to the revised drawings (RWDI, May 9, 2024) a rooftop outdoor amenity area has been included in the assessment (mechanical penthouse level), although staff note that the memo report identifies the amenity area as being on

the 8<sup>th</sup> floor. These assumptions are acceptable. The modelling assumptions identified in Table 6 (Stationary Source Sound Power Level Assumptions, p. 6) are also acceptable.

The predicted continuous stationary sound levels at worst-case points of reception have been included in Table 7 (Predicted Sound Levels at Worst-case Receptor Locations, Continuous Stationary Sources, p. 6). As shown, the predicted daytime/evening and nighttime sound levels are below the plane of window and outdoor living area sound level limits for a Class 1 urban acoustical area. For the plane of window, predicted levels are 46 dBA and 43 dBA for daytime/evening and nighttime periods respectively. The sound level limits for these time periods are 50 dBA and 45 dBA respectively, and therefore these results are acceptable.

The predicted GO Transit layover sound levels at worst-case points of reception have been included in Table 8 (Predicted Sound Levels at Worst-case Receptors – Layover site, p. 7). As shown, the predicted daytime/evening and nighttime sound levels are below the plane of window and outdoor living area sound level limits for the NPC-300 guideline limit for a Layover site. For the north building façade, the predicted sound level is 49 dBA for daytime/evening and nighttime periods (55 dBA being the sound level limit during all periods of the day). For the outdoor amenity area predicted is 48 dBA during daytime/evening periods, which is below the sound level limit of 55 dBA. These results are acceptable.

The RWDI letter report (May 9, 2024) provides an update to the assessment due to a reduction from a previous 10-storey design to the current 8-storey building proposal. RWDI indicates the predicted noise levels are expected to increase by less than 0.5 dBA as a result of the change; this is considered minor from a noise perspective. The results, conclusions and recommendations have not changed as a result. Notwithstanding compliance with sound level limits, the Report recommends the use of a warning clause to advise future residents (owners/tenants) of existing and future adjacent commercial/industrial uses and the GO layover noise sources that will potentially be audible at times.

#### *Impact of On-site Noise Sources on the Development*

The Report also acknowledges on-site noise sources being HVAC-related equipment in the rooftop mechanical penthouse and various exhaust fans, and that with acoustical design best practices, predicted sound level limits for both on-site and off-site sensitive receptors can be met. The Report recommends a professional engineer qualified in acoustics review final building design to ensure on-site noise sources comply with NPC-300 sound level limits at all on/off-site points of reception. This requirement (detailed noise study) should be secured through a holding provision, to be completed prior to site plan approval.

Staff notes the first paragraph on p. 9 of the report mentions potential noise sources associated with any on-site commercial uses. Staff notes the latest drawings do not show commercial uses.

### Stationary Noise Recommendations

Stationary noise recommendations include:

- 1) A holding provision be used to secure completion of a detailed noise study prior to site plan approval, and
- 2) The following noise warning clause be included in all offers of purchase and sale, and/or rental agreements, and any future condominium declaration through a future condominium or consent application (as applicable):

*Purchasers/tenants are advised that due to the proximity of the adjacent industrial/commercial land-uses, and GO Transit layover site, noise from the industrial/commercial land-uses may at times be audible.*

Overall, both transportation and stationary noise components of the Final Report and Letter Report are acceptable. In addition to the warning clauses described above, the Region will require a Holding Provision until a detailed noise study addressing final design of the site and its impact on surrounding sensitive land uses and itself is prepared 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.*

### Transportation Impact Study

Region staff have reviewed the Transportation Impact Study (TIS) entitled 169-183 Victoria Street South Kitchener, ON Transportation Impact Study and Parking Study dated June 12, 2024 and prepared by Paradigm Transportation Solutions Ltd. While this TIS was not a Regional requirement of approval for this application, Corridor Planning is satisfied with the submission and deems this matter concluded.

While the TIS demonstrates feasibility on Regional roads, the following comments are provided on an advisory basis for consideration by the City and applicant:

- The TIS has accounted appropriately other nearby developments. Regional staff are satisfied that the TIS reflects current inputs from nearby existing and proposed developments, and that the Synchro results are free of errors.
- Should the Region, with the City's support, consider widening Victoria Street South (Park Street to Lawrence Avenue) to introduce transit-only lanes as identified in the 2018 Transportation Master Plan, traffic demand at the intersection of Victoria and Park may be reduced.
- The City could also consider widening Park Street and Jubilee Drive, as the most significant queuing identified is on City streets.

- The Region will continue to monitor traffic operations at the intersection going forward. A potential mitigation measure may be to restrict peak hour or all-day left turns from Park Street and Jubilee Drive, but this requires additional consideration and is not currently warranted.

#### TDM Measures (Advisory)

The TIS, submitted in support to this application, included the following TDM recommendations:

- Provision of an additional 45 bicycle parking spaces beyond the required amount
- Carshare
- Subsidized Transit Passes for two years
- Unbundling parking costs

Regional staff are supportive of unbundling parking costs and note that additional bike parking would also be supported so long as it does not result in the majority of bike parking being provided by double-level bike racks.

