

## Attachment D

**Date:** July 5, 2022  
**To:** Tim Seyler, Planner  
**From:** Deeksha Choudhry, Heritage Planner  
**cc:**  
**Subject:** ZBA22/010/R/TS  
OPA22/006/R/TS  
27 Roy Street  
Heritage Planning Comments

Heritage Planning staff have reviewed the following documents which have informed these comments:

- OPA and ZBA applications for 27 Roy Street
- Planning Justification Report for the proposed development at 27 Roy Street
- Heritage Conservation Plan for the proposed development at 27 Roy Street

The property municipally addressed as 27 Roy Street is located within the Civic Centre Neighborhood Heritage Conservation District (CCNHCD) and is designated under Part V of the Ontario Heritage Act. The property is identified as a Group 'B' in the CCNHCD Plan.

*Planning Justification Report prepared by GSP Group, dated March 2022*

The Planning Justification Report prepared by GSP Group in support of these applications acknowledges the following:

- That the subject property is located within the CCNHCD;
- The proposed development will retain and preserve the existing building;
- Certain heritage attributes have been identified within the Conservation Plan, with the recommendation to repair and replace heritage attributes that are in poor condition; and
- Existing massing of the building and frontage of the building along Roy Street will not be altered.

*Conservation Plan prepared by RFB Development, dated October 2021*

The Conservation Plan prepared by RFB Development for the subject property makes the following observations and recommendations:

- The subject property will be retained and re-used as part of the proposed development. However, it is in a significant state of disrepair and deterioration.;
- The exterior brick façade is in a good condition, a number of exterior wood elements have deteriorated.
- The existing roof profile and shape is to be preserved;
- The windows in the building will be replaced with new windows since the existing wood windows are in a poor condition;
- The deteriorated decorative trim on the front façade will be restored; and
- Two (2) additions are proposed in the rear of the building – one addition for stairs, and one expansion on the third floor of the existing building.

The Conservation Plan is still in its draft stage and has not been approved by the Director of Planning. Staff will be sending comments regarding the Conservation Plan to the applicant.

### Heritage Planning Comments

Heritage Planning Staff provide the following comments with regard to the proposed ZBA and OPA applications:

- The proposed development will preserve the existing building, and repair and restore the identified heritage attributes of the existing building. Furthermore, the two additions that have been proposed for the development are located on the rear elevation of the property and are not anticipated to detract from the cultural heritage value of the property. No adverse impacts to the building, the streetscape or the district are anticipated because of the OPA and ZBA. As such, heritage planning staff have no concerns with the proposed ZBA and OPA.
- However, Heritage Planning staff require that an updated Conservation Plan be submitted at the Site Plan Application stage demonstrating conformity with the policies for alterations and additions included within the CCNHCD as neither the Conservation Plan nor the Planning Justification Report include those currently.
- A heritage permit will be required to undertake the proposed work included within the Conservation Plan.

Staff will be providing additional comments at the Site Plan Application stage.

**Address: 27 Roy St**  
**Owner: RFB Developments Inc**  
**Application: OPA22/006/R/TS and ZBA22/010/R/TS**

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

Date of Comments: June 29 2022

- 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 ZBA to convert the existing building to a mixed-use building, containing 3 residential dwelling units, and 1 non-residential unit consisting of an artisan establishment, restaurant and community space. To facilitate the redevelopment, the owner has requested to add a special policy area to the Official Plan to allow the "Artisan Establishment and Restaurant uses and that a special use provision be added to the zoning by-law to allow the "Artisan Establishment" and Restaurant uses. As well as site-specific regulations to permit a minimum lot area of 418 m2, and a minimum lot width of 13.7 metres and a reduction in the parking requirement to a rate of 1 space per 167 m2 of floor area for the commercial uses.

1. GSP Group Inc. – Planning Justification Report dated March 2022
2. GSP Group Inc. – Vegetation Management Plan rev #1 dated Feb 08 2022
3. RFB Development - Proposed Floor Plans dated 2021-02-25

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

Parks and Cemeteries has no concerns with the proposed OPA and ZBA and can support the applications. All Parks and Cemeteries requirements related to Parkland Dedication and protection of existing street trees will be deferred and addressed at a Site Plan application.

