

Brian Bateman

From: Mike Seiling
Sent: Tuesday, August 9, 2022 2:35 PM
To: Brian Bateman
Subject: FW: Circulation for Comment - 45-53 Courtland Avenue East (OPA/ZBA)
Attachments: 45-53 Courtland Agency Letter.pdf

Building; no comments

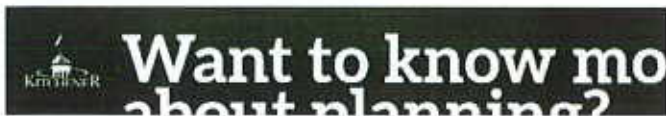
From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Tuesday, August 9, 2022 2:33 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Straus <Ellen.Straus@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>; 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 - 45-53 Courtland Avenue East (OPA/ZBA)

Please see attached. Additional documentation can be found in AMANDA folders 22-118011 & 22-118012 (City staff) and [ShareFile](#) (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: Tuesday, September 6, 2022 11:43 AM
To: Brian Bateman
Subject: RE: Circulation for Comment - 45-53 Courtland Avenue East (OPA/ZBA)

Good Morning Brian,

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

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

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

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

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

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

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

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Tuesday, August 9, 2022 2:33 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Straus <Ellen.Straus@kitchener.ca>; Feds <yped@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>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power

Internal memo

Development Services Department



www.kitchener.ca

Date: August 25, 2022
To: Brian Bateman
From: Jason Brûlé
Subject: Zoning By-law Amendment and Official Plan Amendment Application
Cantiro Courtland GP
45-53 Courtland Avenue East, Kitchener
ZBA 22/017/C/BB
OPA 22/010/C/BB

The below comments have been prepared through the review of the supplied Functional Servicing Report prepared by MTE Consultants Inc.; dated June 14, 2022 in support of the above noted applications circulated August 10, 2022.

General Comments:

1. Engineering is in support of the applications. Any comments below can be used to direct detailed design.

Sanitary:

2. Proposed flows were verified in the City's model and indicate no impacts downstream of this development. Sanitary servicing appears to be fine and Engineering has no further comments on sanitary.

Water:

3. Kitchener Utilities have no issues.

Storm and Stormwater Management:

4. SWM fees with respect to retention or quality are assessed and calculated in the year in which they are to be paid. The report shows a calculation based on 2022 user fees, but this changes yearly on January 1st. Given the point in the application process we are at currently, this site will most likely be paying these fees in calendar year 2023.

Jason Brûlé, C.E.T.
Engineering Technologist

From: Melissa Larion <mlarion@grandriver.ca>
Sent: Wednesday, August 10, 2022 10:46 AM
To: Brian Bateman
Subject: RE: Circulation for Comment - 45-53 Courtland Avenue East (OPA/ZBA)

Hi Brian,

These properties are not regulated by GRCA so we will not be providing comments.

I hope all is well and that you're having a nice summer!

Melissa Larion, MCIP, RPP

Supervisor of Resource Planning
Grand River Conservation Authority

Office: 519-621-2763 ext. 2247

Email: mlarion@grandriver.ca

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

From: Planning <planning@grandriver.ca>
Sent: August 9, 2022 3:29 PM
To: Melissa Larion <mlarion@grandriver.ca>
Subject: FW: Circulation for Comment - 45-53 Courtland Avenue East (OPA/ZBA)

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Tuesday, August 9, 2022 2:33 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Straus <Ellen.Straus@kitchener.ca>; Feds <yped@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>; 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 - 45-53 Courtland Avenue East (OPA/ZBA)

City of Kitchener
Heritage – OPA/ZBA Comment Form

Project Address: 45-53 Courtland Avenue

File Number: OPA22/010/C/BB, ZBA22/017/C/BB

Comments Of: Heritage Planning

Commenter's Name: Deeksha Choudhry

Email: deeksha.choudhry@kitchener.ca

Phone: 519-741-2200 ext. 7291

Date of Comments: December 8, 2022

Heritage Planning staff has reviewed the resubmission materials provided for this application and provide the following comments:

1. Site Specific Comments:

The subject properties municipally addressed as 45-53 Courtland Avenue East do not contain any protected or listed heritage resources under the Ontario Heritage Act. However, they are located within the Cedar Hill Neighborhood Cultural Heritage Landscape (CHL).