In relation to the Carshare recommendation, the most established car sharing program in Waterloo Region is Communauto. GRT Staff understand that company offers unique programming to “launch” a car share vehicle through a business agreement with the property owner. The applicant should contact Janet MacLeod ([imacleod@communauto.ca](mailto:imacleod@communauto.ca)) to learn more about opportunities available locally. The applicant should also confirm with the selected carshare company if their vehicles can be located in a secure underground parking garage, or if the vehicle must be kept in a surface parking space. This may pose a challenge as there is no surface parking shown at this development.

Lastly, the applicant should be made aware that providing subsidized transit passes incurs significant financial and administrative costs. This initiative requires a commitment from the owner/applicant to manage, administer, and fund the full cost of monthly transit passes for residents. If this is to be considered by the applicant, further consultation and confirmation of expectations between all three parties (applicant, City, and Region c/o GRT) is required as soon as possible.

#### **Conditions of Future Site Plan Application**

Approval of the Regional Road dedication, access permit, lot grading and servicing plans, stormwater management report, and transit fees would be required prior to final approval of a future Site Plan application.

#### Road Widening

At this location, Regional Road #55 (Victoria Street South) has a designated width in the Regional Official Plan (ROP) of 26.213m. An approximate 2- to 3-metre road widening will be required along the Victoria Street South frontage. An Ontario Land Surveyor (OLS) would have to determine the exact road widenings.

A 7.62m x 7.62m daylight triangle will also be required at the intersection of Victoria Street South and Park Street, and at the intersection of Victoria Street South and Henry Street. The daylight triangle should be measured after the road widening along Victoria Street South.

Please note that the daylight triangles are shown incorrectly on the submitted Site Plan. The plan shows a 4.5m x 4.5m daylight triangle on Park Street and a 3m x 3m daylight triangle on Henry Street, where each should be 7.62m x 7.62m.

The Owner/Applicant must engage an OLS to prepare a draft reference plan which illustrates the required road allowance widening. Prior to registering the reference plan, the OLS should submit a draft copy of the plan to the Transportation Planner for review. An electronic copy of the registered plan is to be emailed to the Transportation Planner. Further instructions will come from the Region's Legal Assistant with regard to document preparation and registration. It is recommended that the OLS contact Region staff to discuss the road widening prior to preparing the Reference Plan.

The land must be dedicated to the Region of Waterloo for road allowance purposes and must be dedicated without cost and free of encumbrance. All land dedications should be identified on the Site Plan.

#### Stormwater Management & Site Grading and Servicing

Regional staff have received and reviewed the report entitled Functional Servicing and Stormwater Management Report 1000002286 Ontario Ltd. and Legion Heights Victoria Inc. dated April 30, 2024, and the drawings entitled Functional Servicing Plan and Functional Grading Plan both dated April 30, 2024 and prepared by WalterFedy. The Region finds the plans and report satisfactory. For the purposes of the planning approvals associated with this development application, the Region deems this matter concluded.

The following comments must be addressed prior to future Site Plan approval, but are not a requirement of this ZBA application:

1. Show full excavation areas required for unused service removals and full depth repaving for the entire area from edge of pavement to edge of nearest travel lane. Show 1.0m step joints as a hatched area around limits of saw cut (to edge of travel lane or Centre line of road) and add note to drawing for areas impacted that says "1.0m wide step joint as per RMOW Dwg. 207. Minimum 2.0m wide asphalt overlay longitudinal transition to be installed as per RMW Dwg 208 until full depth asphalt is restored." Show this on both existing and proposed condition drawings. These drawings can be found at the following link:  
<https://www.regionofwaterloo.ca/en/doing-business/resources/Documents/2023-Unit-Price-Contract-Supplemental-General-Conditions-and-Standard-Specifications.PDF>
2. Show existing sanitary and water service connections to 169, 173, 177, 179, and 183 as being fully removed from the Right-of-Way.



3. Add street labels for Henry Street, Victoria Street South (RR55), and Park Street. Make sure to put (RR55) in label.
4. Confirm that the City of Kitchener has reviewed and approved the 200mmx300mm watermain connection.
5. Existing 100mm Kitchener Utilities Gas Main is in this vicinity along Victoria Street South (RR55). Confirm and add to drawing. Note that existing gas services need to be fully removed from the ROW and shown on the drawing.

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. Please be advised that any works occurring in the Regional ROW would require Regional approval through a separate process of Municipal Consent and a Work Permit.

#### Transit Planning (GRT)

The subject property is well serviced by transit with GRT Route 20 running in both directions along Victoria Street South and an existing GRT Stop #3224 located adjacent to the property at the intersection of Park Street and Victoria.

