

From: Mike Seiling
Sent: Friday, February 11, 2022 4:33 PM
To: Brian Bateman
Subject: FW: Circulation for Comment - OPA/ZBA (142-146 Fergus Avenue)
Attachments: [Agency Letter.pdf](#); [OPA22002FBB_MAP3.pdf](#);
[OPA22002FBB_MAP5.pdf](#); [ZBA22002FBB_MAP1.pdf](#)

Building; no comments

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, February 11, 2022 10:39 AM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Aaron McCrimmon-Jones <Aaron.McCrimmon-Jones@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Feds <vped@feds.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; K-W Hydro - Greig Cameron <gcameron@kwhydro.on.ca>; Linda Cooper <Linda.Cooper@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; WCDsb - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: Circulation for Comment - OPA/ZBA (142-146 Fergus Avenue)

Please see attached . Additional documentation is saved in AMANDA (folders 22-101142 & 101150) for internal staff reference & [ShareFile](#) for external agencies. Comments or questions should be directed to **Brian Bateman**, Senior Planner (copied on this email).

Christine Kompter

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



From: Planning <planning@wcdsb.ca>
Sent: Thursday, May 12, 2022 2:11 PM
To: Brian Bateman
Subject: [EXTERNAL] RE: Circulation for Comment - OPA/ZBA (142-146 Fergus Avenue)
Attachments: RE: Circulation for Comment - OPA/ZBA (142-146 Fergus Avenue)

Good Afternoon Brian,

The Waterloo Catholic District School Board has reviewed the subject application and has no further comments to add beyond those that were sent previously (please see attached).

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

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

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, February 11, 2022 10:39 AM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Aaron McCrimmon-Jones <Aaron.McCrimmon-Jones@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Feds <vped@feds.ca>; GRCA - Planning (<planning@grandriver.ca>) <planning@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; K-W Hydro - Greig Cameron <gcameron@kwhydro.on.ca>; Linda Cooper <Linda.Cooper@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (<elaine_burns@wrdsb.ca>) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
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From: Trevor Jacobs
Sent: Thursday, February 17, 2022 4:10 PM
To: Brian Bateman
Subject: RE: Circulation for Comment - OPA/ZBA (142-146 Fergus Avenue)

Hi Brian,

Engineering has no concerns.
Please let the applicant know Fergus Ave is being reconstructed this year.

Regards,

Trevor

From: Linda Cooper <Linda.Cooper@kitchener.ca>
Sent: Friday, February 11, 2022 11:25 AM
To: Trevor Jacobs <Trevor.Jacobs@kitchener.ca>
Subject: FW: Circulation for Comment - OPA/ZBA (142-146 Fergus Avenue)

Hi,

For your review and comments.

Thanks,

Linda

Linda Cooper, L.E.T, C.E.T

Manager | Development Engineering | City of Kitchener
519-741-2200 ext. 7974 | TTY 1-866-969-9994 | linda.cooper@kitchener.ca



From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, February 11, 2022 10:39 AM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Aaron McCrimmon-Jones <Aaron.McCrimmon-Jones@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Feds <vped@feds.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; K-W Hydro - Greig Cameron <gcameron@kwhydro.on.ca>; Linda Cooper <Linda.Cooper@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning

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WRDSB - Planning <planning@wrdsb.ca>

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

Subject: Circulation for Comment - OPA/ZBA (142-146 Fergus Avenue)

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Christine Kompter

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



City of Kitchener
COMMENT FORM

Project Address: 142-146 Fergus Avenue

Application Type: Official Plan Amendment OPA22/02/F/BB

Zoning By-law Amendment ZBA22/02/F/BB

Comments of: Environmental Planning – City of Kitchener

Commenter's Name: Carrie Musselman

Email: carrie.musselman@kitchener.ca

Phone: 519-741-2200 X 7068

Date of Comments: March 11, 2022, REV Sept 22, 2022 & Nov 22, 2022

Comments required no later than: March 21, 2022

1. Plans, Studies and Reports submitted as part of a complete Planning Act Application:

- Vegetation Management Plan 124-146 Fergus Ave (Dwg L0.0 and Dwg L0.0) prepared by GSP, dated October 19, 2021 and Revised November 14, 2022 for OPA / ZBA.
- Planning Justification Report, 142 & 146 Fergus Avenue prepared by GSP Group, dated December 2021