The character defining features of the Cedar Hill Neighborhood CHL includes the elevation of the land; the variety of street widths and housing types; the range of dates of construction of buildings; the mingling of early and late housing; high-rise structures; and institutional buildings which creates a varied and yet integrated community unique to the City.

Furthermore, the Cedar Hill and Schneider Creek Secondary Plan has identified the intersection between Benton Street and Courtland Avenue East as a gateway to the neighborhood. Thus, it is important to preserve the views and streetscapes of the neighborhood and analyze the impact the proposed development might have on the views.

2. Preliminary Heritage Planning Comments

The entrance view that has been mentioned above can be seen highlighted in the visual below:



Heritage planning staff are appreciative that the building has been setback to address some of the concerns previously outlined and are of the opinion that the proposed development, in its massing and general form will not have an adverse impact on the views and/or Cedar Hill Neighborhood Cultural Heritage Landscape. Staff may provide some conditions as part of any future site plan applications.

From: Andrea Sinclair <asinclair@mhbcplan.com>

Sent: Friday, November 18, 2022 4:57 PM

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

Cc: Juliane vonWesterholt <jvonwesterholt@mhbcplan.com>

Subject: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

Good Afternoon Brian,

As a follow up to the NIM on Monday night, and in response to the public and agency comments, we are pleased to provide you with the attached materials representing our formal response package. Please find attached:

- A letter providing detailed responses to all agency and public comments (including response tables);
- Revised site plan and shadow study;
- Revised renderings; and
- A revised Parking Study.

The 3D massing model has changed slightly to reflect the reduced building envelope. We will send this under separate cover given the file size.

We look forward to working with you in bringing these applications to Planning Committee in the early new year.

Should you have any questions regarding the attached documents, please do not hesitate to reach out to Juliane or myself.

Thank you, have a wonderful weekend,

Andrea

ANDREA SINCLAIR BES, MUDS, MCIP, RPP
Partner

Please note that I am currently working remotely and can be best reached via email or cell.

MHBC Planning, Urban Design & Landscape Architecture

540 Bingham Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 X 750 | C 519 835 7101 | F 519 576 0121 | asinclair@mhbcplan.com

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Region of Waterloo

PLANNING, DEVELOPMENT
AND LEGISLATIVE SERVICES
Community Planning

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Telephone: 519-575-4400
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Fax: 519-575-4466
www.regionofwaterloo.ca

Melissa Mohr 1-226-752-8622
File: D17/2/22008
C14/2/22015
January 23, 2023

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 22/10 and
Zoning By-law Amendment ZBA 22/17
45-53 Courtland Avenue
MHBC Planning Inc. (C/O Juliane Von Westerholt) on
behalf of Cantiro Courtland GP on behalf of Cantiro
Courtland LP
CITY OF KITCHENER**

MHBC Planning has submitted a Site Specific Official Plan Amendment and Zoning By-law Amendment Application for a development proposal at 45-53 Courtland Avenue (referred to as subject lands) in the City of Kitchener.

The applicant is proposing to demolish the existing residential dwellings on site to construct a 6-storey multiple residential rental building. The building will contain a mix of one, two and three bedroom units with a total of 64 residential units. One level of structured parking below grade is proposed with a total of 52 parking spaces. In addition, 4 barrier free and 3 visitor parking spaces are located at the rear of the building.

The subject lands are located in the Urban Area and designated Built Up Area in the Regional Official Plan. The site is Designated Low Density Commercial Residential in the City of Kitchener Official Plan and zoned CR-1 in the City of Kitchener Zoning By-law. The Owner has requested an **Official Plan Amendment** to permit a site-specific amendment to permit a FSR of 2.4, a maximum height of 21 metres and a density of 251 units/ha. The Applicant has requested a **Zoning By-law Amendment** to permit an increased FSR of

2.4, increased building height of 21 metres (68.89 feet) and front and side yard as well as parking relief.