**3. Comments on Submitted Documents**

**1) GSP Group Inc. – Planning Justification Report dated March 2022**

- a) No concerns

**2) GSP Group Inc. – Vegetation Management Plan rev #1 dated Feb 08 2022**

- a) There is an existing City owned tree within the Roy St boulevard (tree ID #10043396 – Syringa reticulata) that should be protected in place throughout all proposed construction. A Tree Protection and Enhancement Plan will be reviewed and approved through the required site plan application process
- b) Appropriate signatures/stamps will be required on a submission at that time

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

- Kitchener Official Plan Policy
  - As per Section 8.C.2 – Urban Forests of the Official Plan ...
    - policy 8.C.2.16., the City requires the preparation and submission of a tree management plan in accordance with the City’s Tree Management Policy (available on the City’s Website), as a condition of a development application.
    - policy 8.C.2.6., the City will incorporate existing and/or new trees into the streetscape or road rights-of-way and encourage new development or redevelopment to incorporate, protect and conserve existing healthy trees and woodlands in accordance with the Urban Design Policies in Section 13 (Landscape and Natural Features) of the Urban Design Manual (UDM) and the Development Manual.
    - Please see UDM Part C, Section 13 and [www.kitchener.ca/treemanagement](http://www.kitchener.ca/treemanagement) for detailed submission requirements
- City of Kitchener Parkland Dedication Policy
- City of Kitchener Development Manual
- PARTS Central Plan
- Cycling and Trails Master Plan (2020)
- Chapter 690 of the current Property Maintenance By-law
- Parks Strategic Plan
- Multi-Use Pathways & Trails Masterplan
- Urban Design Manual
- Places and Spaces (Draft)

#### 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

Parkland dedication will be assessed as cash in lieu for the application

Dedication requirements are subject to the Parkland Dedication Policy current at the time of a formal site plan application. Please be advised that the City of Kitchener Parkland Dedication Policy is currently under review

**From:** Dave Seller <Dave.Seller@kitchener.ca>

**Sent:** Monday, July 4, 2022 9:00 AM

**To:** Tim Seyler <Tim.Seyler@kitchener.ca>

**Subject:** OPA/ZBA comments: 27 Roy Street

#### **City of Kitchener**

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

**Application:** ZBA22/010/R/TS and OPA22/006/R/TS

**Project Address:** 27 Roy Street

Comments of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: July 4, 2022

- a. Transportation Services have no concerns with the proposed Zoning By-law or Official Plan Amendments.
- b. After reviewing the Transportation Impact Brief (March 10, 2022) submitted by Paradigm Transportation Solutions Limited, Transportation Services offer the following comments.

The applicant is proposing to redevelop the existing house into three residential units on the upper levels and 167m<sup>2</sup> (1,800 ft<sup>2</sup>) art gallery/community studio space on the ground floor and basement. The development is estimated to generate 3 AM and 1 PM peak hour vehicle trips, with one access point servicing the site along the Roy Street frontage.

Under existing traffic operations and 2026 Total Traffic Operations, Roy Street is functioning with acceptable Levels of Service and volume to capacity ratios in the AM and PM peak hours.

Based on the City of Kitchener's current zoning by-law 85-1, the site would require a total of seven parking spaces, were three spaces would be allocated for the residential use and four spaces for the art gallery. The applicant is proposing to provide a total of four parking spaces, three spaces for the residential use and one space for the art gallery. The equates to a three parking space shortfall for the art gallery as the residential parking requirement is being fulfilled.

To address the art gallery parking space short fall, Paradigm has provided the following analysis. This site is well situated to take advantage of the active transportation options in the area. Within 500m of the development there are two ION stations that operate with 10-15 minute headways and four Grand River Transit routes that operate with 15-60 minute headways. For those who choose to walk, pedestrians can access the site via existing sidewalks that are provided on both sides of roadways in the area that have access to restaurants, commercial/employment uses, Kitchener Public Library, the Centre in the Square and the downtown core. Cycling is another available option to/from the site. There are dedicated and shared cycling services in the area, as well as being located near the future Downtown Cycling Grid. It should be noted that the applicant will be providing 4 Class A secure and 6 Class B bicycle parking spaces to encourage/promote cycling.