2. Site Specific Comments & Issues:

I have reviewed the studies as noted above to support an official plan and zoning bylaw amendment at 142-146 Fergus Ave, the amendments will facilitate the development of a seven-storey apartment building (78 units), 89 vehicle parking spaces (surface and underground parking) and 51 bicycle spaces with some lands proposed to be dedicated for parkland, and note:

- The City's Tree Management Policy applies, a Vegetation Management Plan (VMP) was submitted in support of the application. The VMP noted that 13 trees were inventoried. Of the thirteen trees, six trees in the inventory will be retained and seven trees are recommended for removal.

Based on my review of the supporting studies the Official Plan and Zoning By Law Amendment CAN BE SUPPORTED.

3. Policies, Standards and Resources:

- 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 and the Development Manual.

4. Anticipated Fees:

- N/A

From: Trevor Heywood <theywood@grandriver.ca>
Sent: Wednesday, February 16, 2022 1:23 PM
To: Brian Bateman
Subject: [EXTERNAL] RE: Circulation for Comment - OPA/ZBA (142-146 Fergus Avenue)

Hey Brian,

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

Regards,

Trevor Heywood

Resource Planner

Grand River Conservation Authority

theywood@grandriver.ca

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

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, February 11, 2022 10:39 AM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Aaron McCrimmon-Jones <Aaron.McCrimmon-Jones@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Feds <vped@feds.ca>; Planning <planning@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; K-W Hydro - Greig Cameron <gcameron@kwhydro.on.ca>; Linda Cooper <Linda.Cooper@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Cc: Brian Bateman <Brian.Bateman@kitchener.ca>
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Internal memo

Development Services Department

www.kitchener.ca

Date: March 17, 2022
To: Brian Bateman, Senior Planner
From: Deeksha Choudhry, Heritage Planner
cc:
Subject: Official Plan Amendment and Zoning By-law Amendment Application
OPA22/002/F/BB
ZBA22/002/F/BB
142-146 Fergus Avenue

The subject properties municipally addressed as 142-146 Fergus Avenue do not contain any heritage resources. However, they are located adjacent to the Woodland Cemetery, which is municipally addressed as 119 Arlington Boulevard, and is designated under Part IV of the Ontario Heritage Act.

The designating by-law for Woodland Cemetery references the mausoleum and the stained glass windows as the reasons for designation. Due to the location to the proposed development in relation to the mausoleum, additional heritage studies were not required.

Heritage Planning Staff have reviewed the Urban Design Brief and the Planning Justification Report submitted to support these applications, and have no issues or concerns.

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

Address: 142 & 146 Fergus Ave.
Owner: 2467491 ONTARIO INC
Application: OPA #22/02/F/BB, ZBA #22/02/F/BB

Comments Of: Parks & Cemeteries
Commenter's Name: Karen Leasa
Email: karen.leasa@kitchener.ca
Phone: 519-505-6532

Date of Comments: March 18, 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 change the land use designation from 'Low Rise Residential' to 'Medium Rise Residential' with a Site-Specific Policy Area to permit a max. FSR of 2.3, rather than 2.0.

Documents Reviewed:

- 142 & 146 Fergus Ave - Urban Design Brief (DECEMBER 2021)_ FINAL
- 142-146 Fergus Ave Planning Justification Report FINAL
- Tree Management Plan

2. Site Specific Comments & Issues:

City of Kitchener Parks & Cemeteries has acquired parkland through a neighbouring property development SP18/055/F/CD. This park property is located at 120 Fergus Ave. directly adjacent to 142 Fergus Ave. This property is intended to provide public park access to the underserved neighbourhood of Centreville-Chicopee.

It is the City's intention that this parkland parcel shall expand through future redevelopment of 142 & 146 Fergus Ave., and it is noted that the application has already indicated 0.065ha of parkland dedicated as land at the southwest corner of the site, along Fergus Ave. Parkland will need to be zoned as OSR-2. Physical acquisition of parkland shall be deferred to time of Site Plan application.