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 Medium Density Multiple Residential in the City of Kitchener Official Plan.

Planned Community Structure:

The majority of the Region’s future growth will occur within the Urban Area designation 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).

Regional staff acknowledge that the subject lands are located within 500-800 metres of multiple ION stops and the subject lands are within walking distance to multiple bus stops with routes that connect to the ION. Furthermore, the development proposes higher density on site that supports the viability of the Region’s higher order transit system.

ROPA 6 Adopted Policies:

The subject lands are located within the Regional Council Adopted Queen Station Major Transit Station Area (MTSA). The development concept proposes a higher density development that contributes to the minimum density target established for the Queen Station MTSA of 160 people and jobs per hectare. As Major Transit Station Areas are identified as a Strategic Growth Area, the Region is supportive of increased density, uses and activity within these areas. The density proposed through this development is supported within ROPA 6.

Development within Major Transit Station Areas are to be transit-supportive with development that prioritizes access to the transit station. Regional staff understand that the development includes pedestrian accesses to the sidewalk along Courtland Avenue East. In addition, the development concept proposes a reduction in the minimum required parking spaces as well as bicycle stalls facilitating access to local trails and cycling routes near the subject lands. The development conforms to these policies.

Finally, the housing form proposed through these applications include apartment style residential units. The type of housing proposed through this development will provide additional mix of housing form within this area.

In addition to the above planning comments, Regional staff have the following technical comments relating to the proposed Official Plan Amendment and Zoning By-law Amendment:

Environmental Threats/Record of Site Condition:

There are medium and high environmental threats on an adjacent parcel of land due to the past uses of the site for various automotive and manufacturing uses. As a density increase of a sensitive land use has been proposed on the subject lands, a Record of Site Condition and Ministry Acknowledgement letter shall be required for the entirety of the subject lands in accordance with the Region of Waterloo's *Implementation Guideline for the Review of Development Applications On or Adjacent to Known and Potentially Contaminated Sites*. Since the Record of Site Condition and Ministry Acknowledgement Letter were not received as part of the Complete Application, the Region shall require a Holding Provision to be implemented as part of the Zoning By-law Amendment prohibiting the proposed development until the submission of the RSC and the Ministry's Acknowledgement Letter have been received to the satisfaction of the Regional Municipality of Waterloo. The following wording is required for the holding zone:

That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) in accordance with O. Reg. 153/04, as amended, has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry and the RSC and Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.

In addition to the above, please ensure the lands that are to be dedicated to the Region of Waterloo as part of the road widening are excluded from the RSC that will be filed with the MECP.

Corridor Planning:

Official Plan and Zoning By-law Amendment Stage:

Environmental Noise:

Regional staff have reviewed the "Draft Road Traffic and Stationary Noise Impact Study, 45-53 Courtland Avenue East" dated May 5, 2022 prepared by JJ Acoustic Engineering Ltd. and accept the implementation and recommendation measures proposed. The following recommendations must be implemented through the development and secured at various stages:

Transportation Noise:

The report indicated that road noise levels are above the acceptable levels of NPC-300 and the following mitigation measures shall be required to be implemented through the construction of the development and secured through a future consent and/or condominium application:

All units in the proposed development shall be installed with a suitably sized and designed air-ducted heating and ventilation system and shall be installed with a central air conditioning system prior to issuance of occupancy permits.

The installation of central air conditioning systems, a double-glazed window and building construction meeting the minimum requirements of the Ontario Building Code will provide adequate sound insulation for the proposed building; however, a minimum STC 29 for all exterior glazing for the North Façade is required to be implemented on the building to address noise from the road.

In addition, the following noise warning clauses shall be implemented through a registered development agreement between the Owner/Developer and the Regional Municipality of Waterloo at a future condominium or consent stage. In addition, the noise warning clauses shall be included in the Agreements of Offers of Purchase and Sale/Lease/Rental Agreements and the Condominium Declaration (should a condominium be proposed):

"Purchasers/tenants are advised that sound levels due to increasing road traffic may 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."