A left turn lane analysis was completed for Roy Street at the site access and under the 2026 Total Traffic Operations and conclude that a left turn lane is not warranted along Roy Street. The analysis followed the requirements in the Ministry of Transportation of Ontario (MTO) and Transportation Association of Canada (TAC) design guide.

Therefore, based on Paradigm's analysis and conclusions within their report, Transportation Services are of the opinion that the traffic generated by this development will have minimal impact on the surrounding road network and that the proposed parking supply of four spaces will be sufficient.

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

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



**City of Kitchener**  
**Pre-submission Application Comment Form**

**Project Address:** 27 Roy St  
**Date of Meeting:** N/A  
**Application Type:** ZBA / OPA

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Comments Of: Development Engineering

Commenter's Name: Eric Riek

Email: eric.riek@kitchener.ca

Phone: 519-741-2200 ext. 7330

Date of Comment:

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

1. Site Specific Comments & Issues:

- No specific concerns, engineering has reviewed the functional servicing report and have no concerns or any additional requirements for the OPA/ZBA application.

2. Plans, Studies and Reports to submit as part of a complete Planning Act Application:

Zoning Bylaw Amendment:

- For the OPA/ZBA a Functional Servicing Report showing outlets to the municipal servicing system along with the storm and sanitary design sheets are required to the satisfaction of Engineering Services. The sanitary zoned and actual peak flow must also be submitted to run the sanitary capacity modeling. The City of Kitchener will use this information to determine if there are any downstream issues. If the capacity analysis determines that the pipes will need to be upgraded to support the development, then these upgrades will be rolled into the development costs. Further studies will be required at the time of development to determine the approximate amount of sanitary sewers that will need to be upgraded to accommodate the above developments.
- **FOR SITES LOOKING FOR A SPECIAL REGULATION TO THE EXISTING ZONING THAT WILL SIGNIFICANTLY INCREASE THE FLOOR SPACE RATIO (POPULATION) i.e. NOT CHANGING THE ZONING (if applicable)** - Please note that since zoned flows for this development are not reflective of the development application, population should be based off of the Regions 2020 Water and Wastewater Monitoring Report. Section 2.4 – Development Data establishes a People Per Unit (PPU) based on Structure Type and assigns Apartments as having a PPU of 1.77. Please multiply 1.77 by the number of units in the building. Furthermore, the City's Average Daily Residential Sanitary Flow rate is 305L/day/cap and the City's Average per second Residential Sanitary Flow rate is 0.0035L/sec/cap. Please be advised that the process Engineering is noting above is specific to this development.
- For the OPA/ZBA a Water Distribution Report is required to the satisfaction of Engineering Services in consultation with Kitchener Utilities and the Region of Waterloo.

**From:** Mike Seiling <Mike.Seiling@kitchener.ca>  
**Sent:** Friday, June 3, 2022 11:11 AM  
**To:** Tim Seyler <Tim.Seyler@kitchener.ca>  
**Subject:** FW: Circulation for Comment - Official Plan & Zoning By-law Amendments (27 Roy Street)