3. Comments on Submitted Documents

No comments.

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

4. Policies, Standards and Resources:

- City of Kitchener Parkland Dedication Policy
- City of Kitchener Development Manual
- Parks Strategic Plan
- Urban Design Manual

5. Anticipated Fees:

Parkland Dedication

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

As per section 2, regarding the City's intent to acquire parkland adjacent to the existing parkland parcel of 120 Fergus, it is therefore anticipated that at Site Plan Approval, Parkland dedication would be taken as a combination of cash-in-lieu and land.

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.



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

Melissa Mohr 226-752-8622
File: D17/2/22002
C14/2/22002
October 20, 2022

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

Dear Mr. Bateman,

**Re: Proposed Official Plan Amendment OPA 22/02 and
Zoning By-law Amendment ZBA 22/02
142-146 Fergus Avenue
GSP Group Inc. (Kristen Barisdale) on behalf of 2467491
Ontario Inc. (Kam Patel)
CITY OF KITCHENER**

GSP Group Inc. on behalf of 2467491 Ontario Inc. has submitted an Official Plan Amendment and Zoning By-law Amendment for a development proposal at 142-146 Fergus Avenue in the City of Kitchener.

The applicant is proposing to develop the subject lands with a seven (7)-storey apartment complex containing 78 residential apartment style units on site. The applicant has proposed a total of 89 parking spaces. Of those 89 parking spaces, 38 spaces are proposed in an underground parking structure, 28 parking spaces are proposed on the ground floor and 23 spaces are proposed within level two of the building. Fifty one (51) bicycle parking spaces and a parkland dedication has also been proposed through these applications.

The subject lands are designated Built-Up Area in the Regional Official Plan and designated Low Rise Residential in the City of Kitchener Official Plan. Furthermore, the subject lands are zoned Residential Four (R4) Zone. The applicant has proposed the Official Plan Amendment to amend the designation from Low Rise Residential to the

Medium Rise Residential designation with a special policy to permit a maximum Floor Space Ratio (FSR) of 2.3 whereas the maximum permitted FSR is 2.0. The applicant has proposed to rezone the subject lands from the Residential Four (R4) Zone to the Residential Six (RES-6) Zone with site-specific provisions to permit a maximum FSR of 2.3, reduced side and rear yard setbacks, and a reduced parking rate.

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

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 is designated Low Rise Residential in the City of Kitchener Official Plan.

Planned Community Structure:

The Urban Area designation of the ROP has the physical infrastructure and community infrastructure to support major growth and social and public health services (ROP Section 2.D). The ROP supports a Planned Community Structure based on a system of Nodes, Corridors and other areas that are linked via an integrated transportation system (ROP objective 2.1 and 2.2). Components of the Planned Community Structure include the Urban Area, Nodes, Corridors and other development areas including Urban Growth Centres (UGC’s) and Major Transit Station Areas (MTSA’s).

Most of the Region’s growth will occur within the Urban Area and Township Urban Area designations, with a substantial portion of this growth directed to the existing Built-Up Area of the Region through reurbanization. Focal points for reurbanization include Urban Growth Centres, Township Urban Growth Centres, Major Transit Station Areas, Reurbanization Corridors and Major Local Nodes (ROP Section 2.B). The subject lands are located in the delineated Built-Up Area of the Region and Community Area of the City of Kitchener.

Regional Official Plan Amendment No. 6 (ROPA 6)

The subject lands are located within the Region’s Delineated Built-Up Area on Map 2 of ROPA 6. Delineated Built-Up Areas are areas that are outside the strategic growth areas where gentle density and a broader range of missing middle housing options are supported. In addition, the Built-Up Area is intended to support the gradual transition of existing neighbourhoods into 15-minute neighbourhoods that are denser, more energy efficient and livable.

Regional staff acknowledge that the development proposes a 7-storey apartment style multi-residential building with a reduced vehicular parking rate with 51 bicycle parking spaces that are meant to encourage active transportation such as walking and cycling.