As a result of the planned increase in density from the proposed development, stop #3224 will require upgrades that will be the financial responsibility of the applicant. Specifically, this stop will require a 11m x boulevard depth (approximately 1.2m) concrete landing pad at the curb. The front of the landing pad (north end) will be located no closer than 6m from the Victoria Street South crosswalk at Park Street, or approximately 2m south of the existing hydro pole/light pole that the existing transit stop sign is affixed to, clear of the storm water catch basins. A 6m (length) x 2.3m (depth) concrete shelter pad will also be required, as well as a 5' x 16' glass transit shelter. The shelter pad will be located on the property side of the municipal sidewalk, just south of the proposed exit walkway at the norther end of the building. It is anticipated that the shelter pad will be located entirely within the Victoria Street South right-of-way and therefore will not require an easement.

The current cost of the landing pad and shelter pad is \$5,130, and the current cost of the glass 5' x 16' shelter is \$17,000. These prices are subject to increase in the future, and will be made a condition of the future Site Plan application. Please include the location and dimensions of this infrastructure on future Site Plan submissions.

#### Other

A Site Plan pre-consultation fee of \$300 and a Site Plan review fee of \$805 will be required for the review and approval of a future Site Plan application.

#### **Hydrogeology and Water Programs/Source Water Protection**

The property is located within the Wellhead Protection Area (WHPA) D-2 and Chloride Issue Contributing Area (ICA) of the Greenbrook wellfield. The proponent should be advised that the Region does not support the infiltration of salty runoff from paved surfaces at this location; however, the infiltration of clean roof runoff may be accepted.

In addition, the Region does not support permanent active or passive dewatering controls for below-grade infrastructure, including foundations, slabs, parking garages, footings, piles, elevator shafts, etc. therefore, waterproof seals should be used in lieu of permanent dewatering infrastructure.

In accordance with Regional Council's endorsed position on geothermal energy, vertical closed-loop geothermal is prohibited at this location. Vertical open-loop geothermal energy may be considered subject to the submission of a Hydrogeology Study. However, given that a Hydrogeology Study has not been submitted with the application, a prohibition on geothermal energy shall be required in the amending zoning by-law for the site. The required wording for the prohibition is:

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

### **Housing Services**

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

- Regional Strategic Plan
  - 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 as proposed in this application. Should this ZBA be approved, the development will contribute to the stock of housing affordable to a variety of income

levels in Waterloo Region. Support for housing objectives in ROP Chapter 3.A has been provided in the PJR (described above) and Regional staff have no concerns.

### **Fees**

Please be advised that the Region is in receipt of the ZBA review fee of \$3,000 (deposited July 31, 2024). In addition, the review fee for the environmental noise study (\$1,000) was received on September 17, 2024.

### **Conclusions & Next Steps**

Regional staff have no objection to approval of the proposed ZBA application, provided the following are addressed:

- The applicant enters into a registered agreement with the Region of Waterloo to implement the recommendations of the noise study (warning clauses and air conditioning provision) as part of a future plan of condominium or consent application, if applicable.
- A holding provision is applied requiring the completion of a detailed noise study prior to site plan approval.
- A site-specific prohibition on geothermal energy is written into the amending zoning by-law for the subject lands.

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 the undersigned.

Yours truly,



Will Towns, RPP  
Senior Planner

- C. GSP Group c/o Kristen Barisdale (Applicant)  
Victoria Heights Inc. c/o Nasir Saleem (Owner)

## Andrew Pinnell

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**From:** Planning <planning@wcdsb.ca>  
**Sent:** Monday, September 2, 2024 3:05 PM  
**To:** Andrew Pinnell  
**Cc:** Eric Schneider  
**Subject:** Re: Circulation for Comment - 169-183 Victoria Street South (ZBA)

apologies, previous response was misdirected

Jennifer Passy, BES, MCIP, RPP (she/her)  
Manager of Planning  
Waterloo Catholic District School Board  
Phone: 519-578-3677, ext. 2253  
Cell: 519-501-5285

Please note: The offices of the WCDSB are closed on Fridays throughout the summer, and the Planning Department will be shut down from Friday, July 26th to Monday, August 5th (inclusive). All email received during this time will be reviewed and processed as soon as possible upon staff's return.

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**From:** Planning <planning@wcdsb.ca>  
**Sent:** September 2, 2024 1:25 PM  
**To:** eric.schneider@kitchener.ca <eric.schneider@kitchener.ca>  
**Subject:** Re: Circulation for Comment - 169-183 Victoria Street South (ZBA)

Eric, the board's comments with regard to the applicability of EDCs remain the only comment on this application. We note that the applicant is proposing the demolition of 5 homes, which may be subject to a credit applied to the future development in accordance with the board's by-law.

Jennifer

Jennifer Passy, BES, MCIP, RPP (she/her)  
Manager of Planning  
Waterloo Catholic District School Board  
Phone: 519-578-3677, ext. 2253  
Cell: 519-501-5285

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**From:** Planning  
**Sent:** April 3, 2023 10:37 AM  
**To:** eric.schneider@kitchener.ca <eric.schneider@kitchener.ca>  
**Subject:** RE: Notice of Pre-submission Consultation - 169-183 Victoria Street South (ZBA)

Good Morning Eric,

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

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

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

Thank you,

**Jordan Neale**

Planning Technician, WCDSB

480 Dutton Dr, Waterloo, ON N2L 4C6

519-578-3660 ext. 2355