Building; no concerns

**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** Friday, June 3, 2022 11:04 AM  
**To:** \_DL\_#\_DSD\_Planning <[DSD-PlanningDivision@kitchener.ca](mailto:DSD-PlanningDivision@kitchener.ca)>; Aaron McCrimmon-Jones <[Aaron.McCrimmon-Jones@kitchener.ca](mailto:Aaron.McCrimmon-Jones@kitchener.ca)>; Bell - c/o WSP <[circulations@wsp.com](mailto:circulations@wsp.com)>; Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>; David Paetz <[David.Paetz@kitchener.ca](mailto:David.Paetz@kitchener.ca)>; Feds <[vped@feds.ca](mailto:vped@feds.ca)>; GRCA - Planning <[planning@grandriver.ca](mailto:planning@grandriver.ca)> <[planning@grandriver.ca](mailto:planning@grandriver.ca)>; Greg Reitzel <[Greg.Reitzel@kitchener.ca](mailto:Greg.Reitzel@kitchener.ca)>; Hydro One - Dennis DeRango <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jim Edmondson <[Jim.Edmondson@kitchener.ca](mailto:Jim.Edmondson@kitchener.ca)>; Justin Readman <[Justin.Readman@kitchener.ca](mailto:Justin.Readman@kitchener.ca)>; Katherine Hughes <[Katherine.Hughes@kitchener.ca](mailto:Katherine.Hughes@kitchener.ca)>; K-W Hydro - Greig Cameron <[gcameron@kwhydro.on.ca](mailto:gcameron@kwhydro.on.ca)>; Laura Anderson <[Laura.Anderson@kitchener.ca](mailto:Laura.Anderson@kitchener.ca)>; Mike Seiling <[Mike.Seiling@kitchener.ca](mailto:Mike.Seiling@kitchener.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Park Planning (SM) <[Park.Planning@kitchener.ca](mailto:Park.Planning@kitchener.ca)>; Region - Planning <[PlanningApplications@regionofwaterloo.ca](mailto:PlanningApplications@regionofwaterloo.ca)>; Property Data Administrator (SM) <[PropDataAdmin@kitchener.ca](mailto:PropDataAdmin@kitchener.ca)>; Robert Morgan <[Robert.Morgan@kitchener.ca](mailto:Robert.Morgan@kitchener.ca)>; Steven Ryder <[Steven.Ryder@kitchener.ca](mailto:Steven.Ryder@kitchener.ca)>; Sylvie Eastman <[Sylvie.Eastman@kitchener.ca](mailto:Sylvie.Eastman@kitchener.ca)>; WCDSB - Planning <[planning@wcdsb.ca](mailto:planning@wcdsb.ca)>; WRDSB - Board Secretary ([elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)) <[elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)>; WRDSB - Planning <[planning@wrdsb.ca](mailto:planning@wrdsb.ca)>  
**Cc:** Tim Seyler <[Tim.Seyler@kitchener.ca](mailto:Tim.Seyler@kitchener.ca)>  
**Subject:** Circulation for Comment - Official Plan & Zoning By-law Amendments (27 Roy Street)

Please see attached. Additional documentation can be found in AMANDA folders 22-111233 & 22-111234 (City staff) and [ShareFile](#) (external agencies).

Comments or questions should be directed to **Tim Seyler**, Planner (copied on this email).

### Christine Kompter

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





**From:** Gaurang Khandelwal <Gaurang.Khandelwal@kitchener.ca>  
**Sent:** Monday, July 4, 2022 9:18 AM  
**To:** Tim Seyler <Tim.Seyler@kitchener.ca>  
**Subject:** RE: Circulation for Comment - Official Plan & Zoning By-law Amendments (27 Roy Street)

Hi Tim,

No concerns from sustainability.

Regards,

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



**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** Friday, June 3, 2022 11:04 AM  
**To:** \_DL\_#\_DSD\_Planning <[DSD-PlanningDivision@kitchener.ca](mailto:DSD-PlanningDivision@kitchener.ca)>; Aaron McCrimmon-Jones <[Aaron.McCrimmon-Jones@kitchener.ca](mailto:Aaron.McCrimmon-Jones@kitchener.ca)>; Bell - c/o WSP <[circulations@wsp.com](mailto:circulations@wsp.com)>; Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>; David Paetz <[David.Paetz@kitchener.ca](mailto:David.Paetz@kitchener.ca)>; Feds <[vped@feds.ca](mailto:vped@feds.ca)>; GRCA - Planning <[planning@grandriver.ca](mailto:planning@grandriver.ca)> <[planning@grandriver.ca](mailto:planning@grandriver.ca)>; Greg Reitzel <[Greg.Reitzel@kitchener.ca](mailto:Greg.Reitzel@kitchener.ca)>; Hydro One - Dennis DeRango <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jim Edmondson <[Jim.Edmondson@kitchener.ca](mailto:Jim.Edmondson@kitchener.ca)>; Justin Readman <[Justin.Readman@kitchener.ca](mailto:Justin.Readman@kitchener.ca)>; Katherine Hughes <[Katherine.Hughes@kitchener.ca](mailto:Katherine.Hughes@kitchener.ca)>; K-W Hydro - Greig Cameron <[gcameron@kwhydro.on.ca](mailto:gcameron@kwhydro.on.ca)>; Laura Anderson <[Laura.Anderson@kitchener.ca](mailto:Laura.Anderson@kitchener.ca)>; Mike Seiling <[Mike.Seiling@kitchener.ca](mailto:Mike.Seiling@kitchener.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Park Planning (SM) <[Park.Planning@kitchener.ca](mailto:Park.Planning@kitchener.ca)>; Region - Planning <[PlanningApplications@regionofwaterloo.ca](mailto:PlanningApplications@regionofwaterloo.ca)>; Property Data Administrator (SM) <[PropDataAdmin@kitchener.ca](mailto:PropDataAdmin@kitchener.ca)>; Robert Morgan <[Robert.Morgan@kitchener.ca](mailto:Robert.Morgan@kitchener.ca)>; Steven Ryder <[Steven.Ryder@kitchener.ca](mailto:Steven.Ryder@kitchener.ca)>; Sylvie Eastman <[Sylvie.Eastman@kitchener.ca](mailto:Sylvie.Eastman@kitchener.ca)>; WCDSB - Planning <[planning@wcdsb.ca](mailto:planning@wcdsb.ca)>; WRDSB - Board Secretary <[elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)> <[elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)>; WRDSB - Planning <[planning@wrdsb.ca](mailto:planning@wrdsb.ca)>  
**Cc:** Tim Seyler <[Tim.Seyler@kitchener.ca](mailto:Tim.Seyler@kitchener.ca)>  
**Subject:** Circulation for Comment - Official Plan & Zoning By-law Amendments (27 Roy Street)