Corridor Planning

Transportation Noise:

Regional staff have reviewed the noise impact study entitled “Noise Impact Study 142-146 Fergus Avenue, SW21345” prepared by Thornton Tomasetti, dated October 29, 2021. The report concludes that there are no noise attenuation measures required due to transportation noise for the proposed development. Regional staff accept the recommendations contained in the Environmental Impact Study related to transportation noise.

Stationary Noise:

The stationary noise components of the noise study entitled “Noise Impact Study 142-146 Fergus Avenue, SW21345” prepared by Thornton Tomasetti, dated October 29, 2021 and have the following comments:

The subject lands are surrounded by a Retirement Facility, the Woodland Cemetery, and the Emmanuel Bible College. Stationary noise sources were identified at the Fergus Place Retirement building and include the retirement facilities rooftop units.

Although detailed building designs have yet to be provided, the study did not identified potential on-site noise sources such as cooling towers; air handling equipment or an underground garage exhaust system that may be associated with the development. Regional staff are satisfied with the conclusions and recommendations with the Noise Impact Study at this stage (Official Plan and Zoning By-law Amendment Stage) subject to the applicant providing further assessment through a detailed stationary noise study.

Regional staff require a Holding Provision (Holding Zone) to be implemented on the subject lands until this information has obtained; all to the satisfaction of the Regional Municipality of Waterloo. The detailed noise study shall include details relating to floor plans, building elevations, mechanical drawings, and equipment selections. Furthermore, the equipment selected shall comply with the Ministry of Environment, Conservation and Parks (MECP) NPC-300 Noise Guideline.

Furthermore, the following noise-warning clauses and certification shall be implemented through a Registered Development agreement with the City of Kitchener at a future site plan agreement or draft plan of Condominium Stage (if a condominium is proposed) and shall be incorporated in the Condominium Declaration (if applicable) and all Offers of Purchase and Sale, Lease/Rental Agreements.

1. *“Purchasers/tenants are advised that due to the proximity of the adjacent institutional facility, sound from this facility may at times be audible.”*

2. That prior to the issuance of any building permits, the City of Kitchener's Building Inspector will certify that the noise attenuation measures (if any) are incorporated in the building plans and upon completion of construction, the City of Kitchener's Building Inspector will certify that the dwelling units have been constructed accordingly.

Region of Waterloo International Airport Zoning Regulation:

Please be advised that the subject lands are within the Take-off Approach Surface and subject to all conditions of the Airport Zoning Regulations and Federal Aviation. The residents of this site may be subject to the presence of noise from flying aircrafts. To address these concerns, the following airport warning clause shall be implemented through a Registered Development Agreement with the Regional Municipality of Waterloo at a future consent/condominium or site plan stage:

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

In addition, the Owner/Developer must complete and submit the land use submission forms required by NAV Canada. The forms can be found here:

<https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>

Should you have additional questions or require clarification, please contact Kevin Campbell at KCampbell@regionofwaterloo.ca.

Part 4 Area of the Clean Water Act/Risk Management:

The subject lands are located in a source protection area where Risk Management or prohibition policies implemented by the Region of Waterloo may apply. A Notice of Source Protection Plan Compliance (Valid Section 59 Notice) is required and has yet to be received; therefore, the Region requires a Valid Section 59 Notice that reflects the current applications prior to supporting these applications.

The subject lands are located in a highly vulnerable area where several activities prescribed under the Clean Water Act may require a Risk Management Plan, including salt application (if parking areas are proposed to be added or altered), storm water management (if engineered and/or enhanced infiltration features are proposed), and storage/handling of dense non-aqueous phase liquid (DNAPL) chemicals. Please be advised that the Region of Waterloo does not support any engineered and/or enhanced infiltration of runoff originating from paved surfaces within chloride Issue Contributing Areas. The above noted property is within a chloride Issue Contributing Area. Engineered and/or enhanced infiltration features may include ponds, infiltration galleries, permeable pavers, ditches, swales, oil-grit separators, etc.).

Please visit the Region's TAPS website here: <https://taps.regionofwaterloo.ca> to determine all applicable source protection plan requirements, and contact the Risk Management Official via rmo@regionofwaterloo.ca, if required. In addition, please allow for sufficient time to negotiate the Risk Management Plan, as a Notice will not be issued until a signed Risk Management Plan is complete.