"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 level limits of the Region of Waterloo and Ministry of the Environment."

If a consent or condominium is not contemplated, the noise warning clauses shall be included in the site plan agreement and all agreements of Offers of Purchase and Sale/Lease/Rental Agreements.

In addition, before the issuance of any building/occupancy permits, the City of Kitchener's Building Inspector shall certify that the noise attenuation measures are incorporated in the building plans, and upon completion of construction, the City of Kitchener's Building Inspector shall certify that the dwelling units have been constructed accordingly.

Stationary Noise

There are several potential stationary noise sources in the vicinity of the subject lands that were reviewed for impacts on the proposed development including multiple HVAC units and chillers located on adjacent properties. Through an assessment of the worst-case daytime and nighttime sound levels, noise from each façade will meet the noise level limits established within MECP NPC-300 Noise Guideline. It is required that the following noise warning clause be implemented within a Registered Development Agreement between the Owner/Developer and the City of Kitchener at the future consent or condominium stage and be included in all offers of Purchase and

Sale/Lease/Rental Agreements and the Condominium Declaration (should a condominium be proposed).

"Purchasers/tenants are advised that due to the proximity of the adjacent roof-top units and commercial facility, noise from the adjacent roof-top units and commercial facility may at times be audible"

Should a Consent or Condominium not be contemplated, Regional staff require the above noise-warning clause to be included in the site plan agreement.

Further to the above, noise from the site could not be accounted for because the site has not undergone the detailed mechanical design. To address this concern, Regional staff require a Holding Provision to address the detailed design of the building and impact of noise from the building on itself and the impact of the building on the adjacent noise sensitive developments. The required wording of the holding provision is:

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 impacts of the development on adjacent noise sensitive uses.

Please be advised that once the detailed stationary noise study described above has been received, the noise study will be reviewed by a third party external noise consultant retained by the Region. The applicant will be required pay for a third party review by an external Noise Consultant retained by the Region. The fee for this third party review is \$4000 + HST. Please submit payment for the third party review along with the detailed noise study. Additional fees may apply depending on scope of review required.

Payment can be made either by cheque payable to the Region of Waterloo, or by contacting Ms. Peggy Walter (PWalter@regionofwaterloo.ca) via other methods at the time of submission.

Stormwater Management

Regional staff have reviewed the Functional Grading and Servicing Plan and Functional Servicing Report dated June 16, 2022, prepared by MTE Consultants and have no objections to the Official Plan Amendment and Zoning By-law Amendment from a stormwater management perspective at this stage.

Through the future site plan application, a detailed lot grading and detailed servicing plan as well as a stormwater management report shall be required for the Region's review and approval. Please be advised that the site must be graded and constructed in accordance with the approved plans and the Regional Road allowance must be restored to the satisfaction of the Regional Municipality of Waterloo.

Please note that any new servicing connection(s) from the Regional Right-of-way require Regional approval through a separate process of Municipal Consent and Regional Work Permit. A Region of Waterloo Work Permit must be obtained from the Region of Waterloo prior to commencing construction within the Region's right-of-way. The permit and additional information can be found here: <https://rmow.permitcentral.ca/>

Future Site Plan Stage

Regional Road Dedication

While the dedication of the Region's Road allowance can be deferred to the site plan stage, Courtland Avenue East (Regional Road 53) has a designated road width of 26.213m and a Regional Road dedication is required for the entirety of the subject lands adjacent to Courtland Avenue East. Regional staff estimate that a road dedication of 3.80m will be required along the property frontage.

The Owner/Applicant must engage an Ontario Land Surveyor (OLS) to prepare a draft reference plan. Prior to depositing the reference plan at the Land Registry Office, the OLS must submit a copy of the draft reference plan to the Region's Transportation Planner for review. The land must be dedicated to the Region of Waterloo for road allowance purposes and must be without cost and free of encumbrance. In addition, the road correct road dedication shall be shown on all plans submitted in support of the Site Plan Application.