Please see attached. Additional documentation can be found in AMANDA folders 22-111233 & 22-111234 (City staff) and [ShareFile](#) (external agencies).

Comments or questions should be directed to **Tim Seyler**, Planner (copied on this email).

### Christine Kompter

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

**From:** Trevor Heywood <theywood@grandriver.ca>  
**Sent:** Friday, June 3, 2022 11:58 AM  
**To:** Tim Seyler <Tim.Seyler@kitchener.ca>  
**Subject:** [EXTERNAL] RE: Circulation for Comment - Official Plan & Zoning By-law Amendments (27 Roy Street)

Hey Tim,

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

Thanks,

**Trevor Heywood**

Resource Planner

Grand River Conservation Authority

[theywood@grandriver.ca](mailto:theywood@grandriver.ca)

[www.grandriver.ca](http://www.grandriver.ca) | [Connect with us on social media](#)

**From:** Christine Kompter <[Christine.Kompter@kitchener.ca](mailto:Christine.Kompter@kitchener.ca)>  
**Sent:** Friday, June 3, 2022 11:04 AM  
**To:** \_DL\_#\_DSD\_Planning <[DSD-PlanningDivision@kitchener.ca](mailto:DSD-PlanningDivision@kitchener.ca)>; Aaron McCrimmon-Jones <[Aaron.McCrimmon-Jones@kitchener.ca](mailto:Aaron.McCrimmon-Jones@kitchener.ca)>; Bell - c/o WSP <[circulations@wsp.com](mailto:circulations@wsp.com)>; Dave Seller <[Dave.Seller@kitchener.ca](mailto:Dave.Seller@kitchener.ca)>; David Paetz <[David.Paetz@kitchener.ca](mailto:David.Paetz@kitchener.ca)>; Feds <[vped@feds.ca](mailto:vped@feds.ca)>; Planning <[planning@grandriver.ca](mailto:planning@grandriver.ca)>; Greg Reitzel <[Greg.Reitzel@kitchener.ca](mailto:Greg.Reitzel@kitchener.ca)>; Hydro One - Dennis DeRango <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; Jim Edmondson <[Jim.Edmondson@kitchener.ca](mailto:Jim.Edmondson@kitchener.ca)>; Justin Readman <[Justin.Readman@kitchener.ca](mailto:Justin.Readman@kitchener.ca)>; Katherine Hughes <[Katherine.Hughes@kitchener.ca](mailto:Katherine.Hughes@kitchener.ca)>; K-W Hydro - Greig Cameron <[gcameron@kwhydro.on.ca](mailto:gcameron@kwhydro.on.ca)>; Laura Anderson <[Laura.Anderson@kitchener.ca](mailto:Laura.Anderson@kitchener.ca)>; Mike Seiling <[Mike.Seiling@kitchener.ca](mailto:Mike.Seiling@kitchener.ca)>; Ontario Power Generation <[Executivevp.lawanddevelopment@opg.com](mailto:Executivevp.lawanddevelopment@opg.com)>; Park Planning (SM) <[Park.Planning@kitchener.ca](mailto:Park.Planning@kitchener.ca)>; Region - Planning <[PlanningApplications@regionofwaterloo.ca](mailto:PlanningApplications@regionofwaterloo.ca)>; Property Data Administrator (SM) <[PropDataAdmin@kitchener.ca](mailto:PropDataAdmin@kitchener.ca)>; Robert Morgan <[Robert.Morgan@kitchener.ca](mailto:Robert.Morgan@kitchener.ca)>; Steven Ryder <[Steven.Ryder@kitchener.ca](mailto:Steven.Ryder@kitchener.ca)>; Sylvie Eastman <[Sylvie.Eastman@kitchener.ca](mailto:Sylvie.Eastman@kitchener.ca)>; WCDSB - Planning <[planning@wcdsb.ca](mailto:planning@wcdsb.ca)>; WRDSB - Board Secretary ([elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)) <[elaine\\_burns@wrdsb.ca](mailto:elaine_burns@wrdsb.ca)>; WRDSB - Planning <[planning@wrdsb.ca](mailto:planning@wrdsb.ca)>  
**Cc:** Tim Seyler <[Tim.Seyler@kitchener.ca](mailto:Tim.Seyler@kitchener.ca)>  
**Subject:** Circulation for Comment - Official Plan & Zoning By-law Amendments (27 Roy Street)