Housing Services

The Region supports the provision of a full range of housing options, including affordable housing. The Region's 10-Year Housing and Homelessness Plan contains an affordable housing target for Waterloo Region. The target is for 30% of all new residential development between 2019 and 2041 to be affordable to low and moderate income households. Staff recommend that the applicant consider providing a number of affordable housing units on the site. Staff recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs.

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 \$576,347.

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 unit to be deemed affordable, the average rent for the proposed units must be at or below the average market rent in the regional market area, as listed above.

Fees

By copy of this letter, the Region of Waterloo acknowledges receipt of the review fees of \$7,900.00.

Follow Up:

Based on comments above, the Region has no objection to the applications in principle, but requires a Valid Section 59 Notice (and Risk Management Plan(s)) prior to supporting the applications.

Conclusions

Regional staff have no objection to the applications in principle, but until the Valid Section 59 Notice has been received to the satisfaction of the Region, Regional staff are unable to support the applications until the Section 59 Notice has been received. Once the valid Section 59 Notice has been received to the satisfaction of the Region, the following Holding Provision shall be implemented (to the satisfaction of the Regional Municipality of Waterloo):

That a holding provision shall apply to the entirety of the subject lands until a detailed 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 the development on itself (e.g. HVAC system on the sensitive points of reception) and the impact of the development on the adjacent sensitive land uses.

In addition, 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.

Please accept this letter as our request for a copy of the decision pertaining to this application. Should you have any questions, please do not hesitate to contact me.

Yours truly,



Melissa Mohr, MCIP, RPP
Senior Planner

C. 2467491 Ontario Inc. (C/O Kam Patel) (Owner), Kristen Barisdale, GSP Group Inc. (Applicant)

City of Kitchener

Application Type: Official Plan and Zoning By-law Amendments

Application: OPA22/002/F/BB & ZBA22/002/F/BB

Project Address: 142 & 146 Fergus Avenue

Comments of: Transportation Services

Commenter's Name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of Comments: March 18, 2022

- a. Transportation Service have no concerns with the proposed Official Plan or Zoning By-law Amendments being proposed for this development.
- b. After reviewing the DRAFT Transportation Impact Assessment and Parking Study (September 2021) submitted by Paradigm Transportation Solutions Ltd., Transportation Services offer the following comments.

The applicant is proposing 78 apartment units in a 4-storey building with an estimated trip generation of 27 AM and 35 PM peak hour vehicle trips, with one full moves access point servicing the site along the Fergus Avenue frontage.

A review of the site access point was completed for the existing conditions and the 2025 Total Traffic Operations scenario. The site access vehicle turning movements were expressed as, Level of Service (LOS), average vehicle delay (seconds) and 95th percentile vehicle queue lengths (metres). Under existing conditions, the site access is operating with a LOS A, average vehicle delay of zero and a 95th percentile queue of zero metres, in the AM and PM peak hours. Under the 2025 Total Traffic Operations scenario, the site access is operating with a LOS A, average vehicle delay of 10 seconds or less and a 95th percentile queue of 0.6m or less, in the AM and PM peak hours. Therefore, in either scenario, there is acceptable LOS, vehicle delay and 95th percentile vehicle queuing along Fergus Avenue and the site access.

As part of the justification to reduce parking on-site, Section 5 of the submitted report focused on Zoning By-law (ZBL) parking requirements, ITE Parking Demand, Area Specific Auto Ownership and Area Specific Mode Share.

Based on the 78 units, combined with the adopted 2019-051 ZBL parking rate of 1.15 spaces per unit, a total of 90 parking spaces be provided. Of which, 78 parking spaces are allocated for the tenant portion and 12 (15%) parking spaces for visitors. The applicant is proposing a parking rate of 1.12 spaces per unit, which amounts to a total of 87 parking spaces, of which, 78 parking spaces are allocated for the tenant portion and 9 (12%) parking spaces for visitors. This result in a parking shortfall of 3 spaces.