Please be advised that a Phase I and possibly a Phase II Environmental Site Assessment shall be required on the lands to be dedicated to the Regional Municipality of Waterloo. please ensure the lands that are to be dedicated to the Region of Waterloo as part of the road widening are excluded from the RSC that will be filed with the MECP.

Access Permit/TIS/Access Regulation:

Please note that a right in, right-out access shall only be permitted at this location due to the sites proximity to the Courtland Avenue East and Benton Street intersection.

In addition, the proposed access must comply with the Regional Access Policy and the access width shall be a minimum width of 7.6m with a 6.0m turning radii. This information is not shown on the concept plan submitted with the Official Plan and Zoning By-law Amendment, but must be identified on the site plan.

A Regional Access Permit shall be required for the proposed new access to Courtland Avenue East (Regional Road 53) as well as the closure of the existing accesses along Courtland Avenue East. There is currently a fee of \$230.00 for the new access with no fee for the closure of existing accesses. The access application can be found here: <https://forms.regionofwaterloo.ca/ePay/PDLS-Online-Payment-Forms/Commercial-Access-Permit-Application> .

Site Plan Application Fee:

A pre-submission consultation fee of \$300.00 and a Site Plan Application Review fee of \$805.00 shall be required as part of the future Site Plan Application. Please note that these fees may be subject to change and the applicant shall pay the fee required as per the in effect Fees and Charges By-law. It is recommended that the applicant confirm the fees with Regional staff prior to submitting the application to the Region.

Housing Services

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

- Regional Strategic Plan
- 10-Year Housing and Homelessness Plan
- Building Better Futures Framework
- Region of Waterloo Official Plan

The Region supports the provision of a full range of housing options, including affordable housing. 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

Please be advised that the Region has yet to receive the Official Plan Amendment and Zoning By-law Amendment review fees totalling \$10,000. Regional staff have reached out to the applicant for these fees.

Conclusions:

Based on the above, Regional staff have no objection to the applications subject to the implementation of a Holding Provision to obtain a Record of Site Condition and Ministry Acknowledgement letter for the entirety of the site as well the implementation of a holding provision to obtain a satisfactory detailed noise study that assesses the impact of the development on itself and adjacent noise sensitive developments. The required wording for the holding provisions are:

That a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) in accordance with O. Reg. 153/04, as amended, has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry and the RSC and Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.

And,

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 site noise sensitive receptors (e.g. HVAC system on the sensitive points of reception) and the impacts of the development on adjacent noise sensitive uses.

Next Steps:

Please be advised that any future development on the lands subject to the above-noted application will be subject to the provisions of Regional Development Charge By-law 19-037 or any successor thereof.

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

Yours truly,

A handwritten signature in dark ink, appearing to read "Melissa Mohr". The signature is fluid and cursive, with the first name "Melissa" written in a larger, more prominent script than the last name "Mohr".

Melissa Mohr, MCIP, RPP
Senior Planner

C. MHBC Planning Inc. C/O Andrea Sinclair (Applicant)
Cantiro Courtland GP on behalf of Cantiro Courtland LP (Owner)

From: Gaurang Khandelwal
Sent: Wednesday, December 28, 2022 10:37 AM
To: Juliane vonWesterholt; Brian Bateman
Subject: RE: 45-53 Courtland Avenue questions

Hi Juliane,

Thank you for clarifying.

Please provide, at time of site plan application, an updated sustainability statement incorporating below comments and confirming sustainability measures that will be included in the development.

Regards,

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



From: Juliane vonWesterholt <jvonwesterholt@mhbcpplan.com>
Sent: Thursday, December 15, 2022 3:31 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>; Gaurang Khandelwal <Gaurang.Khandelwal@kitchener.ca>
Subject: 45-53 Courtland Avenue questions

Hello Brian and Gaurang,

Further to your questions regarding the following I have these responses:

- if the design of the building will enable addition of alternative energy and water conservation systems in the future if required
 - The client is not presently considering alternative energy options for this project (such as geothermal, etc). At the discretion of the future condo corporation, there may be potential for a storm water tank to be installed (likely at the expense of 1 parking stall) that can be pumped out for landscaping use.
 - At this time, the client plans to incorporate low flow plumbing fixtures for this project
- if the roof structure will be designed to accommodate solar PV installation in the future if required
 - At the discretion of the future condo corporation, there may be an opportunity to install low-slope solar panels with ballasted anchorage. Cantiro will need to explore the

implications of required rough-ins and structural reinforcement measures before fully committing to this initiative.