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Comments or questions should be directed to **Tim Seyler**, Planner (copied on this email).

**Christine Kompter**

Administrative Assistant | Planning Division | City of Kitchener

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

519-741-2200 ext. 7425 | TTY 1-866-969-9994 | [christine.kompter@kitchener.ca](mailto:christine.kompter@kitchener.ca)

**From:** Planning <planning@wcdsb.ca>  
**Sent:** Friday, June 3, 2022 3:45 PM  
**To:** Tim Seyler <Tim.Seyler@kitchener.ca>  
**Subject:** [EXTERNAL] RE: Circulation for Comment - Official Plan & Zoning By-law Amendments (27 Roy Street)

Good Afternoon Tim,

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



PLANNING, DEVELOPMENT  
AND LEGISLATIVE SERVICES  
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Kitchener Ontario N2G 4J3 Canada  
Telephone: 519-575-4400  
TTY: 519-575-4608  
Fax: 519-575-4466  
www.regionofwaterloo.ca

Melissa Mohr 1-226-752-8622  
File: D17/2/22006  
C14/2/22010  
September 2, 2022

Tim Seyler, MCIP, RPP  
Planner  
City of Kitchener  
200 King Street West, 6<sup>th</sup> Floor  
P.O. Box 1118, Kitchener, ON  
N2G 4G7

Dear Mr. Seyler,

**Re: Proposed Official Plan Amendment OPA 22/06 and  
Zoning By-law Amendment ZBA 22/10  
27 Roy Street  
GSP Group Inc. (C/O Rachel Bossie) on behalf of RFB  
Developments (C/O Ron Brohman)  
CITY OF KITCHENER**

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MHBC Planning has submitted an Official Plan and Zoning By-law Amendment for a development proposal at 27 Roy Street (subject lands) in the City of Kitchener.

The applicant is proposing to convert the existing building on site to a mixed-use building containing three (3) residential dwelling units and one (1) non-residential unit consisting of an artisan establishment, restaurant and community space.

The subject lands are located in the Urban Area and designated Built-Up Area in the Regional Official Plan. The site is designated Office Residential Conversion in the City of Kitchener Official Plan and Zoned Residential Five (R5) with Special-Use Provision 164U. The Owner has requested an **Official Plan Amendment** to add a special policy area to land use designation that will allow an "Artisan Establishment" and "Restaurant Uses". The Applicant has requested a **Zoning By-law Amendment** to rezone the site from R5 to the RES-4 Zone with a Special-Use Provision to the existing zoning to permit an "Artisan Establishment" and "Restaurant Uses" as well as site-specific regulations to permit a minimum lot area of 418 m<sup>2</sup>, a minimum lot width of 13.7 m and a reduction in

the required parking on site to a rate of 1 space per 167m<sup>2</sup> of floor area for the commercial uses.