The ITE Parking Demand for this type of development and location estimates, 66 parking spaces, where 87 spaces are being proposed. This equates to a 21 parking space surplus. Area Specific Vehicle Ownership from the 2016 Transportation Tomorrow Survey (TTS) suggests that vehicle ownership among apartment dwellers is 0.68 vehicles per household. Based on vehicle ownership, 53 parking spaces be provided, where 87 spaces are being proposed. This equates to a surplus of 34 parking space. The 2016 TTS data suggests that 21% of people living in apartments in the Fergus Avenue area use transit as an alternative mode of travel. Existing Grand River Transit, Route 8 is less than 300m from the site. The route operates with 15 minute headways Monday to Friday, 30 minute headways Saturday and Sunday, which provides access to the ION Fairway station.

A left turn lane analysis was completed along Fergus Avenue at the access point for the 2025 Total Traffic Operations and it was determined that a left turn lane is not warranted.

Analysis for garbage pick-up was completed for the site and illustrated with the use of AutoTURN, however the illustration of the truck turning movements are to be submitted for review and comments.

Based on the 2025 Total Traffic operations and proposed parking rate of 1.12 spaces per unit, Transportation Services is of the opinion that this site can function adequately and have minimal impact on the surrounding road network.

From: Rojan Mohammadi
Sent: Friday, September 16, 2022 1:16 PM
To: 'Kristen Barisdale'
Cc: Sandro Bassanese; Brian Bateman
Subject: Status Update for Fergus Avenue
Attachments: [142-146 Fergus Avenue - Urban Design Comments_Response from GSP and ABA.docx](#)

Hi Kristen,
Hope this email finds you well.

My apologies that I wasn't able to provide comments earlier. I wasn't aware of the circulation. Reasons to provide detailed comments were because the submission package (Urban Design Brief and Architectural Design Brief) included full site plan design. I agree we can address most of the comments at the site plan application stage. I have no further issues and/or comments on the OPA/ZBA application.

Please be advised that staff are still in the opinion that there are several changes required to improve the current design which will be dealt with through the future site plan application.

Hope this clarifies your concerns. If you have any further questions, please do not hesitate to reach out to me or Sandro Bassanese.

Regards,

Rojan Mohammadi MA, MCIP, RPP, PMP (She/Her)
Senior Urban Designer | Planning Division | City of Kitchener
519-741-2200 x 7326 | TTY 1-866-969-9994 | Rojan.mohammadi@kitchener.ca



From: Kristen Barisdale <kbarisdale@gspgroup.ca>
Sent: Wednesday, August 31, 2022 2:28 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Cc: Jessi McLellan <JMcLellan@abarchitect.ca>; Andrew Bousfield <ABousfield@abarchitect.ca>
Subject: RE: Status Update for Fergus Avenue

Good afternoon Brian,

Please find attached our response commentary to the most recent UD circulation comments received by the City.

As discussed, it is frustrating that we are receiving these UD comments in July when our initial application was submitted and circulated by the City in January. As you are aware, the proposed development has been extensively reviewed and discussed with City staff since our initial pre-submission application in 2020 – there is no exaggeration in the statement that the proposed development concept is the 7th or 8th iteration that the City has reviewed, and this is now the 3rd City urban designer that has provided comments.

We feel that a number of these comments can be addressed through future detailed site plan application. We trust that upon your review of the attached, we will be in the position to now proceed to final consideration of the proposed development by Council.

Please let me know if you have any questions, or would like to discuss in detail.

Thanks Brian!

Kristen Barisdale
MCIP, RPP
Vice President, Planning

office: 519.569.8883
direct: 226.243.6562
mobile: 519.212.5771
email: kbarisdale@gspgroup.ca



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

Sent: Thursday, August 4, 2022 5:27 PM

To: Kristen Barisdale <kbarisdale@gspgroup.ca>

Subject: RE: Status Update for Fergus Avenue

Hi Kristen,

Urban Design comments are attached for your review and consideration. Some additional work and analysis is required in order for sign off. Please contact me with any comments or concerns. Still working on receiving Regional comments.

Brian

From: Brian Bateman

Sent: Friday, July 22, 2022 8:50 AM

To: 'Kristen Barisdale' <kbarisdale@gspgroup.ca>

Cc: Evan Wittmann <evanw@gspgroup.ca>; Brandon Flewwelling (brandonf@gspgroup.ca)
<brandonf@gspgroup.ca>

Subject: RE: Status Update for Fergus Avenue

Thanks, Kristen. Have a good holiday.