- Cantiro does not intend to supply or install solar panels as part of the initial build.

I trust this will be of assistance to you and hope this has addressed your questions in this regard. This is all the information I have at this time.

Sincerely,

Juliane von Westerholt

JULIANE von WESTERHOLT BES, MCIP, RPP
Associate

MHBC Planning, Urban Design & Landscape Architecture
540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 X
720 | C 519 504 1044 | F 519 576 0121 | jvonwesterholt@mhbcplan.com

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From: Steven Ryder
Sent: Tuesday, December 13, 2022 10:54 AM
To: Brian Bateman
Subject: RE: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

Hi Brian,

My comments from the original submission have been addressed through their updated materials. Julia Salvini and I had a meeting recently regarding this site where we talk through the comments and she has addressed them in her revised and updated letter for the parking justification and analysis.

If you have any questions or concerns, please let me know.

Regards,

Steven Ryder, C.E.T.

Traffic Planning Analyst | Transportation Services | City of Kitchener
519-741-2200 ext 7152 | TTY: 1-866-969-9994 | Steven.Ryder@kitchener.ca



 Please consider the environment before printing this e-mail.

From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: Monday, November 28, 2022 11:23 AM
To: Deeksha Choudhry <Deeksha.Choudhry@kitchener.ca>; Lenore Ross <Lenore.Ross@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Gaurang Khandelwal <Gaurang.Khandelwal@kitchener.ca>
Cc: Rojan Mohammadi <Rojan.Mohammadi@kitchener.ca>
Subject: FW: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

Hello Deeksha, Gaurang, Lenore & Steve,

Please see attachments from MHBC in response to your comments provided to the application at 45-53 Courtland. Please review and advise me by December 14 if the response adequately addresses your concerns. Thank you.

Brian

From: Andrea Sinclair <asinclair@mhbcplan.com>
Sent: Friday, November 18, 2022 4:57 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Cc: Juliane vonWesterholt <jvonwesterholt@mhbcplan.com>
Subject: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

Good Afternoon Brian,

As a follow up to the NIM on Monday night, and in response to the public and agency comments, we are pleased to provide you with the attached materials representing our formal response package. Please find attached:

- A letter providing detailed responses to all agency and public comments (including response tables);
- Revised site plan and shadow study;
- Revised renderings; and
- A revised Parking Study.

The 3D massing model has changed slightly to reflect the reduced building envelope. We will send this under separate cover given the file size.

We look forward to working with you in bringing these applications to Planning Committee in the early new year.

Should you have any questions regarding the attached documents, please do not hesitate to reach out to Juliane or myself.

Thank you, have a wonderful weekend,

Andrea

ANDREA SINCLAIR BES, MUDS, MCIP, RPP
Partner

Please note that I am currently working remotely and can be best reached via email or cell.

MHBC Planning, Urban Design & Landscape Architecture

540 Bingham Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 X 750 | C 519 835 7101 | F 519 576 0121 | asinclair@mhbcplan.com

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From: Rojan Mohammadi
Sent: Monday, December 5, 2022 11:30 AM
To: Brian Bateman
Subject: RE: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

Hi Brian,

I have no comments.