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

## **Regional Comments**

### **Consistency with Provincial Legislation and Regional Official Plan Conformity**

The subject lands are designated “Urban Area” and “Built-Up Area” on Schedule 3a of the Regional Official Plan (ROP) and the site is located in a Major Transit Station Area and designated Office Residential Conversion in the City of Kitchener Official Plan.

Within the Urban Area, the Region directs the majority of growth to the Urban Growth Centers, Major Transit Station Areas, Reurbanization Corridors, Major Local Nodes and Urban Designated Greenfield Areas. These areas are planned to have a more compact form with a mix of employment, housing and services in close proximity of each other and higher frequency transit.

Regional staff understand that the development proposal is located within 500-800 metres of an ION stop and therefore the Region is supportive of increased residential density as it supports the Planned Community Structure established within the ROP.

The Region wishes to advise the applicant of the following technical comments related to the proposal:

### **Stationary Noise:**

Due to the mixed-use nature of the proposal and the applicants retention of the existing structure (retrofit the existing building), Regional staff require the following noise-warning clause be implemented through a registered development agreement with the City of Kitchener through a future consent or condominium application:

*“This is a mixed-use building that contains residential and commercial units. The commercial units may, from time to time, generate odour and/or stationary noise that may occasionally cause concern to some individuals.”*

*“The commercial units are to contain sufficiently sized mechanical and silencing equipment so as not to exceed the Ministry of the Environment and Climate Change’s sound level limits at the closest noise-sensitive receptor, in accordance with NPC-300 Guideline or its successor.”*

### **Cultural Heritage**

The subject lands have the potential for the recovery of archaeological resources due to the heritage designation of the lands, the location of the site within the core area of Kitchener and the landform where the properties are located (habitation of early peoples). Regional staff recognize that the majority of the parcel has been disturbed and do not require an Archaeological Assessment, however, please be advised that if archaeological resources are discovered during future development or site alteration of

the subject property, works including site alteration and development must cease immediately and the Owner/Development must contact the Ministry of Heritage, Sport, Tourism and Culture Industries. If it is determined that additional investigation and reporting of the archaeological resources is needed, a licensed archaeologist will be required to conduct this field work in compliance with S. 48(a) of the Ontario Heritage Act.

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

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

In order for affordable housing to fulfill its purpose of being affordable to those who require rents or purchase prices lower than the regular market provides, a mechanism should be in place to ensure the units remain affordable and establish income levels of the households who can rent or own the homes.

For the purposes of evaluating the affordability of an ownership unit, based on the definition in the Regional Official Plan, the purchase price is compared to the least expensive of:

Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households	\$385,500
Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area	\$576,347

\*Based on the most recent information available from the PPS Housing Tables (2021).

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$385,500.

For the purposes of evaluating the affordability of a rental unit, based on the definition of affordable housing in the Regional Official Plan, the average rent is compared to *the least expensive of:*

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income renter households	\$1,470
A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$950 1-Bedroom: \$1,134 2-Bedroom: \$1,356 3-Bedroom: \$1,538 4+ Bedroom: \$3,997

\*Based on the most recent information available from the PPS Housing Tables (2021)

In order for a rental unit to be deemed affordable, the average rent for the proposed units which have fewer than 3 bedrooms must be at or below the average market rent in the regional market area as shown above. For proposed units with three or more bedrooms, the average rent for the units must be below \$1,470.

**Fees**

By copy of this letter, the Region of Waterloo acknowledges receipt of the Official Plan and Zoning By-law Amendment Review fees of \$10,000.00 (received September 2, 2022).

**General Comments and next steps**

Based on the above, Regional staff have no objection to the applications.

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,

A handwritten signature in cursive script that reads "Melissa Mohr".

Melissa Mohr, MCIP, RPP  
Senior Planner

C. RFB Developments (C/O Ron Brohman (Owner))  
GSP Planning Inc. (C/O Rachel Bossie) (Applicant)