From: Kristen Barisdale <kbarisdale@gspgroup.ca>

Sent: Friday, July 22, 2022 8:48 AM

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

Cc: Evan Wittmann <evanw@gspgroup.ca>
Subject: Re: Status Update for Fergus Avenue

Hi Evan,

Are you able to bump this planning report to Brian? It is file 20093 - it should be in the Reports folder?

Thank you!

Kristen Barisdale
GSP Group Inc.

On Jul 22, 2022, at 8:22 AM, Brian Bateman <Brian.Bateman@kitchener.ca> wrote:

Thanks – do you have the word document of the PJR?

From: Kristen Barisdale <kbarisdale@gspgroup.ca>
Sent: Thursday, July 21, 2022 3:28 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: RE: Status Update for Fergus Avenue

Hi Brian,

Here is the proposed draft OPA and ZBA – do you require anything further?

VACATION ALERT: I will be away from the office from Friday, July 22 to Monday, August 8.

Kristen Barisdale
MCIP, RPP
Vice President, Planning

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mobile: 519.212.5771
email: kbarisdale@gspgroup.ca



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From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: Thursday, July 21, 2022 2:57 PM
To: Kristen Barisdale <kbarisdale@gspgroup.ca>
Subject: RE: Status Update for Fergus Avenue

In the meantime, can you please send me the word document of your PJR so I can start my report? Thanks.

From: Brian Bateman
Sent: Thursday, July 21, 2022 2:55 PM
To: 'Kristen Barisdale' <kbarisdale@gspgroup.ca>
Subject: RE: Status Update for Fergus Avenue

Hi Kristen,
Sorry for the late response. I will follow up with the Region and Urban Design for their comments.
Brian

From: Kristen Barisdale <kbarisdale@gspgroup.ca>
Sent: Thursday, June 23, 2022 3:38 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: [EXTERNAL] Status Update for Fergus Avenue

Hi Brian,

Further to our discussion yesterday, I went back through my documents and emails so remind myself where we left off on this one.

Based on my records, I note the following:

- Parkland dedication (land) of 0.065 has to be dedicated as part of Site Plan process, and area to be zoned accordingly (OSR-2)
- WCDSB notes requirement for posting sign and that DC's will be required as part of future Site Plan
- TIS accepted by Transportation
- No concerns or comments from Building, Heritage and Engineering
- Outstanding comments from Urban Design, Planning, Utilities, Fire, WRDSB and the Region
- Concerns from residents include traffic, need for additional green space, inadequate parking, building height and increase in density in the neighbourhood

Can you please pass along any comments that you may have already? At this point, it doesn't look like a response summary is required, but I will wait to receive all outstanding comments.

In the meantime, I will turn my attention to the draft OPA/ZBA.

Thanks Brian!

Kristen Barisdale
MCIP, RPP
Vice President, Planning



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From: Planning <planning@wcdsb.ca>
Sent: Friday, March 18, 2022 12:27 PM
To: Brian Bateman
Subject: [EXTERNAL] RE: Circulation for Comment - OPA/ZBA (142-146 Fergus Avenue)

Good Afternoon Brian,

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

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

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

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

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

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Friday, February 11, 2022 10:39 AM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Aaron McCrimmon-Jones <Aaron.McCrimmon-Jones@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Feds <vped@feds.ca>; GRCA - Planning (<planning@grandriver.ca>) <planning@grandriver.ca>; Greg Reitzel <Greg.Reitzel@kitchener.ca>; Hydro One - Dennis DeRango <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; K-W Hydro - Greig Cameron <gcameron@kwhydro.on.ca>; Linda Cooper <Linda.Cooper@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Planning <PlanningApplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (<elaine_burns@wrdsb.ca>) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>

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

Subject: Circulation for Comment - OPA/ZBA (142-146 Fergus Avenue)

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Please see attached . Additional documentation is saved in AMANDA (folders 22-101142 & 101150) for internal staff reference & [ShareFile](#) for external agencies. Comments or questions should be directed to **Brian Bateman**, Senior Planner (copied on this email).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener

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