Thanks

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: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: Monday, November 28, 2022 11:23 AM
To: Deeksha Choudhry <Deeksha.Choudhry@kitchener.ca>; Lenore Ross <Lenore.Ross@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Gaurang Khandelwal <Gaurang.Khandelwal@kitchener.ca>
Cc: Rojan Mohammadi <Rojan.Mohammadi@kitchener.ca>
Subject: FW: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

Hello Deeksha, Gaurang, Lenore & Steve,
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Brian

From: Andrea Sinclair <asinclair@mhbcplan.com>
Sent: Friday, November 18, 2022 4:57 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Cc: Julianne vonWesterholt <jvonwesterholt@mhbcplan.com>
Subject: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

Good Afternoon Brian,

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Andrea

ANDREA SINCLAIR BES, MUDS, MCIP, RPP
Partner

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From: Brian Bateman
Sent: Wednesday, February 8, 2023 11:27 AM
To: Lenore Ross; Rojan Mohammadi
Cc: Sandro Bassanese
Subject: RE: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

Hi Lenore,

I have been to contact you to close the loop on this matter. For the OPA/ZBA Planning is satisfied with the conceptual plan and including the conceptual amenity space being provided. Your comments are noted and be assured we'll work with MHBC/Cantiro to ensure the amenity space is programmed appropriately at the site plan stage.

Brian

From: Brian Bateman
Sent: Tuesday, November 29, 2022 1:42 PM
To: Lenore Ross <Lenore.Ross@kitchener.ca>; Rojan Mohammadi <Rojan.Mohammadi@kitchener.ca>
Subject: RE: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

Hi Lenore,

Thanks for the comments - I will follow up with MHBC, as instructed.

Brian

From: Lenore Ross <Lenore.Ross@kitchener.ca>
Sent: Tuesday, November 29, 2022 1:24 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>; Rojan Mohammadi <Rojan.Mohammadi@kitchener.ca>
Subject: RE: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

Hi Brian and Rojan,

Thank you for the revised submission and updated documents related to the OPA22/010/C/BB and ZBA22/017/C/BB at 45-53 Courtland Ave E.

Documents submitted and reviewed

- MHBC Response Letter dated Nov 18 2022
- Edge Architects Ltd – Revised Renderings NIM.3-NIM.5 dated 2022.11.10
- Edge Architects Ltd - Revised Site Plan and Shadow Study SP1.1, SP1.2, SP4.1., SP5.1 dated 2022.11.16

Parks and Cemeteries original comments provided Sept 07 2022 requested that a revised Planning Justification Report be submitted to provide a response to the availability of services and infrastructure related to parks, open space, urban forests and community facilities relative to the change in planned density specifically referencing the objectives and policies contained in City of Kitchener Official Plan Part C Section 8: Parks, Open Space, Urban Forests and Community Facilities. MHBC has provided a response within their letter rather than as part of an updated Planning Justification Report and while the

response is adequate, P&C had also requested that the Urban Design Brief include conceptual details and precedent images illustrating .."robust on-site outdoor amenity spaces with good solar access and protection from wind will be required as part of the site plan and should include seating and play equipment for residents of all ages and abilities" and these details have not been provided either through the Urban Design Scorecard or on the updated renderings which illustrate only casual seating with low-level landscaping in planters.

While I do appreciate that the detailed design for the amenity area will occur at the site plan stage and that the Urban Design Manual has specific provisions for children's play spaces on a multiple residential site, there should be a general commitment and demonstration to providing robust on-site amenities for all ages and abilities. Sandhills Park is 300m away and the active play spaces at Victoria Park are over 800m away and the provision of on-site amenity spaces will be critical to addressing the needs of future residents immediate recreation and leisure needs.

Brian, please have the applicant provide either updated site renderings illustrating these conceptual amenities or static images that can be imbedded in an updated Urban Design Scorecard as previously requested.

Regards,

Lenore

Lenore Ross MSc, MCIP, RPP

Parks Planning and Development Project Manager

Design & Development | Parks and Cemeteries | City of Kitchener

519-741-2200 ext 7427 | TTY 1-866-969-9994 | Lenore.Ross@Kitchener.ca

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

Sent: Monday, November 28, 2022 11:23 AM

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Cc: Rojan Mohammadi <Rojan.Mohammadi@kitchener.ca>

Subject: FW: CANTIRO Courtland/ OPA and ZBA Applications / Response to Circulation Comments

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Brian